

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
MAY 24, 2011 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

1. Consider the following damage claims recommended for approval: Kendra Sebo in the amount of \$7,835.62 and Jeanne and Leo Meyer in the amount of \$1,367.83. Exhibits: Legal Opinion/Recommendation, Resolution No. ____ and Resolution No. ____.
Page 1
2. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers' compensation claim of Lena Galloway. Exhibits: Resolution No. 2011-____.
Page 10
3. Consider adopting a resolution approving payment on the judgment in the Workers' Compensation case of Kristi Perdieu in the Workers' Compensation Court, Case No. 2009-09623F. Exhibits: Resolution No. 2011-____.
Page 12
4. Consider approval of the Agreement for Administrative Professional Services with Emily McKee, to work as a summer Legal Intern in the City Attorney's Office, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement is on file in the City Clerk's Office.
Page 15
5. Consider renewing the professional services agreement with the Center for Economic Development Law for economic development financing methods, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Retainer Agreement for Professional & Legal Services is on file in the City Clerk's Office.
Page 16
6. Consider Approving Change Order # 5 for the Rehabilitation of Old Lawton High School Phase III Parking Lots (F.A. Project No. STP-116E(177)EH, State Job Piece Number 26406(04)) subject to approval by the Oklahoma Department of Transportation. Exhibits: Contract Change Order No. 5.
Page 17
7. Consider approving Change Order # 6 for the Rehabilitation of Old Lawton High School Phase IV. Exhibits: Architect's Change Order No. 6, dated May 13, 2011.
Page 25
8. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2011, and authorize the Mayor and City Clerk to execute the resolution. Exhibits: Resolution No. 11-____.
Page 27

9. Consider accepting a grant from the Corporation for National and Community Service (CNCS) for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2011-2012 funding. Exhibits: Contract will be on File in City Clerk's Office. Page 29
10. Consider approving an agreement for cost sharing for new fire hydrant installation in accordance with Policy 6-4 between the City of Lawton and Conner Auto Group at or about 5116 N.W. Cache Road. Exhibits: Agreement. Page 30
11. Consider approving an agreement for cost sharing for new fire hydrant installation in accordance with Policy 6-4 between the City of Lawton and Qwik-N-Go at or about 2213 N.W. Sheridan Road. Exhibits: Agreement. Page 41
12. Consider approving annual contract renewals between the City of Lawton and the following: County Commissioners (re: Juvenile Detention Center); J. Roy Dunning (re: Children's Shelter); and Roadback (re: Detoxification Center); Lawton Crimestoppers, Inc. (re: Funds from sale of property in police custody). Exhibits: Copies of contracts are located in the City Clerk's Office for review. Page 50
13. Consider approving the Memorandum of Understanding between the City of Lawton and the Lawton Metropolitan Planning Organization for metropolitan transportation planning for Fiscal Year 2012. Exhibits: Memorandum of Understanding. Page 51
14. Consider approving the Memorandum of Understanding between the City of Lawton and the Lawton Metropolitan Planning Organization for Congestion Mitigation and Air Quality programs and projects during Fiscal Year 2012. Exhibits: Memorandum of Understanding. Page 54
15. Consider endorsing the Fiscal Year 2012 Unified Planning Work Program for the Lawton Metropolitan Transportation Planning Process. Exhibits: FY 2012 UPWP. Page 56
16. Consider acknowledging receipt of a permit for the construction of waterlines and appurtenances from the Oklahoma Department of Environmental Quality to serve the NW 38th Street Reconstruction (Gore Blvd. to Cache Rd) Project #2006-7, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated April 26, 2011 is on file in the City Clerk's Office. Page 79
17. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 125 linear feet of 12-inch waterline, 677 linear feet of 8-inch waterline, 927 linear feet of 8-inch sanitary sewer line, and all appurtenances to serve Saint James Place, Part 2, located approximately ½ mile west of NW 82nd Street, south of NW Cache Road in the NE/4 of Section 30, T2N, R12W, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office. Page 80

18. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 3,465 linear feet of 10-inch PVC waterline, 4,048 linear feet of 8-inch PVC waterline, 7,150 linear feet of 8-inch PVC sanitary sewer line, and all appurtenances to serve West Hill Addition, Part 1, located north of SW Lee Boulevard, east of SW 82nd Street in the SW/4 of Section 32, T2N, R12W, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office. Page 81
19. Consider approving the submission of a Safe Routes to School (SRTS) Travel Plan for Pat Henry Elementary School and authorize the Mayor to execute. Exhibits: SRTS Travel Plan for Pat Henry Elementary School. Page 82
20. Consider setting the date of June 28, 2011, to hold a public hearing and consider an ordinance closing the right-of-way of University Drive between SW D Avenue and SW Tulane Avenue. Exhibits: Application, Location Map and Council Policy 5-1. Page 99
21. Consider awarding a construction contract to OBC, Inc. for the Santa Fe Bridge Replacement Project #2010-2. Exhibits: None. Page 106
22. Consider accepting a permanent easement and a temporary easement from Page E. Smith Jr. & Cheryl D. Smith for right of way needed for the NW 82nd Street Sewer Line Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Documents are on file in the City Clerk's office. Page 107
23. Consider approving the record plat for Dollar General Addition. Exhibits: Plat Map. Page 108
24. Consider a request for an extension of time for the escrow agreement for the drainage improvements in Dove Creek Addition, Part 3. Exhibits: Letter from Developer, List of Deficiencies and Location of PSO Ground Work. Page 110
25. Consider extending (RFPCL10-037) Employee Assistance Program (EAP) Services to Deer Oaks EAP Services of San Antonio, TX. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet. Page 114
26. Consider awarding (CL11-024) Footwear (Safety) to Woodward's Department Store of Cyril, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 118
27. Consider approving appointments to boards and commissions. Exhibits: None. Page 125
28. Consider approval of payroll for the period of May 2 - 15, 2011.

OLD BUSINESS ITEMS:

29. Consider amending the outside water agreement between the City of Lawton, Oklahoma, and McGuire & Wells Development, LLC, by increasing the maximum number of individual meters from 40 to 117 for this water association. Exhibits: First Amendment to Agreement for Sale of Treated Water (on file with the City Clerk). Page 127
30. Consider a resolution authorizing the Mayor to execute a mortgage instrument granting to the McMahon Foundation a security interest in a portion of the City's NW 67th Street and Rogers Lane property in order to further assure a source of repayment of the Original Lawton High School remodel construction bridge loan and to buttress the McMahon Foundation's guarantee of that loan. Exhibits: Mortgage Document; Resolution No 11-____. Page 128

NEW BUSINESS ITEMS:

31. Receive the semi-annual update of the hotel/motel tax funded activities for FY 2010-2011 from the Lawton-Fort Sill Chamber of Commerce. Exhibits: None. Page 142
32. Hold a public hearing to receive input from citizens regarding the City of Lawton budget for Fiscal Year 2011-2012. Exhibits: None. Page 143
33. Hold a public hearing and consider an ordinance amending Sections 21-3-303, 21-3-304, 21-3-305, and 21-5-504, Chapter 21, Lawton City Code, 2005, modifying the requirements for park land dedication in the platting process and the use those funds collected in-lieu-of park land dedication. Exhibits: Ordinance No. 11-____ and Agenda Item Commentary of April 26, 2011. Page 144
34. Consider amending Ordinance 11-04 in order to maintain the closing, vacating, and discontinuing certain streets, easements, and other rights-of-way in portions of the North Addition located in the Downtown Redevelopment Project area but to delete and rescind any reference to the closing, vacating, and discontinuing certain streets, easements, and other rights-of-way in portions of the Vernon Addition. Exhibits: Ordinance No. 11-____ Amending Ordinance No. 11-04 and Location Map. Page 157
35. Consider an ordinance amending Section 7-12-1-1201 adding the definitions of temporary structure and temporary use, and creating Division 7-12-2, Chapter 7, Temporary Structures and Uses, and amending Section 14-1-107, Chapter 14, Lawton City Code, 2005, amending the regulations for commercial use of mobile homes and declaring an emergency. Exhibits: Ordinance No. 11-____. Page 164
36. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, to establish fees for temporary uses. Exhibits: Resolution No. 11-____. Page 173

AUDIENCE PARTICIPATION: Anyone having an item of business to present to the City Council that does not appear on the agenda, please come forward at this time.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

37. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2011-2012, between the American Federation of State, County and Municipal Employees (AFSCME) Local 3894, and, if necessary, take appropriate action in open session.
Exhibits: None. Page 176

ADJOURNMENT

"The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."