

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 8, 2010 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

RECOGNITION TO LAWTON-FORT SILL REGIONAL AIRPORT AND BARBARA MCNALLY, AIRPORT MANAGER.

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.

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 and consider passage of the resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Karetaromica Dotson and Patricia Eurie in the amount of \$1,072.45, Steve and Claudia Laster in the amount of \$1,021.69, Paula and Michael Patterson in the amount of \$22,922.32 and Rafael Rivera and Mylene Rios in the amount of \$887.31. Exhibits: Legal Opinions/Recommendations, Resolution No. _____, Resolution No. _____, Resolution No. _____ and Resolution No. _____. Page 1
2. Consider the following damage claim recommended for denial: Erna Soncksen in the amount of \$450.00. Exhibits: Legal Opinion/Recommendation. Page 18
3. Consider approving an Outside Water Sales Contract with Ernie and Jan Manning, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office. Page 21
4. Consider renewing the Retainer Agreement for Professional Services with Granville D. Long, to provide professional investigative services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement. Page 23
5. Consider renewing the professional services agreement with James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims. Exhibits: Retainer Agreement for Professional & Legal Services on file in the City Clerks Office. Page 28
6. Consider approving an Interlocal Cooperative Agreement for Mutual Enforcement of State Laws and Local Ordinances for the Protection of Public Health, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Interlocal Cooperative Agreement for Mutual Enforcement of State Laws and Local Ordinances for the Protection of Public Health; Code §15-1-110; Code §2-2-1-215; Code §2-2-1-217. Page 29

7. Consider approval of the Cooperative Lease Agreement for joint use of a combined Emergency Operations Center between the City of Lawton, Great Plains Technology Center, Emergency Medical Services Authority and the Board of County Commissioners of Comanche County, Oklahoma, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Cooperative Lease Agreement. Page 39
8. 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 46
9. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 3 and July 4, 2010, and authorize the Mayor and City Clerk to execute the resolution. Exhibits: Resolution No. 10-_____. Page 47
10. Consider approving recommendation to officially dedicate and direct placement of a damaged tree stump of historical significance at the Patterson Community Center that was damaged during the recent ice storm. Exhibits: Ltr, Albert Johnson, Sr., Chairman, Patterson Neighborhood Association. Page 49
11. Consider approving agreements for euthanization services with the City of Grandfield and the Town of Medicine Park and authorize the Mayor and City Clerk to execute the agreements. Exhibits: Agreements on file with the City Clerk. Page 51
12. Consider approving agreements for refuse disposal with the Town of Indianola, Multiple Community Services Authority and the Town of Temple and authorize the Mayor and City Clerk to execute the agreements. Exhibits: Agreements on file with the City Clerk. Page 52
13. Consider approving a Resolution increasing the petty cash account for the License & Permit Division. Exhibits: Resolution No. 10 -_____. Page 53
14. Consider awarding a construction contract to H.G. Jenkins Construction Company 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: Award Recommendation Letter, Bid Tabulation and Project Map. Page 55
15. Consider accepting a warranty deed and a temporary easement from Danny D. and Saradell Horton for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 60

16. Consider accepting a warranty deed and a temporary easement from Rosemary Bellino-Hall for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 61
17. Consider accepting a warranty deed from Meadowbrook Square, Inc. for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed is on file in the City Clerk's office. Page 62
18. Consider accepting two (2) warranty deeds and three (3) temporary easements from Professional Office Development, L.L.C. and 38th Street Properties, L.L.C. for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deeds and temporary easements are on file in the City Clerk's office. Page 63
19. Consider accepting a temporary easement from Richard B. Atkins for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Temporary easement is on file in the City Clerk's office. Page 64
20. Consider accepting an agreement letter for financial advisement and consulting services with the firm of Wells Nelson & Associates, LLC, and provide guidance to staff as appropriate. Exhibits: Agreement Letter with Wells Nelson & Associates, LLC. Page 65
21. Consider accepting an engagement letter for technical accounting and consulting services with the firm of Crawford & Associates, P.C., and provide guidance to staff as appropriate. Exhibits: Engagement Letter with Crawford & Associates, P.C. Page 70
22. Consider approving a resolution redesignating NW 40th Street (running east and west) in Heinz Addition between NW 38th Street and NW 40th Street (running north and south) as NW Elm Avenue. Exhibits: Resolution No. 10-____, Location Map and Letter of Request. Page 76
23. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 1,953 linear feet of 8-inch PVC waterline, 4 fire hydrants, 2,113 linear feet of 8-inch PVC sanitary sewer line, 147 linear feet of 8-inch DIP sanitary sewer line, 12 manholes and all appurtenances to serve Dove Creek Addition, Part 4 located west of SW 52nd Street, north of Bishop Road in the SE/4 of Section 4, T1N, R12W, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office. Page 80
24. Consider extending (CL08-064) Temporary Workers to Express Employment Professionals of Shawnee, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 81

25. Consider extending (CL08-067) Manhole Rings & Covers to Water Products of Oklahoma of Owasso, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 86
26. Consider extending (CL09-047) Bunker-Turnout Gear to Wayest Safety of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 90
27. Consider awarding (RFPCL10-037) Employee Assistance Program (EAP) Services to Deer Oaks EAP Services of San Antonio, TX. Exhibits: Department recommendation, RFP and proposal packets on file at the Financial Services Office. Page 94
28. Consider extending (CL10-005) Mowing Contract Area O to Teen Challenge of Oklahoma of Cache, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 97
29. Consider extending (CL10-005) Mowing Contract Area M & N to Pair Mowing of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 101
30. Consider extending (CL10-005) Mowing Contract Area P to L.C. Lawn Care of Altus, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 105
31. Consider extending (CL09-050) Lawton Arts & Entertainment Magazine to Colorgraphics, “The Print Shop”, Inc. of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 109
32. Consider approving appointments to boards and commissions. Exhibits: None. Page 114
33. Consider approval of payroll for the period of May 17 - 30, 2010.

NEW BUSINESS ITEMS:

34. Consider a resolution amending Sections 22-111 and 22-112, Article A-22-1, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, increasing the surcharge constituting the Lake Waurika assessment from four dollars (\$4.00) to six dollars and fifty cents (\$6.50) as approved by the Lawton Water Authority. Exhibits: Resolution No. 10-____, Exhibit A - Sections 22-111 and 22-112, Article A-22-1, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005. Page 115
35. Consider reviewing and approving the City of Lawton Fiscal Year 2010-2011 budget and approving a resolution adopting the FY 2010-2011 City of Lawton budget. Exhibits: Resolution No. 10- _____. Page 119
36. Consider approving an ordinance codifying Ordinance 2006-15 relating to Tax Increment Financing and the Downtown Economic Development Plan, and creating Sections 10-15-1-101, 10-15-1-102 and 10-15-2-201 through 10-15-2-215, Divisions 10-15-1 and 10-15-2, Article 10-15 of Chapter 10 – Finance and Taxation, in the Lawton City Code, 2005. Exhibits: Proposed Ordinance 2010-_____ codifying Ordinance 2006-15. Page 123

37. Consider Holding the Second Required Public Hearing on the Proposed Amended Lawton Downtown Economic Development Project Plan, at Which Any Interested Persons Shall Have the Opportunity to be Heard in Support of or Opposition to the Proposed Project Plan Prior to Any City Council Action with Regard to Adoption of the Proposed Project Plan. Upon Conclusion of the Public Hearing, Consider Adopting an Ordinance Approving the Amended Project Plan thereby Creating Increment District No. 2, City of Lawton, Establishing the Boundaries and Date of Creation of Increment District No. 2; Authorizing the Use of Ad Valorem, Sales, and Occupancy Tax Increment Revenues Apportioned for Increment District No. 2 for the Payment or Financing of Certain Project Costs; Reducing the Area of Increment District No. 1, City of Lawton; Providing for a Portion of the Ad Valorem Increment Revenues of Increment District No. 1 to be Allocated to the Affected Taxing Jurisdictions and the Balance to Payment of Project Costs; and Terminating the Sales Tax Increment Portion of Increment District No. 1. Exhibits: (1) Proposed Amended Lawton Downtown Economic Development Project Plan (2) Proposed Ordinance Adopting and Approving the Amended Lawton Downtown Economic Development Project Plan (3) City Planning Commission Resolution No _____. Page 133
38. Consider amending Section 14-1-106, Article 14-1, Chapter 14, Lawton City Code, 2005, by removing certain references to storage and use travel or camping trailers on residential lots; amending Section 15-1-101, Article 15-1, Chapter 15, Lawton City Code 2005, by further defining the terms camping trailer, front yard, motor home, non-standard motor vehicle, pickup coach or pickup shell, rear yard or back yard, recreational vehicle, side yard, travel trailer, vehicle or motor vehicle; providing for severability, and declaring an emergency. Exhibits: Proposed Ordinance amending Chapter 14, Section 14-1-106 and Proposed Ordinance amending Chapter 15, Section 15-1-101. Page 163
39. Consider approving a Resolution imposing a temporary moratorium on issuing new building permits for the construction of any hard surfaced (concrete, asphalt, paving stones or brick) area for the storage or parking of recreational vehicles or trailers on the front, side or rear yards of residential lots. Exhibits: Resolution No. 10 - _____. Page 171
40. Consider an ordinance amending Section 23-3-302, Article 2-.3, Chapter 23, Lawton City Code, 2005, pertaining to making it unlawful for a motor vehicle use air compression brakes, providing for severability, and declaring an emergency. Exhibits: Ordinance 10- _____. Page 174
41. Consider rescinding City Council Policy 6-1, Granting additional time for compliance with building codes on condemned structures. Exhibits: Policy 6-1. Page 177

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

42. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending litigation of case number CJ-2005-352, concerning 911 W 11th Street. Exhibits: None. Page 180

43. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action relating to the cracking of the foundation of the newly constructed Medicine Park Water Treatment Plant Water Storage Tank and if necessary, take appropriate action in open session. Exhibits: Diagram Depicting Foundation Cracks. Page 181
44. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010, between the American Federation of State, County and Municipal Employees (AFSCME) Local 3894, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 183
45. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Fire Union, IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 184
46. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 185

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."