

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 9, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION FROM SR. PASTOR DON BARNES, LAWTON FIRST ASSEMBLY AND SR. PASTOR BOB JONES, CAMERON BAPTIST CHURCH, REGARDING THE "I LOVE AMERICA" CELEBRATION.

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.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF APRIL 14, 2009.

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 resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: James and Nancy Elliott in the amount of \$160.00, Robert and Susan Zwaan in the amount of \$250.00, and Pat Norrell, on behalf of Woodland Hills Town House Association Part B in the amount of \$400.00. Exhibits: Legal opinions/Recommendations. Page 1
2. 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 8
3. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Clay Hillis and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office. Page 13
4. 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 14
5. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Kevan James in the Workers' Compensation Court, Case No. 2007-12800 K. Exhibits: Resolution No. 2009-_____. Page 15

6. Consider approving a renewal Agreement effective July 1, 2009 through June 30, 2010 between the State of Oklahoma Office of Juvenile Affairs and the City of Lawton for the continued operation and management of a Community Intervention Center in Lawton, and authorize execution of the renewal Agreement and an Affidavit of Assignment authorizing payment directly from the State to Marie Detty as the CIC subcontractor. Exhibits: Renewal Agreement and Affidavit of Assignment on file in City Clerk's Office. Page 18
7. Consider approving a renewal Agreement between the City of Lawton and the Marie Detty Youth and Family Service Center, Inc. for the continued operation and management of the Community Intervention Center in Lawton and authorize execution of the renewal Agreement and any associated documents. Exhibits: Agreement with Marie Detty Youth and Family Service Center, Inc., is on file in the City Clerks Office. Page 19
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 20
9. Approve Meyer Architecture Plus' RFP #7 which, upon approval, will be incorporated as Change Order #4 for Phase II of the CJHS Restoration Project, and authorize J. L. Walker Construction, Inc. to commence work as indicated within the proposal. Exhibits: Architect's request for proposal: RFP #7, dated March 13, 2009 and General Contractor's Response: RFP #7, dated March 26, 2009. Page 21
10. Approve Meyer Architecture Plus' RFP #8 which, upon approval, will be incorporated as Change Order #4 for Phase II of the CJHS Restoration Project, and authorize J. L. Walker Construction, Inc. to commence work as indicated within the proposal. Exhibits: Architect's request for proposal: RFP #8, dated April 10, 2009 and General Contractor's Response: RFP #8, dated April 13, 2009. Page 27
11. Approve Meyer Architecture Plus' RFP #9 which, upon approval, will be incorporated as Change Order #4 for Phase II of the CJHS Restoration Project, and authorize J. L. Walker Construction, Inc. to commence work as indicated within the proposal. Exhibits: Architect's request for proposal: RFP #9, dated March 16, 2009 and General Contractor's Response: RFP #9, dated April 13, 2009. Page 34
12. Consider approval of Grant Agreement 3-40-0051-024-2009 for the Lawton-Ft Sill Regional Airport. Exhibits: Grant application. Page 39
13. Consider approving agreements for euthanization services with the following entities, and authorize the Mayor and City Clerk to execute the Agreements: City of Grandfield and Town of Medicine Park. Exhibits: Agreements are on file with the City Clerk. Page 43
14. Consider approving agreements for refuse disposal with the following entities, and authorize the Mayor and City Clerk to execute the Agreements: Town of Indianahoma, Multiple Community Services Authority and Town of Temple. Exhibits: Agreements are on file with the City Clerk. Page 44

15. Consider approving a credit adjustment in the amount of \$1,130.08 to Branden W. Thomas' utility account #00014338 for the property at 2006 NW Taft Avenue for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Roberts Repair Master Plumbing dated 12/24/08 and Copies of Mr. Branden's service bills. Page 45
16. Consider approving a credit adjustment in the amount of \$547.00 to Edwinta Cathey's utility account #00024855 for the property at 916 SW 5th Street for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Towers Plumbing dated 02/02/2009. Page 49
17. Consider approving a credit adjustment in the amount of \$4,011.41 to the VFW Post #5263's utility account #00006089 for the property at 101 NE 20th Street for an undetected, underground leak on the customer's water service line. Exhibits: Billing statement from Andy's Plumbing dated 02/26/2009. Page 51
18. Consider approving plans and specifications for the 2008 CIP Residential Street Phases 1 & 2 Project #2009-1 and authorizing staff to advertise for bids. Exhibits: None. Page 53
19. Consider approving the Oklahoma Department of Transportation (ODOT) Change Order No. 2 for the NW 67th Street (Cache Road to Rogers Lane) Project #2003-7. Exhibits: None. Page 54
20. Consider acknowledging receipt of a permit for the construction of waterlines and appurtenances from the Oklahoma Department of Environmental Quality to serve the 2008 CIP Waterline Replacement Phases 1 & 2 Project #2008-12, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated may 8, 2009. Page 55
21. Consider approving the record plat for Oak Pointe Addition, Part 1B, and accepting the improvements, easements, and maintenance bonds. Exhibits: Plat Map. Maintenance Bond and Easements on file in City Clerk's Office. Page 59
22. Consider approving the construction plat for Sungate Addition, Part 10, subject to conditions. Exhibits: Plat Map. Page 61
23. Consider approving appointments to boards and commissions. Exhibits: None. Page 65
24. Consider approval of payroll for the period of May 18 - 31, 2009.

OLD BUSINESS ITEMS:

25. Consider accepting a boathouse, 14X40 in size, estimated value at \$51,000, donated by Jason A. Buschman and approve staff recommendation to permit use of boathouse exclusively by city employees as a benefit of their employment. Exhibits: Letter of request from Jason A. Buschman, D.D.S. Page 67

NEW BUSINESS ITEMS:

26. Hold a Public Hearing for 2009 Department of Justice Edward Byrne Assistance Grant (JAG). Exhibits: Equipment List. Page 69
27. Hold a public hearing and consider approving an ordinance closing the portion of the alley adjacent to Lots 1 – 3, Block 5, McClung Addition, also known as 902 SW Lee Boulevard. Exhibits: Ordinance No. 09-____, Application and Location Map. Page 71
28. Consider accepting an access easement from Mt. Calvary Baptist Church for a 20-foot drive to be located on the west 20 feet of Lot 14, Block 5, McClung Addition. Exhibits: Location Map. Access Easement on file in City Clerk's Office. Page 77
29. Consider reviewing and approving the City of Lawton Fiscal Year 2009-2010 budget and approving a resolution adopting the FY 2009-2010 City of Lawton budget. Exhibits: List of adjustments and changes, final budget summary and Resolution No. 09-____ will be distributed at Council meeting. Page 79
30. Consider approving an application for Access to a Limited Access Roadway for 5901 SW Lee Boulevard and consider their request for a variance to eliminate the requirement for construction of a right-turn lane and left-turn bay on Lee Blvd. Exhibits: Location Map, Completed Application, Letter from New Light Methodist Church, Letter from Rep. Loyd Benson dated November 19, 1987. Page 80
31. Consider and take appropriate action on a request by Mr. Kent Waller, the concession operator of School House Slough to place a structure on leased property at Lake Lawtonka, near Lot #20 boathouse. Exhibits: Letter and site improvement documents. Page 86

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending lawsuit in the District Court of Comanche County, State of Oklahoma, Bruce E. Harrison vs. City of Lawton, et al., Case No. CJ-2007-258, and if necessary, take appropriate action in open session. Exhibits: None. Page 93

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."