

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 11, 2019 – 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:

Michael Cleghorn, City Manager

Tim Wilson, Acting City Attorney

Traci Hushbeck, City Clerk

Mayor Booker called the meeting to order at 6:10 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Douglas Bayless, Lawton Church of God, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One

Caleb Davis, Ward Three

Jay Burk, Ward Four

Dwight Tanner, Jr., Ward Five (Arrived @ 7:00 p.m.)

Sean Fortenbaugh, Ward Six

Onreka Johnson, Ward Seven

Randy Warren, Ward Eight

ABSENT:

Keith Jackson, Ward Two

EMPLOYEE SPOTLIGHT PRESENTATION TO ELY VARGAS-FRED, JORDAN GUDGER AND JUAN TREVINO – WATER DISTRIBUTION DIVISION

The City Manager recognized members of the Water Distribution Division for their outstanding performance.

PRESENTATION OF OUTSTANDING CITIZENS OF COMANCHE COUNTY TO THE OKLAHOMA LIGHTNING GIRLS BASKETBALL COACHES – CONCETHA DAVIS, ASHLEY DAVIS, CONNIE SCOTT AND OTIS GENTRY.

Mayor Booker presented Certificates of Commendation from the Mayor's Office to Concetha Davis, Ashley Davis, Connie Scott and Otis Gentry.

PROCLAMATION FOR EMERGENCY COMMUNICATIONS WEEK

Mayor Booker proclaimed the week of June 16-23, 2019 as Emergency Communications Week. He presented the proclamation to representatives from the amateur radio operators association and to Jessica Carter, Emergency Communications Division.

PROCLAMATION RECOGNIZING THE YOUNG PROFESSIONALS OF LAWTON

Mayor Booker presented a proclamation to the board members from the Young Professionals of Lawton.

REPORTS: MAYOR/CITY COUNCIL

Warren stated he has received several calls about an issue at the new Thunder basketball court. He stated on Linwood, which is the street to the South of the park, cars are parked down both sides of the street and the people that live there cannot back out of their drive ways at times. He informed the City Manager but he wanted to make the council aware of the problem. He stated it would be nice if they could go in there and put down some gravel.

Johnson stated on June 27th @ 5:30 p.m. she will be having her Citizens With Solutions meeting at the Patterson Center.

Fortenbaugh stated the Emergency Communications Center is looking for people right now. He stated it is a technical job and it takes a lot of training, but it is job security with good benefits. He stated with all of the rain we have had sewer and water mains breaking all over the city. We have crews out around the clock trying to fix everything and he just wanted to recognize those employees.

Davis stated there was a lot of concern over the 52nd Street project and he used his meeting the night before the council meeting to address these concerns. The contractor was there to answer questions and they are hoping to be done the first of September. The next meeting is June 24th at 6:30 p.m. at 1116 SW C Avenue.

Hankins encouraged everyone to come out and support the Tour of the Wichitas which is an annual cycling event that has been in Lawton for over 25 years. It will be held on June 22nd and approximately 600 people attend.

AUDIENCE PARTICIPATION:

Kit Mannassey, 308 SW H Avenue, stated she is upset to see that there is another police involved shooting in Lawton. They need to address these issues within our city. First responders need to be trained in mental health issues and how to handle a call when it comes in on someone with mental health issues. Lethal force has to be changed. She is working on legislation because her niece was killed while she was in the Lawton city jail.

Timothy Loftis, 2704 NW 52nd Street, stated he is having a fundraiser on Facebook for the 52nd Street project. There is a large piece of land owned by Lawton Public Schools and he has designed a community center and park called the Westview Community Center.

Bishop John Dunaway, 802 NW 53rd Street, invited everyone to the upcoming Juneteenth event which will be held this Saturday. Juneteenth is a state recognized holiday and will be held at the

Douglass Professional Development Center and it will feature a significant number of young people. He stated events will also be held at the Patterson Center.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF MAY 14, 2019.

MOVED by Burk SECOND by Davis to approve the minutes of Lawton City Council regular meeting of May 14, 2019. AYE: Hankins, Davis, Burk, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

CONSENT AGENDA:

Wilson stated the claimant on item #1 has requested his claim be addressed at the July 9th council meeting. Davis requested item #31 be stricken.

MOVED by Burk SECOND by Hankins to approve the consent agenda striking items #1 and #31. AYE: Hankins, Davis, Burk, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider the following damage claim recommended for denial: Andre L. Wilson in the amount of \$1,000,000.00. Exhibits: Legal Opinion/Recommendation. **STRICKEN**
2. Consider approving the agreement between the City of Lawton and Goolsby, Proctor, Heefner & Gibbs, P.C. for professional services of Attorney/Partner Jim Gibbs, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
3. Consider approving the agreement between the City of Lawton and Clay Hillis Law Firm for professional services of Attorney Clay Hillis, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
4. Consider approving the agreement between the City of Lawton and Goolsby, Proctor, Heefner & Gibbs, P.C. for professional services of Attorney/Partner Jim Gibbs, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
5. Consider approving the agreement between the City of Lawton and Clay R. Hillis, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.
6. Consider renewing the professional services agreement with James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Retainer Agreement for Professional & Legal Services.

7. Consider adopting a resolution approving the joint petition settlement and making payment in the workers' compensation claim of Matthew Sisson. Exhibits: **Resolution No. 19-50**.
8. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Eugene Ross in the Oklahoma Workers' Compensation Commission, Case No. CM-2017-02651R. Exhibits: **Resolution No. 19-51**.
9. Consider approving an Agreement between the Lawton Community Theatre and the City of Lawton to fund activities by the Theatre designed to encourage, promote and foster tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
10. Consider approving an Agreement between the Lawton Heritage Association and the City of Lawton to fund activities by the Association designed to encourage, promote and foster tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
11. Consider approving an Agreement between the Lawton Philharmonic Society, Inc., and the City of Lawton to fund activities by the Society designed to encourage, promote and foster tourism and economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
12. Consider approving an Agreement between the Museum of the Great Plains Authority and the City of Lawton to fund activities by the Authority designed to encourage, promote and foster tourism and economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
13. Consider approving an Agreement between the Armed Services YMCA and MOAA Auxiliary and the City of Lawton to fund activities by the Auxiliary designed to encourage, promote and foster tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget.
14. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, to implement increases in water, sewer, refuse, and landfill rates, as set forth in Exhibit "A" of the Resolution, and establishing an effective date. Exhibits: **Resolution 19-52** and Exhibit "A".
15. Consider authorizing contract with Town of Carnegie to provide services by the Animal Welfare Division to receive animals for the purpose of adoption, re-homing, sending to rescue, euthanization, or other means of disposal. Exhibits: Agreement is on file in the City Clerk's Office.

16. Consider renewing a professional services agreement with BKD, LLP (BKD) for the City's annual auditing services for FY 2018-2019, including the City's required single audit of expenditures from federal financial awards. Exhibits: BKD's engagement letter outlining its professional services agreement with the City for auditing services is on file in the City Clerk's office.
17. Consider renewing a professional services agreement for financial advisory and consulting services with BOK Financial Securities (BOKFS). Exhibits: Professional services agreement for financial advisory services, on file in the City Clerk's office.
18. Consider accepting an engagement letter for technical accounting and consulting services with Crawford & Associates, P.C. Exhibits: Engagement Letter with Crawford & Associates, P.C.
19. Consider accepting actuarial services for the Employee Retirement System financials for the fiscal year ending 2018-2019 with Dean Actuaries, LLC. Exhibits: Dean Actuaries LLC Actual and Consulting Services Engagement Letter.
20. Consider accepting an engagement letter for Audit Services of the Employee Retirement System financials for the fiscal year ending 2018-2019 with Finley & Cook, PLLC. Exhibits: Engagement Letter with Finley & Cook, PLLC.
21. Consider awarding a contract for the City of Lawton's Employee Assistance Program (EAP) to Community Care for FY 2019-20, effective July 1, 2019. Exhibits: Community Care Contract and Insurance Certificate are on file in the City Clerk's Office.
22. Consider approving the revised City of Lawton life insurance and accidental death and dismemberment policy with Mutual of Omaha to include renewal dates for FY 2019-20. Exhibits: Mutual of Omaha Policy, Policy Renewal Information and Exhibits are on file in City Clerk's Office.
23. Consider approving corrected contract with Companion Life Insurance Co.-SummitRe for reinsurance concerning the city's health care insurance coverage to include eligible City of Lawton Retirees for one year beginning July 1st, 2019. Exhibits: Application/Agreement.
24. Consider approving a Memorandum of Agreement between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement.
25. Consider approving the annual agreement between Lawton Mobile Meals, Inc. and the City of Lawton for the specific purpose of preserving the health and welfare of homebound elderly and/or disabled citizens of Lawton, Oklahoma in the amount of \$48,348.00, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Mobile Meals Agreement on file in the City Clerk's office.

26. Consider approving the renewal of the annual agreement between the Senior Center for Creative Living Corporation and the City of Lawton for services to senior citizens in the annual amount of \$15,844.00 and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Senior Center for Creative Living Agreement on file in the City Clerk's office.
27. Consider accepting the Lease Contracts from Sooner Security for monitoring the required alarm systems at Fire Station #5 and Fire Station #8 at the cost of \$45.00 per month per station for a one year period from July 1, 2019 through June 30, 2020. Exhibits: Lease Contracts for Fire Station #5 and #8.
28. Consider approving the revised Mutual Assistance Agreement for Fire Protection between the City of Cache Fire Department and the City of Lawton Fire Department. Exhibits: Mutual Assistance Agreement between City of Lawton Fire Department and the City of Cache Fire Department.
29. Consider approving the revised Mutual Assistance Agreement for Fire Protection between the City of Snyder Fire Department and the City of Lawton Fire Department. Exhibits: Mutual Assistance Agreement between City of Lawton Fire Department and the City of Snyder Fire Department.
30. Consider approving the revised Mutual Assistance Agreement for Fire Protection between the City of Waurika Fire Department and the City of Lawton Fire Department. Exhibits: Mutual Assistance Agreement between City of Lawton Fire Department and the City of Waurika Fire Department.
31. Consider extending contract for (RFPCL16-029) ATM Services to Jamark, LLC of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet. **STRICKEN**
32. Consider extending the requirement contract (CL18-041) Sodium Hypochlorite with FSTI, Inc. of Austin, Texas for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
33. Consider extending the requirement contract (CL18-045) Sludge Dewatering Polymer with Polydyne, Inc. of Riceboro, GA for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
34. Consider approving appointments to boards and commissions. Exhibits: None.

Arts and Humanities Council

Teresa Abram
Existing
06/30/2022

Reginald Ramey
Existing Member
06/30/2022

Juanita Pahdopony
New Member
06/30/2022

Raphael Santos
New Member
06/30/2022

Enhancement Trust Authority

Kerry Sweeney
Existing Member
06/30/

Mayor's Commission On The Status Of Women

Annette Wiseman-Vaughan
Ward 2
Existing Member
06/25/2021

Sara Woods
At Large City/County
Existing Member
06/27/2021

Debra Antley
Ward 7
Existing Member
6/28/21

Museum Of The Great Plains Trust Authority

Dr. Edwin Chappabitty
Institute
Existing Member
6/30/2022

Blaine Adair
McMahon
Existing Member
06/30/2022

Clay Zelbst
At Large
Existing Member
6/30/2022

Personnel Board

Kelly Gentle
New Member
06/30/2025

The Mayor and Council convened in executive session at 6:45 p.m. and reconvened in regular, open session at 9:56 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

35. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the performance, continued or discontinuing of employment, conditions of employment, and/or contractual terms relating of Frank V. Jensen as City Attorney, and in open session take action as necessary. Exhibits: None.

Wilson read the title of item #35. No action was taken.

36. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations regarding for a Collective Bargaining Agreement for FY 2019-2020 between the International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #36. No action was taken.

There being no further business to consider, the meeting adjourned at 9:58 p.m. upon motion, second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK