Lawton City Hall

212 SW 9th Street
Lawton, Oklahoma
73501-3944

# City of Lawton

## City Council
## Minutes

**Tuesday, June 11, 2024** **2:00 PM** **Lawton City Hall Council Chambers/Auditorium**

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

**MEETING CALLED TO ORDER BY MAYOR STANLEY BOOKER WITH INVOCATION LED BY JESSE MARSHALL OF ONE IN THE SPIRIT CHURCH FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:**
Mary Ann Hankins, Ward 1
Kelly Harris, Ward 2
Linda Chapman, Ward 3
George Gill, Ward 4
Allan Hampton, Ward 5
Bob Weger, Ward 6
Sherene L Williams, Ward 7

**Absent:**
Randy Warren, Ward 8

**Also Present:**
Stanley Booker, Mayor
John Ratliff, City Manager
John Andrew, City Attorney
Donalynn Blazek-Scherler, City Clerk

**PRESENTATION:**
**Employee Spotlight Award: Kristy McLaughlin, Wastewater Collection**

**True North Award: Sgt. Marq Hackworth, Police Department**

**Mayor Citation: Clara Yazzie, 2024-2025 CIVA Princess**

**Community Services Department Video**

**PROCLAMATION:**
**Flood Awareness**

**REPORTS: MAYOR/CITY COUNCIL**

**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. The Mayor and Council will receive comments from audience members. Council may recommend to the individual or group as to what action they should take, i.e., refer the situation to a particular department or person at the city offices. Each speaker will have a 3-minute time limit, each topic will have a 9-minute time limit, and Audience Participation will be limited to 30-minutes in total.**

**CONSENT AGENDA:**

**1.** Consider the following damage claims recommended for denial: Jennifer Fasolino in the amount of $75.00, and Freddy L. Ivery in the amount of $928.55.

**Attachments:** DC-2023-058, Fasolino, Jennifer-Memorandum
**DC-2023-057, Ivery, Freddy L.-Memorandum**

Garrett Lam, Assistant City Attorney, presented the facts of the claim. The claim is being recommended for denial due to lack of prior notice and lack of prior issues on the pipe segment in question.

Motion by WARREN, Second by HARRIS, to deny the claim of Jennifer Fasolino in the amount of $75.00 AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren NAY: None. *Motion Passed.*

Motion by WARREN, Second by GILL, to deny the claim of Freddy L. Ivery in the amount of $928.55. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren NAY: None. *Motion Passed.*

**2.** Consider adopting a resolution approving the joint petition settlement in the amount of $23,328.00 and making payment in the workers' compensation claim of Robert Kizarr.

**Attachments:** Kizarr, Robert - Resolution

**3.** Consider approving a First Amendment to the Settlement Agreement and Mutual Release between the City of Lawton and Alfred Espinoza d/b/a A.E. Construction Co. and authorizing the Mayor and City Clerk to execute the Amendment.

**Attachments:** First Amendment with Exhibits

4. Consider extending contract (CL23-009) Liquid Ammonium Sulfate with Brenntag Southwest, Inc. First renewal of contract awarded in 2023.

   **Attachments:** Dept. Recommendation
   **Brenntag Extension Form**

5. Consider and take action approving Amendment No. 1 to the Industrial Water Main Phase I Project PU2306 contract with Garver, LLC, for Phase II-a design to include a 12” water loop from the industrial site up 112th Steet and east along Lee Blvd to Goodyear Blvd. and design a lift station and force main to connect the West Industrial Site to the City’s sanitary sewer system for the development of Westwin Element’s refinery in the not to exceed amount of $677,150.00.

   **Attachments:** Amendment No. 1
   **Exhibit B-2 - Scope of Services**
   **Exhibit B-3 - Fee Schedule**

6. Consider approving an agreement for professional services between the City of Lawton and Doerner, Saunders, Daniel & Anderson, LLP for their expertise with immigration law relating to employment visas for select City of Lawton employees and authorize the Mayor and City Clerk to execute the Agreement.

   **Attachments:** Proposed Agreement with Doerner, Saunders, Daniel & Anderson LLP.

7. Consider awarding a professional services contract to CEC Corporation for the purpose of providing full engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract.

Joe Painter, Director of Engineering, stated this is an on-call contract that the City of Lawton has been a part of for several years. This is one of a few on-call contracts we have to help fill in with staffing needs, such as inspectors. For CEC specifically, we have been using their Right-of-Way Agent as recommended by ODOT. This item is simply a continuation of what we’ve had with them for quite a few years.

Gill stated he was told this was primarily for utility contracting; since we already have a contract with EST to do the same thing, why is this contract necessary?

Painter stated we currently have a contract with CEC and EST which are identical to each other. Both contracts cover a number of services, so we choose who does what based on who is available. We use CEC for right-of-ways at the recommendation of ODOT.

Gill stated this should have been brought before the Engineer Selection Committee.

Painter stated this is not a new contract, but we can bring it back to the selection committee if Council wishes.

Motion by GILL, Second by WILLIAMS, to deny awarding a professional services contract to CEC Corporation for the purpose of providing full engineering services for the City of Lawton. AYE: Gill, Hampton, Weger, Williams, Warren. NAY: Hankins, Harris, Chapman. *Motion Passed.*

**8.** Consider approving professional services contract in the amount of $48,700.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2308 Elmer Thomas Park Amphitheater and Lake Helen Boardwalk.

**9.** Consider and take action in approving Amendment Number 5 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount of $150,000.00 for professional engineering services to perform the preliminary designs design report for the rehabilitation of Gondola Lake Dam that is required for completion of funding documents

and full design of the rehabilitation.

**Attachments:** Amendment 5 Cover Jacobs Signed
**Exhibit B-2 - Scope of Services**
**Exhibit B-3 - Fee Schedule**

**10.** Consider extending contract (CL23-012) Litter & Debris Abatement with T&M Solutions, LLC of Duncan, OK.

**11.** Consider approving a 3 Year Renewal Agreement with Environmental Systems Research Institute (ESRI), which is required for continued use of our current GIS software.

**Attachments:** ESRI RENEWALQUOTE

**12.** Consider adopting a resolution approving certain new and revised pages in the form of a book entitled Volumes I and II to the City of Lawton Municipal Code, 2015, printed and designated as the 2015-2016 Biennial Supplement, knows as Supplements No. 1 and 2 to the Lawton City Code, 2015, and authorizing distribution.

**Attachments:** Resolution Approving

**13.** Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2015-2016 Biennial Supplement, known as Supplements No. 1 and 2 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 1 and 2 to the Lawton City Code, 2015 with designated governmental entities as required.

**Attachments:** Resolution Directing

**14.** Consider approving a Resolution that amends Appendix A. Schedule of Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 6, Building Construction and Housing, by Amending Article A-6-1, Building Code, Article A-6-2, Plumbing Code and Regulations, Article A-6-3, Electrical Code and Article A-6-4, Mechanical Code and Regulations.

**Attachments:** Resolution No. 24-_____
**Oklahoma State Statute 59 Section 1000.25**

**15.** Consider approving a resolution allowing the external use of the City of Lawton bison logo for the purposes of the Live2Lead event scheduled February 14, 2024.

**Attachments:** City Logo Resolution for Live2Lead

**16.** Consider approving the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,419 feet (86 rods) of fiber optic cable within the right of way to serve 1420 SW Lee Blvd.

**Attachments:** REVOCABLE COMMUNICATION CABLE PERMIT
**APPLICATION FOR REVOCABLE COMMUNICATION CABLE PERMIT**
**Plans**

**17.** Consider approving the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,353 feet (82 rods) of fiber optic cable within the right of way to serve 511 SW A Ave.

**Attachments:** REVOCABLE COMMUNICATION CABLE PERMIT
**APPLICATION FOR REVOCABLE COMMUNICATION CABLE PERMIT**
**Plans**

**18.** Consider approving Council Policy 0-03, "STEM Strategic Plan", including any floor amendments, and take action as deemed necessary.

**Attachments:** Council Policy 0-3 STEM Strategic Plan and Exhibit A
**Council Policy 0-3 STEM Strategic Plan- V1**

**19.** Consider approving a Basic Term Sheet for the Fisher59 Project located within the Airport Industrial Park and authorize staff to proceed with drafting and reviewing a Redevelopment Agreement in accordance therewith.

**Attachments:** Fisher59 Basic Term Sheet 11724
**Fisher59 Project Sketch**

**20.** Consider approving appointments to boards and commissions.

**Attachments:** Board Appointments- 02.13.24

Motion by WARREN, Second by GILL, to approve the consent agenda as presented with the exception of pulling items number 1 and number 7. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren NAY: None. *Motion Passed.*

**BUSINESS ITEMS:**

**21.** Consider approving a funding agreement in the amount of $9,600,000.00 between the Oklahoma Development Finance Authority, City of Lawton, and FISTA relating to the Oklahoma Development Finance Authority Community Economic Development Pooled Finance Act Oklahoma Business Expansion Incentive Program for City of Lawton and FISTA Infrastructure P3 Project and take action as deemed necessary.

**Attachments:** P3 Funding Agreement Signed by FISTA 02062024

Dr. Krista Ratliff, President and CEO of FISTA, explained that Mayor Booker identified this grant opportunity, which she submitted on November 23rd. The application requested funding for several projects benefiting the military installation, including:

- $2 million for lighting improvements on Rogers Lane and I-44,
- $2.2 million for a secure facility,
- $2.8 million for a STEM lab at FISTA,
- $600,000 for an incubator and accelerator, and
- $2 million for additional conference space.

The grant is administered through the Department of Commerce's P3 (public-private partnership) program, designed to support military communities and strengthen them against potential Base Realignment and Closure (BRAC) actions. Funding is generated from employee withholding taxes paid by federal employees, including those working at Fort Sill. Because of this, Fort Sill had to approve the grant application.

Dr. Ratliff presented the application to the Oklahoma Finance Authority in December, and it was approved the same day. Under the grant agreement, FISTA and the City of Lawton are joint applicants. Funds will be distributed quarterly, with payments ranging between $500,000 and $700,000, enabling project work to begin. The Oklahoma Finance Authority is directing these funds back into the community instead of retaining them at the state level, with 8% of the withholding taxes allocated by the Defense Finance and Accounting Service (DFAS).

Mayor Booker stated this is a great opportunity. He asked how much funding FISTA has received from sources other than the City of Lawton.

Dr. Ratliff stated FISTA has received over $30 million from outside of the City of Lawton and outside of the City of Lawton taxpayers. It is all grant dollars from outside of our community.

Warren thanked Mayor Booker and Dr. Ratliff for identifying this grant opportunity and pursuing it.

<u>Motion by WARREN, Second by HAMPTON</u>, to approve a funding agreement in the amount of $9,600,000.00 between the Oklahoma Development Finance Authority, City of Lawton, and FISTA relating to the Oklahoma Development Finance Authority Community Economic Development Pooled Finance Act Oklahoma Business Expansion Incentive Program for City of Lawton and FISTA Infrastructure P3 Project. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

*Mayor Booker left the meeting at this time, leaving Mayor Pro Tem Warren to run the meeting.*

**22.** Receive a report from Trane HVAC Services and direct staff as deemed necessary.

Jason Davey, Trane Commercial and Energy Solutions, gave a presentation over TRANE. This presentation is available in the City Clerk's Office.

Gill asked if the City approves a contract with TRANE, are all contractors required to use TRANE products.

Davey stated this opportunity is on a project-by-project basis.

Gill asked if all proprietary products would be TRANE.

Davey stated no sir, we are agnostic to any type of products. We, of course, are TRANE, so what we would suggest is a control system and a move towards standardization of equipment.

Gill stated while this is a very impressive program, there are other companies that offer the same thing.

Harris noted the difficulty of receiving products since COVID. He asked if becoming part of this agreement makes the city a priority for product delivery.

Davey stated we are also still recovering from the effects of COVID. Unfortunately, priority is done a first come, first serve basis. The passing of the Inflation Reduction Act provided an opportunity for different types of energy, which gave us better funding chances.

Gill asked about an opportunity for fixed pricing.

Davey stated fixed pricing would be based off of the project at hand. We would go out for bids and ask the contractors to hold those for ninety days.

*Mayor Booker returned to the meeting.*

**23.** Consider approving proposed revisions to Council Policy 9-03 titled Vacancy Selection Process for Lakes Recreational Areas by broadening the policy's focus to include renaming the policy, and incorporating language that reflects the Council's commitment to fostering self-sufficiency within the lake's recreational areas.

**Attachments:** COUNCIL POLICY 9-03 Strikethrough Version Working Copy
**COUNCIL POLICY 9-03 Revised Feb 13-2024**

Dewayne Burk, Deputy City Manager, gave a brief history of the current policy and explained that Council requested to capitalize on the desirable location of some of the lakes recreational areas. The additional revenue gained from this would be reinvested back into the lakes. Specifically, Council directed that the policy be amended to allow for a bid style system to determine who would be awarded the access to premium camping spaces. Those changes have been made as directed with an exception to the sale of boathouses. Boathouses are less of a conveyance because they can't be transported just anywhere. Council previously approved an increase to the transfer fee to reflect the minimum $1,500.00 or 5% of the sale of the boathouse. Staff recently became aware that boathouses are being sold with a declared value as low as $10.00. This practice could counteract the previous Council action where we waived the transfer fees. That is something we may need to consider going forward. Additionally, we also addressed the Council's desire to see the lakes become self-sufficient through sections in the proposed policy.

Mayor Booker asked if Burk has thought through to process of how to deal with the $10.00 Bill of Sale.

Burk stated the simplest way is to establish a flat rate based on the average value of the boathouses. We could also provide some discretionary decision making to staff when they see a bill of sale for $10.00 to look at the county assessed value of the boathouse. Burk ended by saying that he believes as we move forward with the increased prices, this problem will take care of itself. Because the city has not been enforcing a fair market value for the lake spaces, it has created a higher demand than supply and allowed for a bartering system on the spaces.

Mayor Booker asked if Council action was necessary.

Burk stated we have made substantial strides in correct this with the current rate increases.

Harris stated he likes the idea of using the tax assessor's values, but he believes that if someone produces a bill of sale declaring a $10.00 value, we should immediately go to the full rate.

Burk stated that is already built into the policy. Anytime there is a transfer of a space, it goes to the full market value.

Warren stated we do need to keep an eye on this and bring it back to Council if the problem continues.

Motion by WARREN, Second by Williams, to approve the proposed revisions to Council Policy 9-03 titled Vacancy Selection Process for Lakes Recreational Areas as presented. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**24.** Consider approving an ordinance pertaining to Utilities renaming Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1, Article 22-1; amending Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1; Section 22-1-2-115, Division 22-1-2; and Section 22-1-4-144, Division 22-1-4, all of Article 22-1, Chapter 22, Lawton City Code, 2015 by clarifying that landfill charges accounts are allowed and will have the same rules and regulations as utility bills and further clarifies that residential landfill customers have the option to apply landfill fees to their utility account; allowing for floor amendments, providing for severability; and by a separate vote declare an emergency.

**Attachments:** _DRAFT Ordinance 24-_____ revised - Legal edits

Christine James, Internal Auditor, stated that this is a housekeeping item. Over twenty years ago, landfill billing was done by our Revenue Services Division, which also handles water bills. Overtime, the landfill bills were treated exactly like water bills. During a review of Code, it was determined that landfill bills are actually addressed in a separate section of Code. This ordinance provides clarity to allow landfill accounts to be treated like water accounts. There would be a security deposit required, late fees if a bill is past due, and the ability to turn bills over to collections if they are unpaid.

Motion by WARREN, Second by HAMPTON, to approve Ordinance 24-008, waive the reading of the ordinance, and read the title only.

The City Attorney Read the Title:

AN ORDINANCE PERTAINING TO THE UTILITIES RENAMING SECTIONS 22-1-1-104 AND 22-1-1-105, DIVISION 22-1-1, ARTICLE 22-1, CHAPTER 22; AMENDING SECTIONS 22-1-1-104 AND 22-1-1-105, DIVISION 22-1-1; AND SECTION 22-1-4-144, DIVISION 22-1-4, ALL OF ARTICLE 22-1, CHAPTER 22, LAWTON CITY

CODE, 2015, BY CLARIFYING THAT LANDFILL CHARGE ACCOUNTS ARE ALLOWED AND WILL HAVE THE SAME RULES AND REGULATIONS AS UTILITY BILLS AND ALSO CLARIFYING THAT RESIDENTIAL LANDFILL CUSTOMERS MAY ELECT TO CHARGE LANDFILL FEES TO THEIR UTILITY ACCOUNT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

Motion by WARREN, Second by GILL, to declare an emergency. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

Warren stated he knows that commercial accounts do not receive bulk pickups, but he would like to know if commercial accounts can request a bulk pickup.

Cynthia Williams, Deputy Director of Public Works, stated they can request dumpster service. There is an additional fee for bulk pickup.

**25.** Consider approving a resolution amending Appendix A, Chapter A-22, Article A-22-1, Schedule Fees and Charges, Lawton City Code, 2015, by adding a late fee for past due landfill bills, charge account deposits, dishonored checks and stating that unpaid landfill bills may be turned over to a collection service; and authorizing the Mayor and City Clerk to execute the resolution.

**Attachments:** Landfill Charge Account Fees - Resolution 24-______

Christine James, Internal Auditor, stated this is a companion item to the previous ordinance to place the fees in Code.

Motion by GILL, Second by HARRIS, to approve Resolution 24-025. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**26.** Consider granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public right of way located at the southwest corner of SW Rolling Hills Drive and SW 38th St.

**Attachments:** REVOCABLE PERMIT D R HORTON 38TH AND ROLLING HILLS **DRIVE**
**Site Plan - SW Rolling Hils Drive & SW 38th placement**
**Sign Example**

Christine James, Planning Director, stated this item and the next item are usually on the consent agenda. These are standard revocable permits to allow signs in the right-of-way.

Motion by GILL, Second by WARREN, to grant a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public right of way located at the southwest corner of SW Rolling Hills Drive and SW 38th St.

Williams asked if the sign placement will block the view of traffic.

James stated no, that will be addressed in permitting process, but the site plan shows the sign will be place far from the road.

**27.** Consider granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public easement located at the southwest corner of SW Lee Blvd and SW 38th St.

**Attachments:** REVOCABLE PERMIT D R HORTON 38TH AND LEE
**Site Plan - SW Lee Blvd & SW 38th placement**
**Sign Example**

Motion by GILL, Second by WARREN, to grant a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public easement located at the southwest corner of SW Lee Blvd and SW 38th St. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**28.** Receive a report from Lawton Police Department regarding the escalating issue of copper thefts within the City of Lawton, discuss possible solutions to the problem, and take action as deemed necessary.

**Attachments:** Theft of Copper for 2023

Assistant Chief of Police Eric Carter reported an increase in copper theft, which typically coincides with rising metal prices. While prices are not at their peak, they are higher than average, and he attributes the increase in theft to this, combined with current economic conditions.

Councilman Gill expressed concern that many copper thefts go unreported and stated that the issue is often overlooked. He referenced an ordinance passed several years ago requiring scrap dealers to record information about copper sellers, including taking a photo and recording their address. However, he questioned how often these dealers are inspected and asked for details on the Police Department's efforts to address the issue, noting he has heard that scrap dealers are rarely checked.

Carter explained that when detectives investigate theft cases, they do check with scrap dealers. However, stolen copper is often dismantled and destroyed to the point of being unidentifiable. He shared an example of a local theft where the *Salvation Army* lost an entire unit and stated that thefts like these often leave no evidence, such as video footage or fingerprints, making investigations difficult. He suggested that deterrents could be implemented, though they would require funding.

Gill emphasized that police can still question scrap dealers about the origin of copper, even if the metal is no longer identifiable.

Carter noted that the current ordinance requires sellers, except those who are exempt, to present an ID, declare ownership of the items, and prohibits dealers from accepting burnt metal. He suggested stricter measures, such as requiring a mechanical license to sell specific items like copper, copper/aluminum mixtures, or catalytic converters, which could help reduce theft.

Mayor Booker asked for options to make it more difficult to sell copper in Lawton and how long it would take to draft an ordinance.

Carter said he could work on an ordinance quickly and explained that current requirements already include taking IDs, labeling items, holding them for a specific period, and other regulations.
Harris offered the Oklahoma City ordinance on scrap metal as a reference, reading a list of prohibited items. He noted that while some individuals might travel to Wichita Falls to sell items, local restrictions would still deter many, particularly due to the cost of transporting stolen goods.

Mayor Booker expressed frustration that some scrap metal dealers knowingly accept stolen materials, questioning why they continue to process paperwork for such transactions.

Carter shared a conversation with a former scrap dealer, who admitted they could often tell when sellers likely acquired items unlawfully. While some dealers turn away suspicious individuals, the stolen materials are often taken elsewhere.

Warren suggested looking into how peer cities handle this issue and even using AI to consolidate ordinances for an effective approach.

Hampton proposed utilizing dealer video footage to identify repeat offenders.
Carter agreed, noting that dealers are required to collect IDs, which could help identify frequent offenders. He emphasized that prosecutors rely heavily on video evidence to build cases and suggested that homeowners also install cameras as a deterrent.

Hampton asked whether video evidence is being used more frequently in prosecutions.
Carter confirmed, stating that video evidence is highly effective in proving crimes and identifying offenders.

Harris asked Carter to explain how technology, such as accessing business camera systems, could assist law enforcement.

Carter described a system by Axon called *Fusus*, which allows police to access video footage from businesses that grant permission. He outlined the system's features and its potential to aid in theft prevention and investigations.

Motion by HAMPTON, Second by WEGER, to direct staff to draft the ordinance as discussed including any additional items they would like to add and bring it back to the next Council meeting. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**29.** Consider adopting a program to place signs regarding panhandling in areas where such signage is allowable by City Code, discuss a funding source for a panhandling sign program, discuss changing City Code to allow for panhandling signs to be placed at intersections, and take action as deemed necessary.

**Attachments:** Sample Signs
**18_9_1_906___Prohibited_signs**

Gill explained that he provided samples of signs used in other communities to discourage panhandling and encourage donations to established organizations. He emphasized that creating similar signs would not be costly but would require ordinance changes to allow placement at major intersections.

Hampton noted that one of Gill's sample signs included a QR code, while another example he had seen featured a phone number for texting donations. He suggested the City consider setting up a 501(c)(3) organization through one of the homeless committees to manage donations.

Gill inquired whether the City could produce the signs in-house.

Cynthia Williams, Deputy Director of Public Works, stated that the Streets Department can create text-only signs but does not have the capability to produce the graphics shown in the samples. Mayor Booker asked about the potential costs and whether the Council should direct the City Manager to include a sign program in next year's budget.

Motion by GILL, to direct staff to come up with a panhandling sign program to present to Council.

Ratliff noted that the City has recently begun participating in the Homeless Task Force, but he believes it's still too early for the initiative to take root. He also expressed concern about frequent requests to place signs in the right-of-way, cautioning that allowing such signs could lead to "litter on a stick" and other unintended consequences.

In response, Mayor Booker clarified that the proposed signs would be permanent and mounted on metal poles. Ratliff confirmed he understood.

Christine James, Planning Director, added that City Code Section 18-9-1-905 already provides exceptions for certain signs, meaning no code changes would be necessary to install these signs on street poles or similar structures.

Councilmember Hampton offered a second to the motion, proposing a friendly amendment for staff to determine where the funds from the program should be directed. Gill accepted the amendment. Councilmember Warren highlighted a cautionary example from Oklahoma City, where a multi-million-dollar Chamber of Commerce building is located near a large homeless encampment. He noted that issues like this often begin with panhandling. While Oklahoma City attempted to pass laws to address panhandling, the state and local governments ruled it a local issue, leaving the city to handle it independently. Warren warned that a lack of action could lead to similar challenges, as evidenced by the situation in downtown Oklahoma City

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: NONE. *Motion Passed.*

**UNFINISHED BUSINESS:**

**30.** Consider adopting resolutions declaring the structures located at 1303 NW Laird Avenue and 1762 SW 13th Street, to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance.

**Attachments:** Resolutions
**Exhibit A**

[Pictures](#)

<u>1303 NW Laird Avenue</u>
Matthew Eads stated he works for the mortgage law firm that represents the bank for this property. The property will go up for Sheriff's Sale on February 21st. The home would likely sell at that time, be transferred to a third party, and become affordable housing. He requested a delay in the destruction of property until it has gone through the sale process.

Harris stated a similar was brought to Council before. In the time that the previous property was given to sell, it was broken into several times and a fire was set in the backyard. He agrees that the 1303 Laird property is a nice property, but he has been there several times due to break ins and fires. He desires to move forward on the property. Harris went on to say that even if the Council proceeds to declare the property dilapidated, the owner is given thirty business days. That should be enough time for the sale and confirmation hearing.

<u>Motion by HARRIS</u>, to approve a resolution declaring the property a dilapidated nuisance and authorize the abatement thereof.

Eads stated he has received approval from the Fire Marshal to have metal bars used to secure the property. At this time, he is only waiting for the homeowner to take action to have this done.

Josh White, Neighborhood Services, stated he went by the property today and it was still secured, but someone ran off from the backyard when he pulled up.

Harris asked if the cellar was secured.

White stated it is not.

<u>Motion by HARRIS, Second by WILLIAMS</u>, to approve a resolution declaring the property a dilapidated nuisance and authorize the abatement thereof.

Warren stated this is a really simple fix: we are going to put it on the D&D list, it is going to go to the sheriff's sale, and the new owner can pull a permit. That gives them another thirty days to work on the property, and the permit can be renewed as long as the new owner is showing progress. This stops it from coming back to us.

Wilson stated if the new owner does not pull a permit, this resolution authorizes demolition.

Eads stated that requirement will be put in the paperwork to the new owner.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

<u>1762 SW 13th Street</u>
Wilson stated this property was presented to Council on December 5th with the public hearing being opened and closed. Since that time, ownership on the property has changed. The new owner is present

here today, but my recommendation is to not take any action today and re-notify the new owner.

Motion by WILLIAMS, Second by GILL, to reinitiate the notification process for 1762 SW 13th Street. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams. NAY: WARREN. *Motion Passed.*

**31.** Consider approving an ordinance pertaining to Animals, amending Section 5-1-121, Article 5-1, Chapter 5, Lawton City Code 2015, by retitling the Section, specifying terms of relinquishment, providing for severability and establishing an effective date.

**Attachments:** Ord No. 24-___

Roy Roderick, Animal Welfare, presented a comparison of fees in Chapter 5 of the City Code with those charged by six peer cities. He noted that Lawton's fees are significantly lower in comparison. The proposed ordinance aims to increase fees for owner relinquishments both within and outside city limits. The intent is to deter owners from surrendering animals to the city, encouraging them to find alternative homes instead.

Mayor Booker inquired whether the proposed fees matched the highest fees among the peer cities or were based on an average.

Roderick explained that none of the peer cities accept animals from outside their jurisdictions due to bordering municipalities. Since shelters across Comanche County are full, animals are often brought to Lawton. The proposed fees are based on an average.

Mayor Booker asked about Enid's fees, noting their situation may be similar since they do not border other municipalities.

Roderick responded that Enid's fee is $20.

Ratliff highlighted that Lawton takes in animals from other jurisdictions, spending approximately $40,000–$50,000 annually on county animals without reimbursement. Conversations with County Commissioners revealed they are not financially equipped to assist. Raising fees, Ratliff emphasized, is essential to offset costs, as continuing the current practice is unsustainable.

Mayor Booker expressed concern about accepting animals from outside the city, questioning why the city assumes this financial burden when peer cities do not.

Roderick explained that the issue arises because animals from outside the city are often abandoned or brought into city limits, forcing the city to address the problem.

Ratliff elaborated, stating that ignoring calls about strays or dangerous animal attacks outside the city doesn't resolve the issue. Despite efforts to direct callers to their respective jurisdictions, many animals end up being surrendered within city limits, with some individuals falsely claiming residency.

Councilmember Warren observed that this is a recurring issue, noting that if owners are denied surrender, many will simply abandon their animals in the city. He explained that with Lawton being the largest city in a small county, many county problems inevitably fall on the city to solve.

Ratliff asserted that the ordinance addresses part of the problem by requiring proof of city residency to surrender an animal. If proof cannot be provided, the increased fee will be applied. While not a perfect solution, it offers a manageable way to handle the situation and offset costs.

Warren agreed with the ordinance but pointed out that it doesn't solve the issue of individuals dumping animals within city limits to avoid fees.

Harris asked whether the proposed fees would sufficiently cover the costs of handling animals.

Roderick explained that for animals adopted quickly or euthanized shortly after intake, the increased fees would help cover costs. However, for long-stay animals or those undergoing extensive care, the fees would remain insufficient. He noted that most county animals are unadoptable.

Ratliff added that statistical analysis had been conducted to calculate the proposed fees, taking into account spaying/neutering, vaccinations, and the average length of stay.

Harris supported the ordinance, praising the research behind it, but emphasized the importance of ensuring fees at least approach cost recovery.

Mayor Booker asked how many animals are surrendered from outside the city annually.

Roderick estimated 200 to 225.

Mayor Booker then asked how often city residents are turned away due to lack of capacity.
Roderick explained that this is difficult to quantify, but acknowledged that county animals do strain capacity, limiting the shelter's ability to serve city residents.

Hampton inquired about the cost of euthanasia and related treatment, asking whether the current $20 fee covers those expenses.

Roderick explained that euthanasia costs approximately $11 and that the additional boarding and care expenses far exceed the current fee.

Warren concluded by stating that while the ordinance is a step forward, the underlying issue stems from a lack of responsibility and morality, which cannot be legislated.

Ratliff emphasized that the proposed ordinance is a balanced approach, addressing costs while creating a deterrent for non-residents. He urged the Council to consider it as a practical solution given the city's limited options.

Motion by WARREN, Second by HAMPTON, to approve Ordinance 24-009, waive the reading of the ordinance, and read the title only.

City Attorney Read The Title:
AN ORDINANCE PERTAINING TO ANIMALS, AMENDING SECTION 5-1-121, ARTICLE 5-1, CHAPTER 5, LAWTON CITY CODE 2015, BY RETITLING THE SECTION, SPECIFYING TERMS OF RELINQUISHMENT, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Hampton, Weger, Williams, Warren. NAY: Gill. *Motion Passed.*

**32.** Consider approving a resolution amending Appendix A, Chapter A-5, Article A-5-1, Schedule of Fees and Charges, Lawton City Code, 2015 by increasing fees for resident and non-resident release of animals to the Animal Shelter, and authorizing the Mayor and City Clerk to execute the resolution.

**Attachments:** RESOLUTION NO - relinquishment fees

Mayor Booker stated these are the fees associated with the ordinance that was just approved.

Motion by WARREN, Second by Williams, to approve Resolution 24-027 amending Appendix A, Chapter A-5, Article A-5-1, Schedule of Fees and Charges, Lawton City Code, 2015 by increasing fees for resident and non-resident release of animals to the Animal Shelter. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**33.** Receive a report from staff regarding neighborhood watch programs and take action as deemed necessary.

Officer Matt Demmitt, Lawton Police Department, provided a presentation over neighborhood watch programs. This presentation is available in the City Clerk's Office.

Mayor Booker acknowledged that while current neighborhood watch programs seem to be running well, there is a clear need for greater participation. He questioned how best to encourage involvement and suggested ideas such as an annual mailer and providing neighborhood watch signs to active groups.

Officer Demmitt responded that these ideas could be beneficial, noting that any type of outreach helps. He shared that the MacArthur Park neighborhood places signs in advance of meetings, which could be paired with social media promotion for added visibility.

Chapman highlighted the success of the Meadowbrook-Heinz program, which is driven by community ownership rather than reliance on councilmembers. She shared strategies like posting signs before meetings, inviting guest speakers to foster connections, and using door stickers to designate safe houses. The program charges a $20 family registration fee, which funds metal signs for the neighborhood. She stressed the importance of genuine interest and commitment, as successful programs require considerable effort.

Warren reflected on his past experience with programs in his ward, emphasizing that neighborhood watches help build a sense of community. He mentioned the former success of the Mission Village Neighborhood Watch and agreed that programs work better when not tied directly to councilmembers, given the turnover in those roles. He offered to assist anyone in Ward 8 who wanted to start a program.

Mayor Booker expressed concern about starting programs without councilmember involvement, to which Councilwoman Williams explained the structure of the Ranch Oak Association. This program, similar to Meadowbrook-Heinz, charges annual fees, holds regular meetings, and benefits from strong citizen involvement. Williams also shared her efforts to restart a neighborhood watch in Lawton View and suggested that serving refreshments could help increase participation.

Weger noted that Ward 6 previously had a neighborhood watch program, but it dissolved due to cost concerns. While the ward lacks an active program, residents stay informed through social media and neighborly communication. He expressed interest in revitalizing the program but emphasized the need for low-cost solutions.

Ratliff suggested leveraging community centers for neighborhood watch meetings and praised Officer Demmitt's ability to engage with attendees.

Chapman reiterated the value of social media for communication and emphasized keeping meetings positive and solutions-oriented.

Officer Demmitt pointed out that social media platforms like Facebook significantly reduce program costs. He also noted that hosting meetings in facilities like churches or community centers could eliminate venue costs entirely.

Councilman Hampton shared insights from two neighborhood watch groups in Ward 5. The Cleveland group, active for years, relies on phone calls, while the downtown group uses group texts and photo sharing. Both find the program valuable, either for fostering connections or providing crime-related information. Hampton recommended marketing the specific benefits of neighborhood watch programs and suggested a mass mailer to boost participation.

Hampton asked whether programs are divided by neighborhood or precinct, and Officer Demmitt clarified that they are based on neighborhood zoning maps.

Williams emphasized the importance of city officials attending meetings, noting that citizens appreciate seeing councilmembers and administrators involved. She also mentioned a Park Ridge group that communicates exclusively through social media.

Warren observed that there were previously six individuals dedicated to coordinating these programs, a role now managed solely by Officer Demmitt. He suggested providing additional support for Demmitt and proposed attendance incentives, such as small giveaways at meetings and a year-end raffle.

Weger proposed an annual convention at City Hall to bring active and inactive neighborhood watches together, providing an opportunity to educate and showcase the program's benefits.

Hankins shared challenges unique to Ward 1, where cultural differences and fragmented neighborhoods make traditional neighborhood watches difficult. She suggested starting with an online program as a potential solution.

Mayor Booker recommended forming a group of four councilmembers, including representatives from Wards 6 and 8, to collaborate with Officer Demmitt and develop best practices. He suggested that this group could bring actionable ideas back to Council and request funding if necessary.

Warren proposed holding meetings on Fridays, and Mayor Booker requested Warren to chair the informal group.

Councilmembers Weger, Chapman, and Harris also agreed to participate in this initiative.

Motion by WARREN, Second by HAMPTON, to create an informal group consisting of Warren, Weger, Chapman, and Harris to meet and discuss ways to incentivize and/or increase participation by the citizens in neighborhood watch committees. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**STAFF REPORTS:**

**34.** Provide City Council with an update on the FY 2022 and FY 2023 Audit Process.

Joe Don Dunham, Finance Director, explained that the 2023 audit's completion is being pushed back because the FY 2022 audit is needed to complete portions of the 23 audit. In positive news, Dunham explained that the 2022 audit should be out of the consultant's review process within two weeks. It will then be turned over to FORVIS, who have committed to presenting the audit to Council by the first meeting in April.

**35.** Provide City Council with a presentation on the preliminary report from C.H. Guernsey on Project PR2402-Museum of the Great Plains Infiltration and Mitigation.

Joe Painter, Engineering, introduced JD Clark from Guernsey. Painter stated Clark conducted the study on the Museum of the Great Plains.

Clark stated Guernsey has been called out to the museum a few times over the years to look at a few different issues. They were hired to write a full report over all of the issues. Clark mentioned issues with the efface, brickwork, roof, and windows. All issues listed result in water getting into the building. Clark's full report is available in the City Clerk's Office.

Clark stated the best way to fix these issues is to remove the entire exterior skin of the building. This would include demoing the efface and the brick all the way back to the wall that is behind it, putting on a new weather barrier, and then putting an additional layer of insulation. This additional layer of insulation is a common practice now and helps to improve energy efficiency. After the additional insulation, new exterior materials would be put on to integrate new systems and to be watertight.

Moving on to the interior of the building, Clark noted water damaged plywood and drywall, damaged carpet, damaged VCT flooring, and damaged acoustical panels in the auditorium and ceiling. Clark stated because of the water damage, mechanical systems also aren't working.

Clark presented two options. The first would be to remove the entire exterior finishes, installing all new exterior, replacing all the roofing systems, repairing and replacing damaged interior finishes, and updating mechanical and electrical systems. The estimated cost for option one is $6,071,883.27 and would take 12 months to complete.

Option two includes all the same repairs and replacements, but the exterior finishes would be done to match other projects in Elmer Thomas Park. The estimated cost for option 2 is $5,785,546.48 and would take 12 months to complete.

Mayor Booker asked the cost of engineering.

Clark stated he believes it was $450, but the exact number is included in the total cost.

Mayor Booker asked the timeline on engineering.

Clark stated it would be 3 to 4 months.

Mayor Booker asked where does insurance come in because he assumes we had insurance on the efface and roof.

Painter stated he has been working with the insurance company because they did not give the full amount. He has asked them to come back out.

Jason Poudrier, Arts and Humanities, stated they did not allow the full amount because there was additional testing that needed to be done. He will provide the report from Guernsey to cover this.

Mayor Booker asked how much they have agreed to so far.

Poudrier stated roughly $60,000.00 so far.

Mayor Booker stated we have to figure out how to come up with the money for the engineering. He and Councilman Warren have discussed a CIP extension, and this project may go into the potential extension. He stated he wished the insurance had given more money so we could get started on the engineering, but a CIP extension seems to be the only option. Mayor Booker asked Ratliff if he had any additional ideas.

Ratliff stated there may be some additional funds in personnel. He will look into that.

Mayor Booker asked Ratliff to look at that and for legal to figure out a resolution date for the CIP election.

Harris stated he noticed that the ground slants towards to building in some areas.

Clark stated yes, that is an item of notice, and it can be fixed.

Mayor Booker stated this isn't an action item, but we have the next steps. Ratliff will look for the money for engineering and legal will figure out a resolution date for a CIP election.

Ratliff asked to call up Cynthia Williams, Public Works.

Williams gave a brief overview of FEMA alternate building projects. It would allow insurance money to go into the building project.

Mayor Booker asked the time frame on the alternate building project.

Williams stated she is unsure of the time, but she can start working with Comanche County Emergency Management. They are doing weekly meetings for these projects.

Mayor Booker stated we can work both angles at the same time.

**36.** Receive a report from Neighborhood Services, in regards to "Doing More in 24" with dangerous and dilapidated properties and direct staff as necessary.

**Attachments:** Even More D&D in 24

Josh White, Neighborhood Services, provided a presentation regarding the dangerous and dilapidated program. This presentation is available in the City Clerk's Office.

Mayor Booker expressed a desire to double our program. He would like to see 200 approved by Council. He understands that there is a shortage of contractors, but that the City can create the market to produce more bids. If we create a problem by doing too much, we can always back off. He asked what is needed to double our efforts.

White stated more contractors.

Mayor Booker reiterated that we can create the market to create more bids. He noted a time that 50 properties were backed up, but we were able to take care of it.

White noted that the same contractor holds many of the bids. If more contractors were able to provide a lower bid would help.

Ratliff asked if taking the requirement for utility capping for demo contractors out of the code helps.

White stated yes; as soon as that is done, we will have an additional contractor on board.

Gill stated he spoke with one of the contractors who felt like he could double or triple his output once the utility capping was taken out.

Mayor Booker asked if there was something else we were doing that was making it difficult to bid.

White stated not that he knows of; the new system will allow smaller companies to be more comfortable submitting bids.

Ratliff mentioned bundling demos for bids. This would allow vendors to bid on multiple projects at one time.

Mayor Booker stated that bringing 8 properties for Council approval to every regular meeting would double the approvals.

Gill stated that removing the requirement to cap utilities, educating bidders that the front part of the driveway can be left alone, and removing the requirement for groundcover has helped tremendously. If we can tweak the bidding a little bit, it could be easy to double the effort.

Charlotte Brown, Neighborhood Services Director, stated the referenced ordinance is in legal review currently.

Harris asked how many more staff members are needed.

White stated at least two. He has a map drawn out that would allow an extra two code enforcement officers to rotate wards.

Harris noted that three additional employees would allow for one code enforcement officer per ward.

Motion by GILL, Second by HAMPTON, to direct staff to bring at least eight dilapidated properties to Council for approval at each regular meeting.

Brown stated it would be her preference to continue bringing dilapidated properties once a month. It ties up staff more to provide hearing notices twice a month instead of just once.

Amended Motion by GILL, Second by HAMPTON, to direct staff to bring sixteen dilapidated properties to Council for approval each month. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

Mayor Booker asked if any additional resources are needed to also help with mowing abatements.

John Jernigan, Deputy Director of Community Services, stated two additional code enforcement officers will be needed. A budget amendment will be brought to Council to have that done before the next fiscal year budget.

**37.** Receive report from staff regarding criminal trespass activities at vacant properties and possible measures to mitigate the issue and take action as deemed necessary.

Eric Carter, Assistant Police Chief, and Caitlin Gatlin, Marketing and Communications Director, gave a presentation regarding criminal trespass activities at vacant properties. This presentation is available in the City Clerk's Office. One of the potential solutions provided during the presentation was an Advanced Trespassing Authorization Form. This form would allow a homeowner to grant LPD access to their property to cite or arrest a trespassing individual when the property owner is not on scene.

Ratliff stated this is one of the tools we can use to combat issues caused by homelessness. The program will be implemented administratively without Council approval required.

Harris stated another issue being addressed is that a 10-day notice is required to board up and secure a property that has been broken into. The Fire Marshal can have the 10-day notice waived if he deems to structure to be unsafe, and he has advised Harris he is willing to make that declaration for any property that does not have active water and sewer services.

**EXECUTIVE SESSION ITEMS:**

Motion by HANKINS, Second by HAMPTON, to adjourn into executive session. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

The City Council remained in executive session from 5:53PM to 8:15PM.

Motion by WARREN, Second by GILL, to return from executive session. AYE: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**38.** Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Mark Long, and if necessary, take appropriate action in open session.

No Action Taken.

**39.** Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the Comanche County District Court titled Christopher Hartley vs. City of Lawton, et al, Case number CJ-2023-572, and if necessary, take appropriate action in open session.

Motion by CHAPMAN, Second by GILL, to find that defendants Cheyenne Tubbs, Scott Burgess, Tika Fisher, and Brandy Kirkpatrick-Benton, having made a request for representation, were acting in good faith and in the course of their employment and move to 1. Authorize the law firm of Pierce, Couch, Henrickson, Baysinger, & Green LLP to represent these individuals; and 2. Approve a contract with Pierce, Couch, Henrickson, Baysinger, & Green LLP to provide such representation at a rate of (a) $200 per hour for partner attorney Rober Lafferrandre and any other partner attorney assisting Lafferandre, (b) $175 per hour for any associate attorney assisting Lafferrandre, and (c) $60 per hour for any paralegal assisting the firm's attorneys, with said contract to be retroactive to January 29, 2024. AYE: Hankins, Chapman, Gill, Weger, Williams, Warren. NAY: None. *Motion Passed.*

Motion by CHAPMAN, Second by GILL, to 1. Authorize the law firm Collins, Zorn and Wagner to represent the City, and 2. Due to defendant James Smith having made a request for representation, and upon a finding that Smith was acting in good faith and in the course of his employment, further move to authorize the law firm Collins, Zorn, & Wagner to represent Smith, and 3. Approve a contract with Collins, Zorn & Wagner to provide such representation to the City and Smith at the rate of (a) $175 per hour for partner attorneys, (b) $150 per hour for associate attorneys, (c) $60 per hour for paralegals assisting the firm's attorneys, and (d) $50 per hour for investigative services with said contract to be retroactive to January 29, 2024. AYE: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**40.** Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending litigation of Rashawn Wilson, specifically, the pending litigation in Rashawn Wilson, as a (party of one) and, on behalf of individuals who are similarly situated, v. The City of Lawton et al, CIV-23-1165-R, and, if necessary, take appropriate action in open session.

Motion by WARREN, Second by GILL, to find that defendants Richard Franz, Patrick Bellamy, and Brandon Becker, having made a request for representation, were acting in good faith and in the course of their employment and move to 1. Authorize the law firm Collins, Zorn, & Wagner to represent these individuals, and 2. Approve a contract with Collins, Zorn & Wagner to provide such representation to the City and Smith at the rate of (a) $175 per hour for partner attorneys, (b) $150 per hour for associate attorneys, (c) $60 per hour for paralegals assisting the firm's attorneys, and (d) $50 per hour for investigative services with said contract to (a) be retroactive to January 29, 2024 and (b) supersede and replace the consultant agreement previously entered into between Collins, Zorn & Wagner and the City on January 9, 2024. AYE: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

Motion by WARREN, Second by GILL, due to John Ratliff and Tim Wilson having been sued in their official capacity and Ratliff and Wilson have made a request for representation, and upon a finding that Ratliff and Wilson were acting in good faith and in the course of their employment, I move to authorize the law firm of McAfee & Taft to in addition to representing the City, to also represent Ratliff and Wilson in their official capacity, with said representation to be (1) retroactive to December 21, 2023, and (2) per the terms of the City's current Fiscal Year 2023-2024 professional services agreement with McAfee & Taft. AYE: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

**41.** Pursuant to section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city attorney, and, if necessary, take appropriate action in open session.

No Action Taken.

**42.** Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John Ratliff as City Manager, and in open session take other action as necessary.

No Action Taken.

**ADJOURNMENT**

Motion by GILL, Second by HAMPTON, to adjourn the meeting of February 13, 2024. AYE: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *Motion Passed.*

*There being no further business, the meeting adjourned at 8:17PM.*

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."