

NOTICE AND AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 12, 2018 - 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION FOR CYTOMEGALOVIRUS AWARENESS MONTH

EMPLOYEE SPOTLIGHT PRESENTATION TO MALLORY WHITMAN – HUMAN RESOURCES DEPARTMENT

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 MAY 22, 2018.

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 claim recommended for approval: Jacqueline McNeal in the reduced amount of \$1,124.63. Exhibits: Legal Opinion/Recommendation and **Resolution 18-43**.
2. Consider the following damage claim recommended for denial: Flora Albao in the amount of \$201.00. Exhibits: Legal Opinion/Recommendation.
3. Consider approving the Seventh Amendment renewing the Sales Tax Rebate Agreement for Lawton Marketplace located at 82nd Street and Quanah Parker Trailway, for a portion of the City's 18/19 fiscal year, for taxable sales beginning July 1, 2018 and ending December 31, 2018, and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Seventh Amendment to Sales Tax Rebate Agreement, Lawton Marketplace.
4. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City of Lawton and the Transit Trust to provide funds for the operation of a public transit system and authorize the Mayor and City Clerk to execute the same. Exhibits: Cooperative Agreement and Agreement for Limited Funding are on file in the City Clerk's office.
5. Consider approving an Agreement for Limited Services between the Lawton Enhancement Trust Authority (LETA) and the City of Lawton to fund activities by LETA designed to encourage, promote and foster economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services and LETA 2018/2019 Final Budget.

6. Consider approving an Agreement between the Lawton Fort Sill Chamber of Commerce, the City of Lawton, and the Lawton Economic Development Authority to fund activities by the Chamber designed to encourage, promote and foster tourism, economic and industrial development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement (with updated performance measures and goals) and Proposed Budget.
7. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, to implement increases in water, sewer, and refuse rates, as set forth in Exhibit “A” of the Resolution, and establishing an effective date. Exhibits: **Resolution 18-44** and Exhibit “A”.
8. Consider setting the date of July 24, 2018, to hold a public hearing to close the 12.5 foot sidewalk easement on the west side of Lot 5 and the 12.5 foot sidewalk easement on the east side of Lot 6, Block 16, Eastlake Addition, Part 3A, located north of NE Cache Road and west of NE 45th Street. Exhibits: Application, Location Map and Plat Map.
9. Consider acknowledging receipt of Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 614 linear feet of 12-inch PVC waterline and all appurtenances to serve Raising Cane’s located at 805 NW Sheridan Road, in the NE/4 of Section 19, T2N, R12W, Comanche County, Oklahoma. Exhibits: Permit to Construct is on file in the City Clerk’s Office.
10. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 530 linear feet of 8-inch PVC sanitary sewer line, 172 linear feet of 8-inch PVC waterline, and all appurtenances to serve the Sun Group Replat of Lot 2, Block 1, located approximately ½ mile west of NW 67th Street, on the south side of NW Quanah Parker Trailway, in the SE/4 of Section 20, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct is on file in the City Clerk’s Office.
11. Consider approving the Contribution-In-Aid-Of-Construction (CIAC) Agreement with AEP/PSO and adopting Street Light Resolution No. 494 to authorize the installation/removal of street lights at the locations listed in the Resolution and approve funding from Council Contingency. Exhibits: Contribution-In-Aid-Of Construction Agreements and Street Light Resolution No. 494.
12. Consider accepting permanent and temporary sanitary sewer easements from Alan J. & Veckie Hall for right of way needed for construction of the North Wolf Creek Trunk Main Expansion Project #1 SSES 15-2, and authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map - Attached as Exhibit A. Easement Documents, Legal Description and Alan J. & Veckie Hall Agreement on file in the City Clerk's office.

13. Consider accepting permanent and temporary sanitary sewer easements from Edmond C. & Elvira E. Booker for right of way needed for construction of the North Wolf Creek Trunk Main Expansion Project #1 SSES 15-2, and authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map - Attached as Exhibit A. Easement Documents, Legal Description and Edmond C. & Elvira E. Booker Agreement on file in the City Clerk's office.
14. Consider accepting a permanent sanitary sewer easement from Charlene Joy Johnson for right of way needed for construction of the North Wolf Creek Trunk Main Expansion Project #1 SSES 15-2, and authorizing the Mayor and City Clerk to execute the document. Exhibits: Location Map - Attached as Exhibit A. Easement Documents, Legal Description and Charlene Joy Johnson Agreement on file in the City Clerk's office.
15. Consider accepting permanent and temporary sanitary sewer easements from Karen Prestage for right of way needed for construction of the North Wolf Creek Trunk Main Expansion Project #1 SSES 15-2, and authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map - Attached as Exhibit A. Easement Documents, Legal Description and Karen Prestage Agreement on file in the City Clerk's office.
16. Consider accepting a permanent sanitary sewer easement from Joe B. Lyons 1996 Family Trust agreement on Land Parcel for right of way needed for construction of the North Wolf Creek Trunk Main Expansion Project #1 SSES 15-2, and authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map - Attached as Exhibit A. Easement Documents, Legal Description and Joe B. Lyons 1996 Family Trust agreement on Land Parcel on file in the City Clerk's office.
17. Consider approving an agreement with Freese and Nichols, Inc. for professional engineering design plans and specifications associated 2017 Ad Valorem Street and Roads Program, (Residential), Phase 1 in the amount of \$505,572 and authorizing the Mayor and City Clerk to enter into a contract for these design services. Exhibits: A copy of the agreement is on file in the City Clerk's office.
18. Consider approving Amendment No. 8 to the March 14, 2011 agreement with CH2MHill Engineers, Inc. for additional professional engineering analysis; to perform site specific seismic hazard analysis for the Lake Ellsworth Spillway project. Exhibits: Amendment to the agreement is on file in the City Clerk's office.
19. Consider approving an agreement and payment of \$4,848.00 to Mr. John Roberts for the replacement of a portion of the residential driveway and sidewalk located at 822 NW 50th Street, which was demolished in the course of completing a city waterline repair. Exhibits: Proposed agreement between the City of Lawton and Mr. Roberts.
20. Consider approval of Change Order No. 1 by Flintco, LLC to their contract with the City of Lawton for construction of the Public Safety Facility at the intersection of Railroad Rd and Gore Blvd. Exhibits: Change Order No. 1 - Public Safety Facility.

21. Consider approval of Change Order No. 2 by Flintco, LLC to their contract with the City of Lawton for construction of the Public Safety Facility at the intersection of Railroad Rd and Gore Blvd. Exhibits: Change Order No. 2 - Public Safety Facility.
22. 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.
23. Consider extending contract for (CL17-019) Rock Hauling to Evans Transportation Services, Inc. of Lawton, Oklahoma for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
24. Consider awarding contract for (CL18-034) Mowing and Litter Areas M and O to Robs Lawn Care of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
25. Consider awarding the requirement contract for Liquid Aluminum Sulfate to Affinity Chemicals, LLC of Dallas TX (Primary), and Water Tech, Inc. dba Southwest Chemical of McAlester, OK (Secondary). Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
26. Consider extending contract for (RFPCL17-022) HVAC Services to Johnson Controls of Oklahoma City, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
27. Consider extending contract for (RFPCL17-023) Workers Compensation Services to United Safety & Claims, Inc. of Tulsa, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
28. Consider approving appointments to boards and commissions. Exhibits: None.
29. Consider approval of payroll for the periods of May 21 – June 3, 2018.

NEW BUSINESS ITEMS:

30. Consider adopting a resolution fixing the amount of 2018 Street Improvement General Obligation Bonds to mature each year; fixing the time and place the bonds are to be sold; designating a paying agent/registrar; approving the preliminary official statement and distribution thereof; ratifying and confirming a continuing disclosure agreement; authorizing the City Clerk to give notice of said sale as required by law and fixing other details of the issue. Exhibits: **Resolution 18-45.**
31. Consider approving an amendment to Division 17-1-7-171, Disciplinary Actions, of Article 17-1, Chapter 17, Lawton City Code, 2015, by specifying that the thirty (30) working day limitation to take disciplinary action against an employee shall not apply in cases involving violations of the whistleblower protection ordinance and citing the City's whistleblower protection ordinance in place of the Federal and State whistleblower statutes, providing for severability, and establishing an effective date. Exhibits: Proposed **Ordinance 18-17.**

32. Consider approving an amendment to Council Policy No. 1-6, City Council Rules of Procedure, by adding a new section on Committees that lays out the types of committees that may be formed, the nomination/appointment process for each, member eligibility requirements, when compliance with the Open Meeting Act is required, etc. Exhibits: Proposed Amendment to Council Policy 1-6.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

EXECUTIVE SESSION ITEMS:

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in United States District Court of Tony L. Kemp v. City of Lawton, et al, CIV-17-306-F, and if necessary, take appropriate action in open session. Exhibits: None.
34. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2018-2019 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

ADJOURNMENT