

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 13, 2006 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF PROCLAMATION FOR JUNETEENTH, A WORLDWIDE 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.

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 adopting a resolution ratifying the action of the City Attorney and the City Manager in filing and making payment of the judgment in the Workers' Compensation case of Steven Knight in the Workers' Compensation Court, Case No. 2005-09755 A. Exhibits: Resolution 06-____. Page 1
2. Consider authorizing the City Attorney to accept the sum of Eight Thousand Three Hundred Thirty-Three and 33/100 Dollars (\$8,333.33) for settlement of the City's subrogation interest in the personal injury case of Carlton L. Clark, Sr. Exhibits: None. Page 3
3. Consider membership in the Texas Local Government Purchasing Cooperative "Buy Board" program. Exhibits: Memorandum from Asst. City Attorney, Randy W. Henning, Interstate - Interlocal Participation Agreement, Oklahoma Buy Board Registration Procedures, Board Resolution Document. Page 4
4. Consider approving the standard lease agreement for use of the Elmer Thomas Park/Lake Helen Stage area on July 4, 2007 with First Assembly of God-Lawton upon construction completion of concrete stage. Exhibits: Standard Lease Agreement with First Assembly of God-Lawton. Page 16
5. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2006. Exhibits: Resolution No. 06-____. Page 20
6. Consider approving a memorandum of understanding with the State of Oklahoma/City of Tulsa 800 MHz Radio System Inter-Operability Memorandum of Understanding. Exhibits: The State of Oklahoma/City of Tulsa 800 MHz Radio System Inter-Operability Memorandum of Understanding is on file in the City Clerk's office. Page 22
7. Consider Emergency Management Performance Grant (EMPG) to assist local jurisdictions in updating operating plans, conduct emergency exercises, maintain 24 hour point of contact and allow emergency manager to attend 21 hours continuing education and training. Exhibits: The Cover Letter from the Department of Emergency

- Management and the Emergency Management Performance Grant. Page 23
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 the contracts are located in the City Clerk's office for review. Page 39
 9. 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 in the City Clerks office. Page 40
 10. Consider approving agreements for refuse disposal with the following entities, and authorize the Mayor and City Clerk to execute the agreements: Town of Indiahoma, Multiple Community Services Authority and Town of Temple. Exhibits: Agreements are on file in the City Clerks office. Page 41
 11. Consider adopting Street Light Resolution No. 445 to authorize the installation of street lights at various locations listed in the Resolution. Exhibits: Street Light Resolution No. 445. Page 42
 12. Consider adopting a Resolution authorizing the installation of traffic control measures on SW 40th Street at Bishop Road, SW 44th Street at Bishop Road, and NW 47th Street & Wolf Creek Avenue/Motif Manor Drive intersection. Exhibits: Traffic Commission Minutes, Traffic Issue Requests and Resolution No. 06-____. Page 45
 13. Consider denying a request for the installation of traffic control measure on SW 38th Street at the intersection of Lee Blvd. Exhibits: Traffic Commission Minutes and Traffic Issue Report. Page 59
 14. Consider acknowledging receipt of a permit from the Oklahoma Department of Environmental Quality for the construction of 200 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Dunbar Commercial Addition located in the SW/4 of Section 34, T-1-N, R-12-W, I.M., City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's office. Page 70
 15. Consider ratifying the action of the Lawton Water Authority in terminating the agricultural lease between Pam Vaughan and the City of Lawton for tract E-26 due to non-payment of rent, authorize the City Attorney to take legal action to recover the non-paid rent and interest costs and authorize the City Attorney to advertise and hold a public auction to lease the tract to a new lessee. Exhibits: Payment request letters (2). Surface sub-lease contract is on file in the City Clerk's office. Page 71
 16. Consider approving Change Order No. 1 for the Arterial Street Repair Project #2005-3 with Barnett Paving and Sealing L.P. Exhibits: None. Page 74

17. Consider approving Change Order No. 1 for the 2000 CIP Waterline Replacement Project 2005-15 with Evans & Associates Utility Services, Inc. Exhibits: Location Map. Page 75
18. Consider approval of an amended Retainer Agreement for Professional Services with CH2M HILL, INC., to provide professional engineering services to the City of Lawton and the Lawton Water Authority in defense of the lawsuit styled Comanche County Rural Water District No. 1, et al. v. City of Lawton, et al., and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement on file in the City Clerk's office. Page 77
19. Consider renewing the professional services agreement with Robert M. Jernigan as a representative on telecommunication; James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims; Tony G. Puckett of McAfee & Taft on labor-related issues; Gary M. Bush of Fagin, Brown, Bush, Tinney & Kiser for financial related representative services; and authorize the Mayor and City Clerk to execute the Agreements. Exhibits: Retainer Agreements for Professional & Legal Services on file in the City Clerks office. Page 78
20. Consider approval of 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 80
21. 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 85
22. Consider authorizing litigation in the City's collection efforts to recover medical expenses and property damages resulting from an automobile accident between a vehicle operated by Kent Gamble and a City vehicle. Exhibits: None. Page 86
23. Consider authorizing a Resolution of Necessity for real property acquisition for the Numu Creek Channel Improvements (Lee to RR) Project # 2006-1. Exhibits: Resolution 06-____ and Location Map. Page 87
24. Consider granting a variance to Section 21-503, Easements, Lawton City Code, and approving the construction plans and specifications for a sanitary sewerline extension to serve the area north of Victoria Square Apartments located at 2309 NW 38th Street subject to condition. Exhibits: Location Map. Page 96
25. Consider approving the construction plat for Waterstone Addition, subject to conditions. Exhibits: Plat Map. Page 98
26. Consider approving the construction plans for extensions of sanitary sewer mains located near NE Flower Mound Road and East Gore Boulevard subject to conditions. Exhibits: Location Map. Page 100

27. Consider approving the record plat for Rolling Hills Development, Part 3G, and accepting the improvements, maintenance bonds, and easement outside the platted area. Exhibits: Plat Map. Maintenance Bonds and Easements on file in City Clerk's office. Page 103
28. Consider adopting a Resolution in Support of the Lawton Metropolitan Area Airport Authority (LMAAA) submitting an application to the Oklahoma Strategic Military Planning Commission for a grant to fund a 55-year lease with the Oklahoma School Lands Trust for 80 (eighty) acres of land to accommodate the U.S. Army Forces Command Air Mobility Complex. Exhibits: Resolution of Support 06-_____, Letter to Larry Mitchell from Carey Johnson, dated 5-30-2006, Aerial map of the Lawton Fort Sill Airport, Grant application to Oklahoma Strategic Military Planning Commission. Page 105
29. Consider extending the contract (CL05-055) Rock Hauling with Atlas Tuck Concrete of Duncan, Oklahoma. Exhibits: Department Recommendation, Contract Extension Form. Page 112
30. Consider awarding (CL06-049) 4" and 6" Portable Pumps to RSC Equipment Rental of Lawton, Oklahoma for the 4" Pump (diesel engine) Items 1 & 2 and the 6" Pump Items 4 & 5 and to Pioneer Equipment of Lawton, Oklahoma, for the 4" Pump (gasoline engine). Exhibits: Abstract of bids and department recommendation. Page 115
31. Consider awarding (CL06-050) Moving Radars to Kustom Signals Inc. of Lenexa, Kansas. Exhibits: Abstract of bids and department recommendation. Page 120
32. Consider awarding (CL06-053) 4 x 8 Trench Box to G. W. Van Keppel of Oklahoma City, Oklahoma. Exhibits: Abstract of bids and department recommendation. Page 123
33. Consider awarding (CL06-047) Manhole Lining Materials to The Strong Company, Inc., of Pine Bluff, Arkansas. Exhibits: Abstract of bids and department recommendation. Page 127
34. Consider awarding (CL06-045) Metal Recycling to Buddy's Crushed Cars, Incorporated of Kingston, Oklahoma. Exhibits: Abstract of bids and department recommendation. Page 130
35. Consider awarding (CL06-056) Police Motorcycle to Old Fort Harley Davidson of Fort Smith, Arkansas. Exhibits: Abstract of bids and department recommendation. Page 134
36. Consider awarding (RFPCL06-051) Employee Physicals/Drug Screen Testing to The Center for Occupational Health of Lawton, Oklahoma. Exhibits: Cost comparison and department recommendation. Page 137
37. Consider approving appointments to boards and commissions. Exhibits: None. Page 140
38. Consider approval of payroll for the periods of May 8- June 4, 2006. Exhibits: None.

OLD BUSINESS ITEMS:

39. Hold a public hearing and adopt a resolution declaring the structure at: 524 S.W. "G" Avenue to be a dilapidated public nuisance, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to commence legal action in district court to abate the nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove the dilapidated

structure, if necessary. Exhibits: Resolution 06-____. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 141

NEW BUSINESS ITEMS:

40. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Residential/Low Density to Commercial and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at 1401 NW 24th Street. Exhibits: Resolution No. 06-____, Ordinance No. 06-____, Location Map, Site Plan, Applications and CPC Minutes. Page 145
41. Hold a public hearing and consider an ordinance changing the zoning from R-4 (High Density Apartment District) to C-1 (Local Commercial District) zoning classification located at 10 SW 15th Street. Exhibits: Ordinance No. 06-____, Location Map, Site Plan, Application and CPC Minutes. Page 161
42. Hold a public hearing to consider Community Development Block Grant (CDBG) Section 108 Loan Guarantee Program and Brownfield's Economic Development Initiative (BEDI) Grant applications to the U.S. Department of Housing and Urban Development (HUD) receive input from citizens and provide input for development of the applications as necessary. Consider approving a resolution authorizing submission to HUD and authorizing the Mayor and City Clerk to execute the implementing documents. Exhibits: Resolution 06-____. Copies of the draft applications are on file in the City Clerk's office and HCD. Page 171
43. Consider adopting an ordinance pertaining to Food and Food Establishments creating Section 12-1-126, Article 12-1, Chapter 12, Lawton City Code, 2005, by setting regulations for seasonal snow cone establishments, providing for severability, codification and declaring an emergency. Exhibits: Ordinance No. 06-____. Page 176
44. Consider an ordinance amending Section 14-1-107, Article 14-1, Chapter 14, Lawton City Code, 2005, by establishing the effective dates and areas of the moratorium on the issuance of building and remodel permits, providing for severability, and declaring an emergency. Exhibits: Ordinance No. 06-____. Page 180
45. Discuss City policy on stormwater drainage and take appropriate action, if necessary. Exhibits: Minutes from May 9, 2006 City Council meeting. Page 183
46. Discuss the recent City Council decision directing Neighborhood Services to issue citations to owners of vehicles parked in front yards, violating Lawton City Code, Chapter 15, Article 15-5, Section 15-5-5-3, without first providing a ten (10) day notice of violation. Exhibits: Copy of Chapter 15, Article 15-5, Section 15-5-503, Lawton City Code. Page 189

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

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."