



City of Lawton

City Council

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Tuesday, June 13, 2023

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, amend, strike, or continue any agenda item. 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 WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION:

Lawton Police Department Recognition

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.

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 approval of the minutes of the Lawton City Council regular meetings of April 25 and May 23, 2023. [23-522](#)

Attachments: [25Apr23](#)
[23May23](#)

2. Consider approving an agreement for professional services between the City of Lawton and Collins, Zorn & Wagner, PLLC ("CZW") to represent the City in the pending case of Mina Woods as Administrator for the Estate of Quadry Malik Sanders vs City of Lawton, et al, CIV-22-596-D and authorize the Mayor and City Clerk to execute the Agreement. [23-493](#)

Attachments: [Proposed Retainer Agreement for Professional & Legal Services](#)

3. Consider renewing the professional services agreement with McAfee & Taft for legal services related to the City's pension system, employment/labor related issues, and other areas as requested by the City and authorize the Mayor and City Clerk to execute the Agreement. [23-517](#)

4. Consider approving an Amendment to the Professional Services Agreement with the Lawton Fort Sill Chamber of Commerce for Tourism, Convention, and Related Services FY 2022-2023, contingent on the Chamber's approval of this the agreement and their amended budget, allocating \$25,000 to the Chamber to use those funds in conjunction with the Juneteenth Committee to help fund the Juneteenth Celebration, and provide for floor amendments to the Amendment to the Professional Services Agreement. [23-465](#)

Attachments: First Amendment to HotelTaxTourismAgreement for Chamber 2022-2023
Appendix A Chamber Amended Budget FYE 6-30-23

5. Consider approving a Resolution amending Resolution 23-17 and establishing a revised annual funding allocation for hotel/motel tax collections, specifically by providing for a one-time \$25,000.00 allocation in June 2023 to the Lawton Chamber of Commerce for events and activities related to 2023 Juneteenth Celebration and reducing the remaining estimated unallocated hotel/motel tax funds accordingly. [23-552](#)

Attachments: Hotel Motel FYE 23 - 2023.06.09.xlsx
Hotel Motel FYE 23 Revised Distribution Resolution.tw.jdd2.docx
Hotel Resolution.pdf

6. Consider directing staff to order an appraisal to understand the value of rental spaces for boat houses, and for daily, monthly, and yearly RV space leasing at Lake Lawtonka and Lake Ellsworth. [23-519](#)

Attachments: [Lake Master Plan Excerpt - Fees](#)

7. Per the recommendation of the Council Budget and Efficiency Committee, consider engaging Hatch, Croke, and Associates per the terms of the engagement letter dated October 28, 2022, to begin collecting performance metrics data for the Parks and Recreation Department, Fire Department, Solid Waste Division, and Streets Division and departmental expenditures for 6 comparable cities, direct the City Manager to create performance metrics for all other departments to be brought back to City Council in 90 days, and take any other action deemed necessary. [23-528](#)

Attachments: [Hatch, Croke & Associates Engagement Letter](#)

8. Consider approving an agreement with Higginbotham to provide third-party administrator service for Flexible Spending Accounts to eligible City of Lawton employees effective July 1, 2023, and authorize the Mayor and City Clerk to execute the agreement. [23-481](#)

9. Consider adopting a resolution setting the E-911 fee for the period of July 1, 2023 through June 30, 2024. [23-475](#)
Attachments: [Resolution FY2023-2024](#)
10. Consider approving FAA Airport Terminal Program (ATP) funding for the Lawton-Ft Sill Regional Airport in the amount of \$ 4,379,131.00 for AIP 3-40-0051-046 and authorize the execution of any necessary documents relating thereto. [23-523](#)
11. Consider approving a real estate purchase agreement with Tanwood III, LLC., for properties located at 913 SW C Avenue, 915 SW C Avenue, 914 SW B Avenue, and 916 SW B Avenue, and authorize the Mayor and City Clerk to execute the contract. [23-484](#)
Attachments: [Purchase Agreement](#)
[City Hall Parking Lot & Drive Thru Site Plan](#)
12. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures at NW 36th & NW Arlington Ave., and SW F Ave. & SW Railroad St. [23-486](#)
Attachments: [Minutes Traffic Commission 5-18-23](#)
[TRAFFIC ISSUE REQUEST SW F and Railroad](#)
[TRAFFIC ISSUE REQUEST Chapman 36th and Arlington STOPS](#)
[RESOLUTION NO 23-____-6-13-23](#)
13. Consider adopting a Resolution authorizing the installation of traffic control measures at the 400 block of NW Compass Drive [23-514](#)
Attachments: [6-13-23 Compass Speed Table Ward 8 Resolution.docx](#)
14. Consider adopting Street Light Resolution No. 505 to authorize the installation/removal of street lights in Rolling Hills Addition, Part 5A at the locations listed in the Resolution. [23-496](#)
Attachments: [RESOLUTION NO 505.docx](#)
15. Consider approving a Sale of Water Outside City Limits Contract with Julia Ann Norberto Burgess for property addressed as 3320 SW 6th Street and authorize the Mayor and City Clerk to execute the Contract. [23-506](#)
Attachments: [Burgess- Water Application](#)
[Sale of Water Contract - Burgess](#)
16. Consider authorizing the Mayor and City Clerk to execute the FY-2024 Memorandum Agreement between the City of Lawton, the Oklahoma Water Resources Board and the U.S. Geological Survey and pay the city portion of cost. [23-515](#)
Attachments: [FY 24 Memorandum Agreement 6-27-23](#)
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17. Consider approving Amendment No. 1 to the Agreement for Engineering Services between the City and Dewberry Engineers, Inc., Project No. EN1208, for the W. Gore Reconstruction from 67th Street to 82nd Street. [23-526](#)

Attachments: [Amendment 1 to Dewberry Agreement EN1208 Gore between 67th to 82nd](#)

18. Consider: (1) waiving paragraph (A)(4)(a) of City Code Section 10-1-108 for the time set forth in city code to award construction contracts and instead apply the requirements set forth in Section 111 of the Public Competitive Bidding Act of 1974, and (2) for good cause shown and in accordance with Section 111, extend by mutual written agreement the time to award the construction contract for the 2017 Ad Valorem and Roads Program (Residential), Phase II-B - Project No. EN1707P2B, and (3) award said construction contract to MTZ Construction Inc. [23-546](#)

Attachments: Phase II-B - Letter Rec-5-1-2023
Phase II-B Bid Tabulation- 5-1-2023
MTZ Construction Contract
MTZ Construction Bonds packet
Mutual Agreement for Contract Time Extension -EN1707P2B.docx

19. Consider extending contract CL22-045 Thermoplastic Material and Epoxy Primer/Sealer to Ennis Flint, Inc. of Greensboro, NC for an additional year. [23-490](#)

20. Consider awarding contract (RFPCL23-030) Tree Trimming and Tree Maintenance to Asplundh Tree Expert, LLC for one year beginning July 1, 2023. [23-495](#)

Attachments: [Department Recommendation](#)
[Abstract of Bids](#)
[Contract Specifications](#)

21. Consider awarding contract (CL23-033) Fuel Pump Upgrades at Schoolhouse Slough to D&H United Fueling Solutions LLC DBA Petroleum Marketers Equip. Co.. [23-511](#)

Attachments: [Department Recommendation](#)
[Abstract of Bids](#)
[Quote with Scope of Work](#)

22. Consider awarding contract (CL23-027) Wrecker Service (Car & Light Trucks under 15,000 GVW) to Priest Brothers, Inc. of Lawton, Ok. [23-480](#)

Attachments: [Dept Recommendation, Abstract](#)

23. Consider approving appointments to boards and commissions. [23-491](#)

Attachments: [Board Appointments- 06.13.23](#)

UNFINISHED BUSINESS ITEMS:

24. Consider approving a resolution amending the current general employee pay scales by increasing the minimum hourly pay for a City of Lawton employee to \$15.00 per hour, amending the pay scale consistent with the recent Compensation and Classification Analysis recommendations submitted by the JER HR Group, deleting Grades 1, 2 and 3, adding an Executive Level, E5, Range and repealing all previous general employee pay scales, effective July 1, 2023 and take action as deemed necessary to include floor amendments. [23-489](#)

Attachments: [Current Employee Payscale](#)
[Proposed General Employee Payscale 2023](#)
[Payscale Employee Examples](#)
[2023 Pay Plan Resolution](#)

25. Discuss the Pavement Evaluation report given on May 23rd, plus the immediate need for particular bridge rebuilding/repairing and consider options for funding and the Oklahoma Statutory Election Calendar, giving direction as deemed necessary. [23-507](#)

Attachments: [statutory-election-dates-deadlines](#)

BUSINESS ITEMS:

26. Hold a public hearing to receive input from the citizens of Lawton regarding the City of Lawton's proposed budget for Fiscal Year 2023-2024, and, after due consideration of the City Manager's proposals and citizens' input thereon, provide direction to finalize the budget or take action to approve the budget (with any revisions) by Resolution as deemed appropriate. [23-333](#)

Attachments: [Budget Resolution FY23-24](#)
[Budget Revision #2](#)

27. Receive a report from staff regarding the disposition of criminal cases as requested by Council on October 25, 2022 and take action as deemed necessary. [23-530](#)

28. Discuss the acceptance of animals for the purpose of adoption, rehoming, sending to rescue, euthanization, or other means of disposal from outside municipalities, evaluate the financial implications to the City of Lawton for accepting animals from outside municipalities, and direct staff as appropriate. [23-463](#)

Attachments: [Chapter A-5 Fee Schedule](#)

29. As recommended by the Processes Oversight Council Committee, consider an ordinance amending Section 6-1-1-101, Division 6-1-1, Article 6-1, Chapter 6, Lawton City Code, 2015, relating to amendments to the International Building Code, 2015 Edition, creating the Department of Building Safety and appointing the City Manager as the “Code Official”, allowing for the Code Official to appoint Deputy Code Official(s), establishing the duties and powers of the Code Official, establishing rules for conformance, providing for severability, and establishing an effective date. **23-516**

Attachments: Ordinance 23-____

30. Per the recommendation of the Processes Oversight Committee, consider an amendment to Council Policy 6-1 establishing an “Open for Business” policy, requiring all administrative rules, policies, directives, and the like that were previously in effect to cease until they are incorporated into Council Policy or Code, creating rules on code interpretation, and creating a grading system for contractors and take action as deemed necessary. **23-549**

Attachments: Council Policy 6-1 Open for Business

31. Consider adopting an ordinance amending Building Code Regulations Section 6-1-1-107.5, Division 6-1-1, Article 6-1, Chapter 6 of the Lawton City Code, 2015 by substituting all references to “48 Hour Timeframe” with “Two Business Days”, substituting all references to “24 Hour Timeframe” with “One Business Day”, requiring mandatory reporting to the City Manager or their designee if an inspection or the Certificate of Occupancy is not issued within the prescribed timelines, substituting all references to “life threatening issues” with “life, health and/ or safety issues”, requiring that a builder be placed on a list of non-conforming builders for a period of at least one year when infractions are not corrected, requiring that said builder seek reinstatement of fast track services through the Building Development Appeals Board, providing for severability, and establishing an effective date. **23-504**

Attachments: [Fast Track Ordinance](#)

STAFF REPORTS:

EXECUTIVE SESSION ITEMS:

32. Pursuant to Section 307C.11 Title 25, Oklahoma Statutes, consider convening in executive session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within our jurisdiction if the public disclosure of which would violate the confidentiality of prospective business entities, and if necessary, take appropriate action in open session. **23-532**

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the United States District Court for the Western District of Oklahoma titled Kent Jackson, as Personal Representative of the Estate of Israel Williams v. City of Lawton, et al, Case No. 5:23-cv-00284-G, and if necessary, take appropriate action in open session. [23-540](#)
34. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations with International Union of Police Associations (IUPA), Local 24, and the City of Lawton, to include discussions concerning a possible amendment to the parties' Fiscal Year 2023-2024 collective bargaining agreement, and, if necessary, take appropriate action in open session. [23-538](#)
35. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim of School House Slough Inc., and, if necessary, take appropriate action in open session. [23-524](#)

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."