

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 14, 2011 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF MAY 10, 2011.

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 claims recommended for approval: Jason and Moon Roller in the amount of \$200.00 and Sandra Tatum, DBA S. Kay Enterprises Inc., in the amount of \$1,997.40. Exhibits: Legal Opinions/Recommendations and Resolution No. _____. Page 1
2. Consider renewing the professional services agreement with James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims. Exhibits: Retainer Agreement for Professional & Legal Services on file in the City Clerks Office. Page 8
3. Consider renewing the Retainer Agreement for Legal Services between the City of Lawton and Clay R. Hillis, to provide professional and legal services to the City of Lawton in case styled Duane Green vs. City of Lawton, Case No. CIV-10-991-L, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office. Page 9
4. Consider 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 is on file in the City Clerk's Office. Page 10
5. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and McAfee & Taft and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on file in City Clerk's Office. Page 11
6. Consider approving an Agreement effective July 1, 2011 through June 30, 2012 between the State of Oklahoma Office of Juvenile Affairs and the City of Lawton for the continued operation and management of a Community Intervention Center in Lawton, and authorize execution of the Agreement and an Affidavit of Assignment authorizing payment directly from the State to Marie Detty as the CIC subcontractor. Exhibits: Renewal Agreement and Affidavit of Assignment on file in City Clerk's Office. Page 12

7. Consider accepting an agreement letter for financial advisement and consulting services with the firm of Wells Nelson & Associates, LLC, and provide guidance to staff as appropriate. Exhibits: Agreement Letter with Wells Nelson & Associates, LLC. Page 13
8. Consider accepting an engagement letter for technical accounting and consulting services with the firm of Crawford & Associates, P.C., and provide guidance to staff as appropriate. Exhibits: Engagement Letter with Crawford & Associates, P.C. Page 18
9. Consider accepting a grant of \$8,500 from the Oklahoma Humanities Council to support the 2011 Oklahoma Chautauqua program. Exhibits: The Oklahoma Humanities Council grant agreement is on file in the City Clerk's Office. Page 24
10. Consider approving the sale of used surplus Fire Department couches/chairs to Marie Detty Youth & Family Service Center Inc. of Lawton, Oklahoma. Exhibits: None. Page 25
11. Consider approval of Mutual Aid Agreement with the Lawton-Ft Sill Regional Airport to coordinate activities in advance of disaster or emergency conditions. Exhibits: Mutual Aid Agreement. Page 26
12. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to Chapter 7, Business, establishing an annual license fee for Indoor Shooting Ranges. Exhibits: Resolution No. 11-____. Page 30
13. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to Chapter 7, Business, removing the bond requirement reference. Exhibits: Resolution No. 11-____. Page 32
14. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to Chapter 7, Business, increasing the annual license fee for Secondhand Dealers. Exhibits: Resolution No. 11-____. Page 34
15. Consider approving a Memorandum of Agreement between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement. Page 36
16. Consider adopting a resolution to execute the Project Agreement for Federal-Aid Project Number STP-116E(183)EH, State Job Piece Number 26900(04) between the City of Lawton and the Oklahoma Department of Transportation for Phase IV of the 2nd Street Enhancement Project, consisting of a streetscape enhancement project for 2nd Street from south of Gore Boulevard to SW C Avenue, and authorize the Mayor and City Clerk to execute the Project Agreement. Exhibits: Resolution No. 11-__, Letter from ODOT, Phase IV – Estimated Cost and Location Map. Page 39
17. Consider approving the record plat for Sungate Commercial Addition. Exhibits: Plat Map. Page 45

18. Consider approving the Replat of Lots 2 and 3, Block 1, Arvest Plaza. Exhibits: Plat Map. Page 47
19. Consider approving the construction plans for an 8-inch sanitary sewer line to serve EZ Go #19 located at SW 52nd Street and Lee Boulevard. Exhibits: Location Map. Page 49
20. Consider setting the date of July 26, 2011, to hold a public hearing and consider an ordinance closing Hoover Street between NE Dearborn and NE Columbia Avenue, NE Columbia Avenue between Hoover Street and Albert Johnson Sr. Drive, and the alley in Block 8, Vernon Addition. Exhibits: Location Map and Application. Page 51
21. Consider authorizing the Mayor to enter into an agreement with the Utility Service Partners, Inc. to grant the company a one year non-exclusive right to use the City's name and logo to be used for the purpose of marketing a private water and wastewater private service line repair warranty program. Exhibits: Agreement is on file in the City Clerk's Office. Page 54
22. Consider approving Change Order No. 2 assessing liquidated damages, adjusting the contract time for weather days & utility delay days, establishing new line items and accepting the 2008 CIP Waterline Replacement Phase 3 project #2010-1 as constructed by Luckinbill Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 55
23. Consider ratifying the action of the City Engineer and approving Change Order #1 for the Gore Boulevard Overlay Project #2010-8 with T&G Construction, Inc. Exhibits: None. Page 56
24. Consider adopting a Resolution authorizing the installation of traffic control measures on: westbound NW Pollard Avenue at the intersection of NW 20th Street; northbound and southbound SW 65th Street at the intersection of SW Brookline Avenue; eastbound SW Belmont Avenue east of SW 6th Street; westbound NW Cache Road west of the intersection of NW 82nd Street and NW Cache Road; and northbound and southbound NW Pershing Drive at the 5-legged intersection of NW Pershing Drive, NW Victory Boulevard and NW Cherry Avenue. Exhibits: Resolution No. 11- ____ and Traffic Commission Minutes and Traffic Issue Request. Page 57
25. Consider awarding a professional services contract to Dr. Haney for the purpose of providing veterinarian services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. Exhibits: Retainer Agreement for Professional Services (On file with the City Clerk). Page 72
26. 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 (On file with the City Clerk). Page 73

27. Consider approving agreements for refuse disposal with the following entities, and authorize the Mayor and City Clerk to execute the Agreements: Town of Indianoma, Multiple Community Services Authority and Town of Temple. Exhibits: Agreements (On file with the City Clerk). Page 74
28. Consider approving the Proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board, the U.S. Geological Survey and the City of Lawton and authorizing the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Cooperative Program and Memorandum Agreement (on file with the City Clerk). Page 75
29. Consider accepting the proposal to retain Lincoln Financial Group as the City's life insurance provider. Exhibits: Copy of proposal summary from Higginbotham & Associates. Page 76
30. Consider awarding the contract for the City's property insurance to North American Insurance Agency for renewal of the policy underwritten by the Chubb Insurance Group. Exhibits: Proposal summary from Candy Brown, Safety & Risk Officer and Vendor Sheet. Page 79
31. Consider awarding the contract for the City's workers' compensation administrative services to United Safety & Claims, Inc. Exhibits: Proposal summary from Candy Brown, Safety & Risk Officer. Page 82
32. Consider awarding contract (CL11-027) Nomex Uniforms Item 1 (Pants) to Casco Industries Inc of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 84
33. Consider awarding contract (CL11-027) Nomex Uniforms Item 2 (Shirts) to Wayest Safety, Inc of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 90
34. Consider awarding contract (CL11-031) Rock Hauling to AE Construction of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 96
35. Consider awarding contract (CL11-030) Laser Alignment Tool to Ludeca, Inc., of Doral, FL. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 100
36. Consider awarding contract (CL11-029) Lawton Arts & Humanities Entertainment Magazine to Peregrine Corporation of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 106
37. Consider awarding contract (CL11-032) Fire Hydrants to Oklahoma Contractors Supply of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 112

38. Consider awarding contract (CL11-033) Traffic Signal Poles & Arms to Valmont Industries, Inc., of Valley, NE. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 123
39. Consider awarding contract (CL11-026) Alternate Daily Cover (ADC) to Landfill Services Corporation of Apalachin, NY. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet. Page 128
40. Consider approving appointments to boards and commissions. Exhibits: None. Page 134
41. Consider approval of payroll for the periods of May 16 – June 12, 2011.

NEW BUSINESS ITEMS:

42. Consider reviewing and approving the City of Lawton Fiscal Year 2011-2012 budget and approving a resolution adopting the FY 2011-2012 City of Lawton budget. Exhibits: Resolution No. 11 _____. Page 136
43. Hold a public hearing and consider an ordinance changing the zoning from C-3 (Planned Community Shopping Center District) to C-1 (Local Commercial District) zoning classification located south of East Gore Boulevard, east of SE 45th Street. Exhibits: Ordinance No. 11-____, Site Plan, Location Map, Application and CPC Minutes. Page 140
44. Hold a public hearing and adopt resolutions declaring the structures located at 707 S.W. 13th Street, 906 S.W. 4th Street, 1126 N.W. Laird Blvd., 1210 S.W. “F” Avenue, 1818 S.W. Monroe Avenue, 1907 S.W. “D” Avenue, 1908 S.W. McKinley Avenue, to be dilapidated, detrimental to the health, safety or welfare of the general public and community, a blighting influence, and a public nuisance; directing the owners to abate the nuisance by obtaining a remodel or demolition permit within thirty (30) days; authorizing summary abatement of the nuisance should the owners fail to abate the nuisance; and alternatively authorizing the City Attorney to commence legal action in district court to abate the nuisance if summary abatement is not economically practical. Exhibits: Seven Resolutions. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 154
45. Hold a public hearing and consider an ordinance closing the north 5 feet of the 20-foot alley in Block 4, McClung Addition. Exhibits: Ordinance No. 11-____, Application, Location Map and Council Policy 5-1. Page 177
46. Consider an ordinance amending Section 22-1-2-114, Division 22-1-2, Article 22-1, Chapter 22, and a companion resolution for the purpose of imposing the \$2.50 increase in the surcharge for the Lake Waurika assessment, approved by the Lawton Water Authority

and implemented by the City on June 8, 2010, on the submeters of water associations and wholesale customers outside the City limits who do not have the submeters on their master meter accounts read and maintained by the City, as approved by the Lawton Water Authority. Exhibits: Ordinance No. 11-____, Resolution No. 11-____, Exhibit A - Section 22-112, Article A-22-1, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005. Page 183

47. Consider approving an Ordinance amending Sections 12-1-126, pertaining to Chapter 12, Food and Food Establishments, regarding seasonal snow cone establishments. Exhibits: Ordinance 11-____. Page 190
48. Consider an ordinance amending Article 3, Chapter 22, Lawton City Code, 2005, pertaining to sewers, wastewater treatment, compliance and enforcement; incorporating the pretreatment streamlining rules and other recommended changes mandated by Oklahoma Department of Environmental Quality, establishing new and updated technically based local limits, and clarifying required reporting, modifying surcharge levels, clarifying and correcting certain code provisions, providing for codification, severability, and establishing an effective date. Exhibits: Ordinance 2011-____. Page 194
49. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to Chapter 22, incorporating modified surcharge levels in the Industrial Pretreatment Wastewater Discharge Code and general clarification. Exhibits: Resolution No. 11-____. Page 216
50. Consider adopting an ordinance amending Sections 17-3-4-332, 339, 343, 345, and creating Section 357, Division 17-3-4, Article 17-3, Chapter 17, Lawton City Code, 2005, by amending the personnel policies and procedures affecting the City of Lawton retirement plan, providing for severability and establishing an effective date. Exhibits: Ordinance 11-____. Page 221
51. Consider an ordinance creating Sections 7-32-1-3201 through 7-32-1-3204, Division 7-32-1, Article 7-32, Chapter 7, Lawton City Code, 2005, relating to regulating scrap metal dealers, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 11-____. Page 228

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.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

52. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2011-2012, between the American Federation of State, County and Municipal Employees (AFSCME) Local 3894, and, if necessary, take appropriate action in open session. Exhibits: None. Page 235
53. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2011-2012 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 236

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."