



City of Lawton

City Council

Agenda

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

Tuesday, June 14, 2022

2:00 PM

Lawton City Hall
Council Chambers/Auditorium

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION:

Juneteenth Celebration

Alzheimer's and Brain Awareness Month

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 the following damage claim recommended for approval: Steve Coleman in the amount of \$1,500.00. [22-341](#)

Attachments: [DC-2022-010, Coleman, Steve-Memorandum](#)
[DC-2022-010, Coleman, Steve-Resolution and Warrant of Atty.](#)
2. Consider the following damage claims recommended for denial: Ashley Harrill in the amount of \$159.00 and Angela Christian in the amount of \$737.10. [22-340](#)

Attachments: [DC-2022-008, Harrill, Angela-Memorandum](#)
[DC-2022-009, Christian, Angela-Memorandum](#)
3. Consider adopting a resolution ratifying the action of the City Attorney and City Manager in making payment on the judgment in the Workers' Compensation case of Mark Murphy in the Oklahoma Workers' Compensation Commission, Case No. CM3-2021-01853X. [22-314](#)

Attachments: [Resolution 22-](#)

4. Consider approving the professional services agreement between the City of Lawton and Goolsby Proctor, PLLC for actions brought pursuant to 42 U.S.C. §§1983, et seq, against municipal employees in their individual capacity while acting within the scope of their employment and authorize the Mayor and City Clerk to execute the Agreement. [22-318](#)
Attachments: [Goolsby Proctor PLLC Agreement 22 23](#)
5. 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. [22-317](#)
Attachments: [City of Lawton - 2022 - 2023 - McAfeeTaft Agreement](#)
6. Consider renewing the professional services agreement with James C. Ferguson of Walker, Ferguson and Ferguson for the defense of Workers' Compensation claims, and authorize the Mayor and City Clerk to execute the Agreement. [22-292](#)
Attachments: [Ferguson 2022](#)
7. Consider renewing a professional services agreement retaining the law firm of Hawkins, Delafield & Wood LLP as Disclosure Counsel in connection with the issuance of the City's General Obligation and other Bonds that must comply with applicable municipal securities regulations including continuing disclosure requirements regarding the City's financial statements and annual financial information/operating data relating to each Bond Issue. [22-297](#)
Attachments: [City of Lawton OK \(HDW Engagement Letter FY 2022-2023\)](#)
8. Consider approving Operating and Professional Services Agreement, providing entertainment and fireworks for the 7th Annual Freedom Festival by LimeLight Productions and authorize the Mayor and City Clerk to execute the contract. [22-281](#)
Attachments: [Limelight Professional Services Agreement](#)
9. 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 the City Clerk to execute the document. [22-308](#)
Attachments: [Memorandum of Agreement](#)
10. Consider accepting grant funds from the Corporation for National and Community Service in the amount of \$50,000.00 to be utilized in FY22-23 for the Retired and Senior Volunteer Program. 22-316
Attachments: [RSVP CNCS Notice of Grant Award](#)

11. Consider approving the annual Agreement between Lawton Mobile Meals, Inc. and the City of Lawton for the specific purpose of preserving the health and welfare of homebound elderly and/or disabled citizens of Lawton, Oklahoma in the amount of \$48,348.00, and authorize the Mayor and City Clerk to execute the Agreement. [22-264](#)
- Attachments:** [2022 Mobile Meals Agreement](#)
12. Consider approving the annual agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens in the amount of \$15,844.00 and authorize the Mayor and City Clerk to execute the agreement. [22-266](#)
- Attachments:** [2022 Center for Creative Living](#)
13. Consider authorizing the Lawton Fire Department to dispose of the grant funded Auxiliary Rescue Unit (ARU) trailer by returning the unit to the Oklahoma Office of Homeland Security. [22-332](#)
- Attachments:** 710
OKOHS Equipment Disposition Form LFD ARU
14. Consider approving the annual Children's Emergency Resource Center agreement between the City of Lawton and the Marie Detty Youth and Family Services Center, Inc. [22-310](#)
- Attachments:** Marie Detty Agreement approved by legal 06.02.22
15. Consider approving annual contract renewal between the City of Lawton and the Lawton CrimeStoppers, Inc. [22-311](#)
- Attachments:** Crimestoppers Agreement approved by legal 06.02.22
16. Consider approving annual contract renewal between the City of Lawton and the Board of County Commissioners of Comanche County for the operation of the Comanche County Regional Juvenile Detention Center. [22-298](#)
- Attachments:** [Juvenile Detention Agreement 22-23](#)
17. Consider approving Amendment No. 1 to Lease-Purchase Agreement for Dove Creek Addition, Water No.1, and authorize the mayor to execute the agreement. [22-333](#)
- Attachments:** [Dove Creek Lease-Purchase Amended Agreement](#)
18. Consider approving Amendment No. 1 to Lease-Purchase Agreement for Rolling Hills Development, Water No.1, and authorize the mayor to execute the agreement. [22-182](#)
- Attachments:** [Rolling Hills Lease-Purchase Agreement](#)
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19. Consider approving Amendment No. 1 to Lease-Purchase Agreement for The Highlands Addition, Sewer No.1, and authorize the mayor to execute the agreement. [22-184](#)
Attachments: [Highlands Lease-Purchase Agreement](#)
20. Consider approving a Cable Television Franchise Agreement with Dobson Technologies, Inc. [22-322](#)
Attachments: DOBSON TECHNOLOGIES_CITY OF LAWTON Franchise Agreement redline_2022_final
21. Consider approving Amendment No. 2 to the Employee Leasing Agreement with Garver, LLC for providing additional professional services to the City of Lawton. [22-247](#)
Attachments: [19W02210_AMND No. 2 - 05252022_signed](#)
22. Consider approving Amendment No. 3 to the October 27, 2015 agreement with Dewberry for professional engineering design services for the Project EN1406 Public Safety Center, design of Larrance Street from Gore Boulevard to D Avenue, to amend the agreement to include the design of intersection improvements at Railroad Street and Gore Boulevard. [22-263](#)
23. Consider approving an agreement for professional services between the City of Lawton and John Fagan for his expertise as a credentialed engineer and authorize the Mayor and City Clerk to execute the agreement. [22-282](#)
Attachments: [Professional Services Agreement - John Fagan](#)
24. Consider renewing a master services retainer agreement for professional engineering services to EST, Inc. for the purpose of providing full engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. [22-326](#)
Attachments: 2022 MSA EST Contract with Cover Letter.pdf
25. Consider accepting the 2018 Boring Project 18-5 SSES (PU1805) as constructed by Matthews Trenching Company, Inc. [22-291](#)
Attachments: [2018 Boring Project 18-5 \(PU1805\) Attachments](#)
26. Consider accepting a \$20,000 grant from the Oklahoma Department of Environmental Quality to purchase solid waste equipment and authorize the Mayor and City Clerk to execute the grant. [22-309](#)
Attachments: [City of Lawton Equipment FY23 DEQ Grant Offer Letter Equipment-Application-FY23](#)
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27. Consider awarding contract (CL22-043) Solo, Certified Traffic Law Enforcement Motorcycles to Diamondback Harley Davidson, 301 SE Interstate Drive, Lawton, Ok. **22-306**
- Attachments:** [CL22-043 Diamondback H-D Bid Documents](#)
[Department recommendation](#)
[Abstract of bids](#)
28. Consider awarding contract (CL22-037) Jail Food and Supplies to Stephenson Wholesale Co., dba Indian Nation Wholesale of Durant, OK. **22-320**
- Attachments:** CL22-037 Jail Food & Supplies Bid Results
CL22-037 Abstract
Department Recommendation Jail Food Contract 2022
29. Consider extending contract (RFPCL21-030) with Prodigy Solutions, Incorporated for an additional year. **22-296**
- Attachments:** [MEMO - Prodigy Solutions Extension](#)
[Prodigy Contract Extension Form - RFPCL21-030](#)
[RFPCL21-030 Terms and Commission - Prodigy](#)
30. Consider awarding contract (CL22-045) Thermoplastic Material and Epoxy Primer/Sealer to Ennis Flint, Inc. of Greensboro, NC **22-305**
- Attachments:** [Department Recommendation](#)
[Abstract of bids](#)
[CL22-045 - Ennis Flint Bid Documents](#)
31. Consider extending the contract (CL21-006) Rental of Portable Restrooms with United Rentals of Lawton, OK for an additional year. **22-324**
- Attachments:** Department Recommendation
United Rentals Contract Specification (CL21-006)
Extension from Vendor
Price Bid
32. Consider awarding CL22-044 Waterline Fittings and Valves used in Water Main Line construction and repairs to Core and Main of Owasso, OK. **22-342**
- Attachments:** AWARD CL22-044 Waterline Fittings and Valves
Abstract CL22-044 Waterline Fittings & Valves
Price Sheets

UNFINISHED BUSINESS ITEMS:

33. Consider approving an ordinance amending Section 2-3-10-368, Division 2-3-10, Article 2-3, Chapter 2, Lawton City Code, 2015, as amended, pertaining to the powers and duties of the Parks and Recreation Commission by amending said section to allow for the City Manager, or his/her designee, to change operating hours of buildings, structures, facilities, athletic areas and other improvements on park areas temporarily or for emergency circumstances without the consent of the commission or city council, providing for severability; establishing an effective date and allowing for floor amendments. **22-169**

Attachments: Ordinance 22-

BUSINESS ITEMS:

34. Hold a public hearing and adopt an Ordinance changing the zoning from the R-4 High-Density Apartment District to the C-1 Local Commercial District zoning classification and a Resolution approving a change to the 2030 Land Use Plan from Residential/Low Density to Commercial at the property located at 9 NW 14th Street, Lawton, OK 73507. **22-339**

Attachments: Ordinance (9 NW 14th St) 2022-0519
Resolution (9 NW 14th St) 2022-0519
Council Exhibits (9 NW 14th St)

35. Hold a public hearing and consider approval of an ordinance to change the zoning from the A-1 General Agricultural District to the C-1 Local Commercial District zoning classification, and a resolution to change the 2030 Land Use Plan from Residential/Low Density to Commercial on property located at 713 NE Flower Mound Road, Lawton, OK 73507. **22-293**

Attachments: Resolution (713 NE Flower Mound Road) 2022-0519
Ordinance (713 NE Flower Mound Rd) 2022-0519
Rezoning Exhibits (713 NE Flower Mound Road)
Landmark Letter
05.12.22 CPC Minutes

36. Consider approving an ordinance, including any floor amendments related thereto, pertaining to Finance and Taxation; amending Section 10-2-205, Article 10-2, Chapter 10, Lawton City Code, 2015; by amending paragraph “C” of said section to eliminate the reference to a “LETA” account and instead stating that sales tax collected from the sale of medical marijuana and medical marijuana products sold pursuant to a State of Oklahoma license, other than those obligated for the repayment of CIP or obligated as payment of collateral on debt obligations, be deposited in a “separate account,” and subject to city council approval, be used to fund: (1) the replacement of existing sidewalks and construction of new sidewalks throughout the city, and (2) substance abuse and substance prevention programs in the City; providing for severability and establishing an effective date. [22-307](#)

Attachments: [7. Ordinance Amending 10-2-205 \(C\) with Brief Gist](#)

37. Consider an ordinance creating Section 7-1-1-100, Article 7-1-1, Division 7-1, Chapter 7, Business Licenses, Lawton City Code, 2015, by creating the requirements for businesses to operate in the City of Lawton, setting fines for those operating without a business license, providing for severability, setting an effective date and allowing for floor amendments. [22-119](#)

Attachments: [Business License Required Ordinance](#)

38. Consider an ordinance creating sections 7-35-1-3501 through 7-35-1-3509, Article 7-35, Division 7-35-1-Business Licenses, Chapter 7, Lawton City Code, 2015; by creating the article, creating definitions for medical marijuana facilities, cigar bars, hookah bars and consumption lounges, creating licensing requirements, providing for severability, and establishing an effective date and providing for floor amendments. [22-121](#)

Attachments: [Business Licenses for MEDICAL MARIJUANA FACILITIES, CIGAR BARS, HOOKAH BARS AND CONSUMPTION LOUNGES Ordinance](#)

39. Consider amending Chapter 7, Article 7-27 Bed and Breakfast Establishments, to reflect changes in the short term rental market and update licensing and operational procedures. **22-344**

40. Consider approving a resolution amending the City of Lawton FY21-22 budget, as amended, by appropriating \$125,000.00 to the Hotel Motel Fund Professional Services account for activities designed to encourage, promote, and foster tourism in the City of Lawton. [22-319](#)

Attachments: [06.14.22 Hotel Motel Resolution](#)

41. Consider approving a resolution, including any floor amendments related thereto, amending Resolution 21-128 to adjust Hotel/Motel Tax allocations by providing a June 2022 allocation of \$100,000 to Holiday in the Park and \$25,000 to the McMahan Auditorium Authority, with any unexpended appropriations from these June 2022 allocations to remain in their respective accounts perpetually and not transfer to the Economic Development Fund on June 30th; authorize the Mayor and City Clerk to execute the resolution. [22-323](#)

Attachments: [5. June 2022 Resolution w underlines and strikethroughs](#)
[6. June 2022 Resolution wo underlines and strikethroughs](#)

42. Contingent upon an amendment to Resolution 21-128 being approved to allocate \$100,000 to Holiday in the Park, consider approving an Agreement between Holiday in the Park and the City of Lawton for the remainder of this fiscal year to fund up to an additional \$100,000 from hotel/motel tax revenue for the purpose of supporting tourism through assisting with the development, organization, implementation and operation of the annual Holiday Display in Elmer Thomas Park, to include working year-round in the development of the display, and authorize the Mayor and City Clerk to execute the Agreement. [22-327](#)

Attachments: [4. Agreement with Budget](#)

43. Consider adopting a resolution authorizing increases in Fees and Charges to include water, sewer, refuse, and landfill rates as set forth in Exhibit “A” of the Resolution and establishing an effective date. [22-331](#)

Attachments: [City Council Resolution CPI Rate Change](#)
[Appendix A FEES AND CHARGES - FY 2023](#)

44. Discuss sidewalk projects with particular focus on Gore Blvd from NW 52nd to NW 67th, and NW 53rd from Gore to Cache Road, including setting priorities and a projected timeline for completion, and including monthly updates or if desired more frequent updates from city staff to the Council. Giving direction to staff as desired and taking any action deemed necessary. [22-321](#)

45. Receive a briefing from City Manager Michael Cleghorn regarding the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, which is also known as the America Rescue Plan Act (ARPA) and provide direction for current and suggested ARPA related expenditures. [22-330](#)

46. Consider authorizing the purchase and installation of LED lights from Oklahoma LED, an approved Oklahoma Buyboard vendor, for \$443,356 to be placed in all City facilities that do not currently have LED lighting. [22-300](#)

Attachments: [City of Lawton LED Analysis and Proposal](#)

47. Consider authorizing an additional purchase of Public Safety Radios from Motorola Solutions, Inc., in the amount of \$164,317.68 for the purpose of adding 14 control stations and additional handheld radios. **22-302**

Attachments: QUOTE-1738689-2LawtonCommunicationsPositionRadio's (002)
Master Customer Agreement - Motorola Solutions
Equipment Purchase and Software License Addendum - Motorola Solutions

STAFF REPORTS:

EXECUTIVE SESSION ITEMS:

48. Pursuant to Section 307B.4, Title 25, Oklahoma statutes, consider convening in executive session to discuss the pending claim by Jeffery Temple with the US Equal Employment Opportunity Commission against the City of Lawton, EEOC 564-2022-00660, and if necessary, take appropriate action in open session. [22-303](#)
49. Pursuant to Section 307B.4, Title 25, Oklahoma statutes, consider convening in executive session to discuss the pending claim by Linda Towne with the US Equal Employment Opportunity Commission against the City of Lawton, EEOC 564-2022-00737, and if necessary, take appropriate action in open session. [22-304](#)

ADJOURNMENT