

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 24, 2008 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF THE MONTH FOR JUNE 2008 TO EDNA DEAN

PRESENTATION OF CERTIFICATE OF RECOGNITION FROM MAYOR'S COMMISSION
ON THE STATUS OF WOMEN TO WILMA SMITH

PRESENTATION FROM LEADERSHIP LAWTON

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 JUNE 10, 2008.

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 and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Joe and Thelma Cepeda in the amount of \$4,283.63, Joseph Hill in the amount of \$540.91, Quentin and Nancy Farrell in the amount of \$200.00. Exhibits: Legal Opinions/Recommendations and Resolution No. ___, Resolution No. _____. Page 1
2. Consider the following damage claims recommended for denial: Sue Ballard in the amount of \$950.00, John and Krista Ratliff in the amount of \$6,410.50. Exhibits: Legal Opinions/Recommendations. Page 12
3. Consider adopting a resolution ratifying the action of the City Attorney in filing and making payment of the judgment in the Workers' Compensation case of Tonya Criger in the Workers' Compensation Court, Case No. 2007-08666 A. Exhibits: Resolution No. 2008-____. Page 17
4. Consider approving a resolution extending the provisions of the FY 2007-2008 Collective Bargaining Agreement between the City and IAFF Local 1882 into FY 2008-2009 until such time as the parties resolve their collective bargaining disputes, or until further action by the City Council. Exhibits: Resolution 08-____. Page 19
5. Consider approving a resolution extending the provisions of the FY 2007-2008 Collective Bargaining Agreement between the City and IUPA Local 24 into FY 2008-2009 until such time as the parties resolve their collective bargaining disputes, or until further action by the City Council. Exhibits: Resolution 08-____. Page 22

6. Consider approval of a contract and a related budget for FY 2008-2009 between the City of Lawton and the Lawton Fort Sill Chamber of Commerce & Industry, and authorize the Mayor and City Clerk to execute the agreement as necessary. Exhibits: Proposed Budget FY 08-09 and Tourism, Economic & Industrial Development Agreement. Page 25
7. Consider approval of an amendment to the Grant Agreement between the City of Lawton and the Office of Economic Adjustment (OEA) to extend the grant period to August 31, 2008. Exhibits: Grant Extension Budget, Budget Justification, Letter of Support from Comanche County Commissioner Gail Turner, Letter from Patrick J. O'Brien, Director, Office of Economic Adjustment and Grant Agreement. Page 30
8. Consider Adopting a Resolution in Support of Douglas Commons, LP in their efforts to construct a development project for the elderly at the southeast corner of SW 11th Street and SW Douglas Avenue, Lawton, Oklahoma for consideration by the Oklahoma Housing Finance Agency (OHFA) for the award of Oklahoma Affordable Housing Tax Credits. Exhibits: Resolution of Support 08-____, Correspondence from Douglas Commons, LP and Project location map. Page 38
9. 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), Marie Detty (re: Juveniles). Exhibits: Copies of contracts are located in the City Clerk's Office for review. Page 42
10. Consider accepting donation of one (1) Bushmaster M-4 .223 Rifle from James Pollard, a Lawton Businessman. Exhibits: None. Page 44
11. Consider accepting a donation of funds for the Lawton Police Department Gang Unit raised by Leadership Lawton. Exhibits: None. Page 45
12. Consider the sale of surplus light bars and associated accessories to the Paradise Valley Volunteer Fire Department. Exhibits: Letter of request from Paradise Valley Volunteer Fire Department. Page 46
13. Consider authorizing the donation of eight 450 MHz radios to Cameron University Office of Public Safety. Exhibits: Letter of request from Cameron University Office of Public Safety. Page 48
14. Consider adopting a resolution amending Resolution 08-55 designating places and times to discharge fireworks and take appropriate action if necessary. Exhibits: None. Page 50
15. Consider approving the request to allow the Lawton Community Theatre to use the wooden structure at the Gore Median between 3rd and 4th streets to display announcements for upcoming events and plays. Exhibits: Lawton Community Theatre Request. Page 52
16. Consider approving an agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens. Exhibits: Center for Creative Living Agreement on file in the City Clerk's office. Page 54

17. Consider adopting a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to increasing boathouse space fee rates at Lake Lawtonka and Lake Ellsworth, and establishing an effective date of January 1, 2009; and increasing dry stall fee rates, camping site fee rates, and the golf cart annual permit fee at Lake Lawtonka and Lake Ellsworth, and establish an effective date of July 1, 2008. Exhibits: Proposed Resolution No. 2008-_____. Page 55
18. Consider accepting a grant from the Oklahoma Department of Human Services for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2008-2009 funding. Exhibits: Contract on file in City Clerk's Office. Page 66
19. Consider approving the record plat for Rolling Hills Addition, Part 3H, and accepting the improvements, escrow agreement for minor incomplete improvements, maintenance bond, and an easement outside the plat. Exhibits: Plat Map. Escrow Agreement, Maintenance Bond, and Easement on file in City Clerk's Office. Page 67
20. Consider approving the record plat for Standard Testing Development and accepting the improvements and maintenance bond. Exhibits: Plat Map, Maintenance Bond on file in City Clerk's Office. Page 69
21. Consider approving the application for a Lease-Purchase Agreement for the construction of approximately 3580 linear feet of 12" diameter water main located along SW Bishop Road and SW 52nd Street. Exhibits: Application for Lease-Purchase Agreement. Page 71
22. Consider a one year extension of the Retainer Agreement for Professional Engineering Services with Chiang, Patel, and Yerby, Inc. Exhibits: Current contract is on file in the City Clerks office. Page 77
23. Consider approving plans and specifications for the Intermodal Transportation Museum Project (F.A. Project No. STP-116E(130)EH) subject approval by the Oklahoma Department of Transportation and authorizing staff to advertise for bids. Exhibits: Plans and specifications are on file in the Planning Division office. Page 78
24. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City and 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 Limited Funding Agreement are on file in the City Clerk's office. Page 79
25. Consider approving plans and specifications for the Medicine Park Water Treatment Plant Water Storage Reservoir Project 2008-13 and authorizing staff to advertise for bids. Exhibits: Plans and specifications are on file in the Public Works Administration office. Page 80
26. Consider accepting the Water Storage Tank Floor Project #2007-9 as constructed by Luckinbill, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 81

27. Consider approving an agreement with PSA-Dewberry, Inc. for professional engineering design services for the 2008 CIP Residential Street Projects. Exhibits: Location Map.
Page 82
28. Consider approving an agreement with PSA-Dewberry, Inc. for professional engineering design services for the Nine Mile Creek Sewer Line Project #2008-2. Exhibits: Location Map.
Page 84
29. Consider revising Council Policy 10-2 changing the elevation level of Lake Lawtonka for which pumping will be suspended during the transfer of water from Lake Ellsworth to Lake Lawtonka. Exhibits: Council Policy 10-2.
Page 86
30. Consider adopting Street Light Resolution No. 456 to authorize the installation/removal of street lights at the locations listed in the Resolution. Exhibits: Street Light Resolution No. 456.
Page 89
31. Consider and take action with respect to a resolution relating to \$3,000,000 general obligation limited tax bonds for economic and community development improvements (original high school project); fixing the amount of bonds to be sold, providing for the maturity of the bonds, fixing the time and place the bonds are to be sold and authorizing the clerk to give notice of said sale as required by law. Exhibits: Resolution No. 08-_____.
Page 92
32. Consider and take action with respect to a resolution relating to \$8,000,000 general obligation bonds for sewer system improvements; fixing the amount of bonds to be sold, providing for the maturity of the bonds, fixing the time and place the bonds are to be sold and authorizing the clerk to give notice of said sale as required by law. Exhibits: Resolution No. 08-_____.
Page 98
33. Consider entering into a Professional Services agreement with Comport Network Services to implement a Geographical Information System (GIS) for the City of Lawton. Exhibits: Agreement on file in City Clerk's Office.
Page 104
34. Consider awarding (CL08-050) Service Bodies – Items 2 & 3 to Casco Manufacturing of Claremore OK. Exhibits: Department recommendation, abstract of bids.
Page 105
35. Consider extending the contract (RFPCL05-061) Banking Services with IBC Bank of Lawton OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
Page 109
36. Consider awarding (CL08-056) Easement Rodders to MoS Equipment of Little Rock, AR. Exhibits: Department recommendation, abstract of bids.
Page 114
37. Consider awarding (CL08-054) Hook Hoist & Grapple Skid Unit to Rush Truck Centers of Oklahoma dba Perfection Equipment of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids.
Page 117

- 38. Consider awarding (RFPCL08-063) Workers Compensation Administration Services to United Safety & Claims Inc of Tulsa OK. Exhibits: Department recommendation, proposal price sheets. Page 120
- 39. Consider approving appointments to boards and commissions. Exhibits: None. Page 128
- 40. Consider approval of payroll for the period of June 2-15, 2008.

OLD BUSINESS ITEMS:

- 41. Consider the following damage claim recommended for denial: Bob and Jean Baird in the amount of \$1,650.00. Exhibits: Legal Opinion/Recommendation. Page 130
- 42. Consider the following damage claim recommended for denial: Timothy and Rosemary Reed in the amount of \$1,200.00. Exhibits: Legal Opinion/Recommendation. Page 134

NEW BUSINESS ITEMS:

- 43. Hold a Public Hearing and Consider Authorizing application and acceptance of the 2008 Department of Justice Edward Byrne Assistance Grant (JAG). Exhibits: None. Page 139
- 44. Hold a public hearing and consider an ordinance amending Sections 18-1-1-106 and 18-7-1-701.1 of the Lawton City Code, 2005, modifying the definition of a structure. Exhibits: Ordinance No. 08-____, CPC Minutes. Page 140
- 45. Hold a public hearing and consider an ordinance amending Section 18-8-1-803, Lawton City Code, 2005, to clarify the use of alleys as a means of access to parking areas and to allow the continued use of a paved alley as access to an existing parking area and declaring an emergency. Exhibits: Ordinance No. 08-____, CPC Minutes. Page 145
- 46. Hold a public hearing and consider an ordinance amending Chapter 18 to modify the requirements within C-2 (Planned Neighborhood Shopping Center District) and C-3 (Planned Community Shopping Center District) to lessen the restrictions on development within these districts. Exhibits: Ordinance No. 08-____, CPC Minutes. Page 150
- 47. Hold a public hearing and consider an ordinance amending Section 18-5-7(1)-578.6, Lawton City Code, 2005, increasing the maximum allowable building height in PO (Professional Office District) and declaring an emergency. Exhibits: Ordinance No. 08-____, CPC Minutes. Page 158
- 48. Receive an update on the Lawton Downtown Redevelopment Project/TIF District. Exhibits: None. Page 160
- 49. Consider an ordinance amending Section 19-6-606, Article 19-6, Chapter 19, Lawton City Code, 2005, by expanding the areas around Lakes Ellsworth and Lawtonka where golf carts can be driven and reducing the age requirement to operate a golf cart at the lake from 16 years to 14 years of age, providing for severability, and declaring an emergency. Exhibits: Proposed Ordinance – Version “A” requiring turf tires and Proposed Ordinance – Version “B” no turf tire requirement. Page 161

50. Consider amending Section 17-1-6-162, Lawton City Code, 2005, to establish pro-rated flexible holiday payoffs when individuals leave City employment. Exhibits: Ordinance No. 08-____. Page 166
51. Consider an ordinance amending Section 4-2-1-213, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by reducing from three to two the number of violations of the liquor, beer, or gambling laws that serve as grounds for denial, suspension, or revocation of the City's beer license, providing for severability and declaring an emergency. Exhibits: Ordinance No. 08-____. Page 170
52. Approve an ordinance amending Ordinance No. 07-48 which declared as surplus and authorized the advertising and solicitation of sealed bids for a 1998 Caterpillar 623F scraper, S/N 6BK00530, with a minimum bid price of \$250,000.00 and a 1994 Caterpillar 623F scraper, S/N 11N10983 with a minimum bid of \$200,000.00, as amended it authorizes the sale by either sealed bid or public auction and does not set a minimum acceptable bid. Exhibits: Copy of proposed ordinance. Page 174
53. Consider an agreement between the City of Lawton and the International City/County Management Association (ICMA) to produce a Best Practices Program promoting and highlighting the City of Lawton's Sewer Rehab Program, and authorize Larry Mitchell, City Manager, to sign an ICMA Partnership Order Form. Exhibits: Request from Richard Price, WebsEdge Global Online Broadcasting and ICMA TV Partnership Order Form. Page 177

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

54. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending damage claim of Bruce Bomgardner, Damage Claim No. DC-2008-0043, and if necessary, take appropriate action in open session. Exhibits: None. Page 180
55. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending damage claim of Sandy Lipscomb, Angelina Chavez Crumpton and Dre-Vion Walker, Damage Claim No. DC-2008-0045, and if necessary, take appropriate action in open session. Exhibits: None. Page 181
56. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss pending damage claims of Gregorie Holcombe and Kourtnee Holcombe, Case Numbers DC-2008-061; DC-2008-062, and if necessary, take appropriate action in open session. Exhibits: None. Page 182
57. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2008-2009 between the Fire Union IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 183

58. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John H. Vincent as City Attorney, and in open session take other action as necessary. Exhibits: Employment Agreement Summary. Page 184

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."