



City of Lawton

City Council

Agenda

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

Tuesday, July 11, 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, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. 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

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 denial: Rachel and Kyle Johnson in an unstated amount. [23-633](#)

Attachments: [Johnson, Rachel and Kyle](#)

2. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015 pertaining to Chapter 19, Recreation by amending Article A-19-7 Miscellaneous Provisions to remove language stating that Lawton Public Schools is to receive priority placement and waived fees when renting rooms at City Hall. [23-558](#)

Attachments: [City Hall Rental Resolution 23-](#)
[City Hall LPS building lease 11.28.2006](#)
[WD LPS to COL Bk 9288 Pg 56 \(003\)](#)

3. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City of Lawton and the Transit Trust to provide funds for the operation of a public transit system and authorize the Mayor and City Clerk to execute the same. [23-621](#)

Attachments: [Cooperative Agreement FY 23-24](#)
[Funding Agreement FY 23-24](#)

4. Consider approving an Agreement for Limited Services between the Mayor's Commission on the Status of Women and the City of Lawton to fund activities designed to identify and assist with issues specifically related to women and authorize the Mayor and City Clerk to execute the Agreement. [23-627](#)

Attachments: [MCSW Limited Support Agreement](#)
[MCSW 23-24 Budget](#)

5. Consider approving a Sale of Water Outside City Limits Contract with Kevin and Lyna Neal for property located at 3447 SE Flower Mound Road and authorize the Mayor and City Clerk to execute the contract. [23-624](#)

Attachments: [Water Application - Neal](#)
[3447 Flower Mound - Location Map](#)
[Water Contract](#)

6. Consider approving Amendment #1 to the Professional Services Agreement with Halff Associates for the development of the Master Plan for the Lakes Lawtonka and Ellsworth Recreation Areas in the amount of \$3,800.00, and authorizing the Mayor and City Clerk to execute the document. [23-620](#)

Attachments: [Amendment #1_Lakes Master Plan](#)
[Financial Impact - AIC #23-620 - Halff Associates - Lake Master Plan.pdf](#)

7. Consider approving an Easement Agreement with Comanche Renewables, LLC for installation and maintenance of landfill gas pipelines and equipment at the City of Lawton Landfill. [23-641](#)

Attachments: [City of Lawton ESMT Rev 1 \(project entity 4-28-23 redline\) - Comanche Renewables -- NH052223.docx](#)
[LAWTON LANDFILL EXHIBIT SHEETS 06-27-23.pdf](#)

8. Consider approving appointments to boards and commissions. [23-637](#)

Attachments: [Board Appointments- 07.11.23](#)

UNFINISHED BUSINESS:

9. Consider rejecting grant funds from AmeriCorps in the amount of \$37,500.00 but retaining the City of Lawton's Retired and Senior Volunteer Program (RSVP) as a recognition only program, and authorizing the Mayor and City Clerk to execute any documentation necessary. [23-632](#)

Attachments: [Federal Notice of Grant Award](#)
[Proposed Revised RSVP 23-24 Budget](#)

10. Consider approving a resolution amending the current pay scale for Executive Level positions by increasing the minimum hourly rate and maximum hourly rate for each executive level, and any adjustments to the Executive Levels, consistent with the recent Compensation and Classification Analysis recommendations and subsequent information gathered on job descriptions and qualifications from a group of six (6) peer cities as directed by City Council. The new pay scale will become effective on a date approved by Council and will repeal all previous Executive Level Pay Scales. Council will take action as deemed necessary to include any floor amendments. [23-609](#)

Attachments: [2023 Exec Level Pay Plan Resolution](#)
[Current Pay Scale with Executive Level](#)
[Proposed Executive Level Pay Plan 2023](#)
[Financial Impact - AIC #23-609 - Executive Level Pay Scale.pdf](#)
[Salary Analysis Comparison for peer cities](#)

BUSINESS ITEMS:

11. Consider approving an ordinance authorizing the calling and holding of a special election on September 12, 2023, in the City of Lawton, State of Oklahoma, for the purpose of issuing general obligation bonds in the amount of Sixty Million Dollars (\$60,000,000) in one or more series in order to fund construction, reconstruction, improvements or repairs to be made to the City's streets and roadways and bridges including right of way acquisition, and including purchasing or constructing or repairing City utilities under and adjacent to such streets and roadways and bridges, such utilities to be owned exclusively by said City, said projects as deemed appropriate and prioritized by the City Council from time to time with or without the use of other funds; or in the alternative acquire all or a distinct portion thereof by lease purchase arrangement; providing for severability; declaring an emergency; and requiring the full text to be published and take action as necessary. Exhibits: Ordinance No. 23-25 and Election Proclamation. [23-617](#)

Attachments: [Emergency Ordinance of City Council Calling Special Election - final clean](#)
[Special Election Proclamation and Notice - final clean](#)

12. Consider approving the First Amendment to the Fires Innovation Science and Technology Accelerator (FISTA) Trust Indenture by increasing the number of Trustees from 9 to 11, permitting no more than 3 Trustees to reside outside the City of Lawton, but within Comanche County, Oklahoma, and changing the title of Director to President & Chief Executive Officer and authorize the Mayor and City Clerk to execute the acceptance of beneficial interest in support of the first amendment. [23-629](#)
- Attachments:** [FISTA Trust Indenture](#)
[First Amendment to the FISTA Trust Indenture](#)
13. Hold a public hearing and adopt a resolution declaring the structures located at 4741 NW Motif Manor Blvd., 4751 NW Motif Manor Blvd., to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance. [23-614](#)
- Attachments:** [07.11.23Pictures](#)
[July 11th Resolutions](#)
[EXHIBIT A](#)
14. Hold a public hearing and consider approving an Ordinance to amend the binding site plan for property located at 119 NE 20th St, Lawton, OK 73507. [23-635](#)
- Attachments:** [Ordinance No. 23-](#)
[Letter](#)
[Location Map](#)
[Site Plan](#)
[CPC Minutes](#)
15. Consider waiving City Code that requires the alley to be paved, and vary the dimensions of the heavy duty concrete requirements for a refuse container for property located at 512 SW Lee Boulevard and take action as deemed necessary. [23-582](#)
- Attachments:** [Letter of Request](#)
[Site Plan](#)
16. Consider waiving Lawton City Code in regards to the heavy duty concrete requirement for a refuse container, the requirement for the dumpster enclosure, and the City engineering standards in regards to refuse screening for property located at 1320 NW Homestead Drive and take action as necessary. [23-584](#)
- Attachments:** [Site Plan](#)
[Solid Waste Container Pad](#)
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17. Consider and take action approving Change Order 1, accepting project in the reduced amount of \$133,475 comprised of unused allowances in amount of \$108,475 and project delays in amount of \$25,000 and placing Maintenance Bond into effect, for the Lawton Groundwater Well No. 1 Project PU20-01 for a final contract amount of \$1,092,455 with Layne Christensen Co. [23-612](#)

Attachments: [Change Order No 1](#)
[Credit Acceptance Recommendation_signed.pdf](#)
[Financial Impact - AIC #23-612- Layne Christensen Co. Change Order #1.pdf](#)

18. Consider ratifying the decision of the City Manager by approving a No Cost Space Agreement with the U.S. Small Business Administration Office of Disaster Recovery and Resilience to use space within the Owens Multipurpose Center located at 1405 SW 11th Street and waive the rental fees as listed in section 19-702 of the fee schedule. [23-644](#)

Attachments: [No Cost Agreement](#)

19. Discuss staff's recommendation list of parklands to be repurposed and consider declaring said parklands as surplus property and direct staff to begin required process for placing surplus property for sale at a future public auction. [23-464](#)

Attachments: [Suggested Surplus Parks SS](#)
[Visual of Proposed Surplus Parks](#)
[April 13, 2023 CPC Minutes](#)

20. Consider receiving an update on the current status of the municipal pool and giving staff direction as necessary. [23-630](#)

21. Discuss the City of Lawton's Culture Statement, consider approving the adoption of the "True North Statement", including any floor amendments, as the City of Lawton's official culture statement, and consider directing the City Manager to proactively instill this culture into the City of Lawton Organization. [23-638](#)

Attachments: [True North Culture Statement- FINAL](#)
[City of Lawton Full Org Redline Chart](#)

22. Per the recommendation of the Processes Oversight Committee, consider creating Council Policy 6-1 establishing an “Open for Business” policy, requiring all administrative rules, policies, directives, and the like that pertain to the building code and that exceeds the authority granted by city code or council policy 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, including any floor amendments. [23-549](#)

Attachments: [Council Policy 6-1 Open for Business](#)

23. Per the recommendation of the Processes Oversight Committee, consider directing staff to bring a report to the next regular Council meeting regarding information on current rules, directives, policies, and building code expansions, written and unwritten, number of permits, inspections, trade licenses, and certificates of occupancy, average and maximum times to issue permits, a briefing on staffing of the license and permits department, current outsourcing utilized and other possibly areas that could be outsourced, and any other items the Council deems appropriate, and take any necessary action. [23-555](#)

Attachments: [Report Topics](#)

24. In accordance with the recommendation from the Processes Oversight Committee, consider adopting an ordinance, along with any relevant floor amendments, amending Building, Construction, and Housing Section 6-1-1-101, Division 6-1-1, Article 6-1, Chapter 6 of the Lawton City Code, 2015, relating to amendments to the International Building Code, 2015 Edition by 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. [23-631](#)

Attachments: [International Building Code Ordinance](#)

25. Receive an update from the Acting City Attorney regarding the requirements under Section C-2-10 of the City Charter for an election following appointment of Councilperson Weger to the Ward 6 council seat following the resignation of Councilperson Fortenbaugh. [23-646](#)

STAFF REPORTS:

Short Terms Rentals: Overview of Process - Judy Franco, IT Director

EXECUTIVE SESSION ITEMS:

- 26. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an appraisal of the Chandler Creek property at Lake Ellsworth, and, if necessary, take appropriate action in open session. [23-521](#)
- 27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Latasha Neal, and if necessary, take appropriate action in open session. [23-592](#)
- 28. 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. [23-634](#)

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."