

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 12, 2005 - 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 TO ODESSA DANGERFIELD

PROCLAMATION FOR "RODEO DAYS"

PRESENTATION TO JOE KRACHINSKY, ENGINEERING INSPECTOR, PUBLIC WORKS

CITY MANAGER INNOVATION AWARD

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 MEETINGS OF MAY 2 AND MAY 24, 2005.

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 any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Southwestern Bell Telephone in the amount of \$1,440.51. Exhibits: Legal Opinion/Recommendation; Resolution No. 05-____. Page 1
2. Consider the following damage claims recommended for denial: Southwestern Bell Telephone in the amount of \$116.47, Jeannie & Terrence Dumas in the amount of \$27.00, Jeanie Wilson in the amount of \$1,033.53, and Lacreteria Hunter in the amount of \$105.00. Exhibits: Legal Opinions/Recommendations. Page 6
3. Consider authorizing the City Attorney to accept the sum of Seven Thousand Dollars (\$7,000.00) for settlement of the City's subrogation interest in the personal injury case of Elaine Sanders. Page 15
4. Consider approving an amendment to the Agreement between the City of Lawton and Lawton-Fort Sill Habitat for Humanity, Inc., dated January 25, 2005. Exhibits: The agreement between the City of Lawton and Lawton-Fort Sill Habitat for Humanity, Inc., dated January 25, 2005 and the Amendment to the Agreement is available for review in the City Clerk's office. Page 16
5. Consider extending the Consultant Agreement with Rebecca Zittle, Center for Educational Evaluation and Research (CEER) for a period of six (6) months, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Copy of letter from Rebecca Zittle dated June 13, 2005 and Copy of Consultant Agreement. Page 17

6. Consider awarding a construction contract to Howard Construction, Inc. and approving Change Order No. 1 for the School House Slough Restroom, Lift Station and Force Main Project #2001-17. Exhibits: None Page 23
7. Consider approving an agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens. Page 25
8. Consider setting a date of August 23, 2005, to hold a public hearing and consider an ordinance closing a public utility easement on Lots 27 and 28, Block 8, Fields and Dunning Addition located at 1119 NW Cherry Avenue. Exhibits: Application, Location Map, Survey, Responses from Utility Companies and Council Policy 5-1. Page 26
9. Consider approving a renewal Agreement between the City of Lawton and the Marie Detty Youth and Family Service Center, Inc. for the continued operation and management of a Community Intervention Center in Lawton and authorize execution of the renewal Agreement and any associated documents. Exhibits: Agreement with Marie Detty Youth and Family Service Center, Inc. Page 32
10. Consider awarding contract for Temporary Workers (CL05-058). Exhibits: Department recommendation and Abstract of Bids. Page 33
11. Consider awarding contract for Liquid Chlorine (CL05-059). Exhibits: Department recommendation and Abstract of Bids. Page 36
12. Consider awarding contract for Rigid Pneumatic Wheel Roller (CL05-056). Exhibits: Department recommendation and Abstract of Bids. Page 39
13. Consider approving the following contract extensions: Water Meters, Parts and Service (CL03-062) with Sensus Metering Systems – Revenue Services Exhibits: : None. (Contracts, information from previous bid award, and letters of staff recommendations on file in Financial Service's Office). Page 42
14. Consider approval of payroll for the periods of June 20 to July 3, 2005. Exhibits: None.

BUSINESS ITEMS:

15. Hold public hearings and adopt resolutions declaring the structures at: 915 SW C Avenue (Tabled 6-14-05, brought back 6-28-05), 907 NW Gore Blvd (Tabled 3-8-05), 1911 NW Ozmun Avenue, 708 NW Euclid Avenue and 1311 SW 45th Street to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Exhibits: Five Resolutions. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 43
16. Consider adopting an ordinance notifying the public of the publication of Supplement No. 12 to the Lawton City Code, 1995, and declaring an emergency. Exhibits: Ordinance No. 05 - _____. Page 55

17. Consider adopting an ordinance pertaining to buildings, construction and housing, amending Section 6-5-1-503, Division 6-5-1, Article 6-5, Chapter 6, Lawton City Code, 1995, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 58
18. Consider approving an ordinance amending Section 22-2-2-223, Division 22-2-2, Article 22-2, Chapter 22, Lawton City Code, 1995, by allowing public school districts to be exempt from the water system impact fee, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 68
19. Consider adopting an ordinance amending Section 17-1-3-124, Division 17-1-3, Article 17-1, Chapter 17, Lawton City Code, 1995, by allowing for internal personnel moves to open positions without interviewing other applicants and providing for severability. Exhibits: Ordinance No. 05- _____. Page 71
20. Consider an ordinance amending Section 16-6-1-617, Division 16-6-1, Article 16-6, Chapter 16, Lawton City Code, 1995, relating to the duties of the public at fires, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 74
21. Consider an ordinance pertaining to alcoholic beverages, amending Section 4-1-1-107, Division 4-1-1, Article 4-1, Chapter 4, Lawton City Code, 1995, by allowing transportation of intoxicating beverages in passenger areas of limousines and commercial buses, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 77
22. Consider an ordinance creating Section 16-3-1-323, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 1995, by prohibiting anyone from damaging, destroying, or mutilating any grave, tombstone or veteran marker, providing for severability, codification and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 80
23. Consider an ordinance amending Section 23-6-603, Article 23-6, Chapter 23, Lawton City Code, 1995, by requiring vehicles to immediately be removed from roadway, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05 _____. Page 82
24. Consider an ordinance creating Section 16-4-4-473, Division 16-4-4, Article 16-4, Chapter 16, Lawton City Code, 1995, to authorize issuance of a traffic citation for transporting a loaded pistol without a valid concealed weapon permit in a motor vehicle, providing for codification and severability. Exhibits: Ordinance No. 05 _____. Page 85
25. Consider an ordinance creating section 23-5-545, Article 23-5, Chapter 23, Lawton City Code, 1995, requiring drivers to devote full attention to driving, providing for codification and severability. Exhibits: Ordinance No. 05- _____. Page 87
26. Consider an ordinance amending Section 16-5-1-512, Division 16-5-1, Article 16-5, Chapter 16, Lawton City Code, 1995, by expanding obscene, threatening or harassing communication to include electronic devices, and creating Section 16-2-1-207, Division 16-2-1, Article 16-2, Chapter 16, by creating a new offense of intentionally preventing or disrupting an emergency phone call, providing for codification, and severability. Exhibits: Ordinance No. 05 _____. Page 89

27. Consider an ordinance amending Section 16-4-4-471, Division 16-4-4, Article 16-4, Chapter 16, Lawton City Code, 1995, by limiting authority to confiscate a firearm based solely on a traffic violation as required by state law and providing for severability. Exhibits: Ordinance No. 05____. Page 92
28. Consider an ordinance pertaining to offenses and crimes amending Section 16-2-1-204, Division 16-2-1, Article 16-2, Chapter 16, Lawton City Code, 1995, by adding new requirements imposed by state law when making a warrantless arrest in cases of misdemeanor domestic abuse and providing for severability. Exhibits: Ordinance No. 05____. Page 94
29. Consider an ordinance pertaining to adult and sexually oriented businesses, amending Section 7-13-1-1318, Division 7-13-1, Article 7-13, Chapter 7, Lawton City Code, 1995, by clarifying the language in the city code regarding the restrictions upon entertainers appearing semi-nude, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05____. Page 97
30. Consider an ordinance pertaining to offenses and crimes amending Section 16-5-1-514, Division 16-5-1, Article 16-5, Chapter 16, Lawton City Code, 1995, by making indecent exposure an offense only if done knowingly, excluding breast-feeding as a violation and providing for severability. Exhibits: Ordinance No. 05____. Page 100
31. Consider an ordinance amending Sections 16-5-2-222 and 16-5-2-223, Division 16-5-2, Article 16-5, Chapter 16, Lawton City Code, 1995, by expanding the prevention of youth access to tobacco to include making it unlawful to provide any samples of tobacco; or material and/or device used in the smoking, chewing, or other method of consumption of tobacco to minors and creating Section 16-5-2-225, Division 16-5-2, Article 16-5, Chapter 16, Lawton City Code, 1995, by specifying how tobacco product will be displayed, modifying the penalties, providing for severability, codification and declaring an emergency. Exhibits: Ordinance No. 05____. Page 102
32. Consider an ordinance amending Section 23-7-701, Article 23-7, Chapter 23, Lawton City Code, 1995, by doubling the appropriate fine for speeding in school zones, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05____. Page 107
33. Consider an ordinance amending Section 1-1-119, Article 1-1, Chapter 1, Lawton City Code, 1995, to allow for exceptions established by state law, in regards to the amount of fines and costs for traffic offenses related to speeding or parking that are provided elsewhere in the Code, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05____. Page 110
34. Consider adopting a resolution to rescind Resolution No. 04-52, which condemned property at 2532 NW Fort Sill Boulevard. Excerpt of Minutes from December 8, 2003, council meeting. Excerpt of Minutes from May 11, 2004, council meeting. Exhibits: Resolution No. 05-____. Page 113
35. Consider discussing the duties and responsibilities of the City Manager, the Mayor and members of the Council as set out in the Charter for the City of Lawton. Exhibits: City of Lawton Charter Sections: C-2-2, C-2-4, C-2-5, C-2-6, C-2-7, C-2-8, C-2-11, C-2-13, C-2-14, C-3-1, C-3-2, C-3-3, C-3-5, C-4-1 and C-4-2. Page 117

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

36. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Rachel Katherine Burton, DC-2005-36, against the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None. Page 123

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."