

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 13, 2010 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENT FROM KELLY BASS - MIRCLE LEAGUE OF LAWTON FT. SILL

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 22, 2010.

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 resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Eric and Flecia Porch in the amount of \$27.44, John Trenholm in the amount of \$1,553.00, Lois Malone and Raymond Thomas in the amount of \$500.00 and Dorothy Thompson in the amount of \$257.18. Exhibits: Legal Opinions/Recommendations, Resolution No._____, Resolution No._____. Page 1
2. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of James Mielke in the Workers' Compensation Court, Case No. 2008-08652X. Exhibits: Resolution No. 2010-_____. Page 23
3. Consider adopting a resolution ratifying the actions of the City Attorney in filing and making payment of the judgment in the Workers' Compensation case of Kenneth Wayne Lindsey in the Workers' Compensation Court, Case No. 2010-00206H. Exhibits: Resolution No. 2010-_____. Page 26
4. Consider approval of the Retainer Agreement for Professional Services with Zahl-Ford, Inc. to provide professional structural engineering services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement on file in City Clerk's Office. Page 29
5. Consider renewing the professional services agreement with the Center for Economic Development Law for economic development financing methods, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Retainer Agreement for Professional & Legal Services is on file in the City Clerk's Office. Page 30
6. 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 the 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., is on file in the City Clerks Office. Page 31

7. Consider approving an Agreement between the North Side Chamber of Commerce Inc., and the City of Lawton to fund activities by the Chamber designed to encourage, promote and foster economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement and Proposed Budget. Page 32
8. Consider approving an Agreement between the Lawton Philharmonic Society, Inc., and the City of Lawton to fund activities by the Society designed to encourage, promote and foster tourism and economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget. Page 39
9. Consider approving a Joint Resolution between the City of Lawton and the Lawton Fort Sill Chamber of Commerce to authorize funding assistance from the Lawton Hotel/Motel – Economic Development Fund for beautification projects and maintenance undertaken by the Lawton Enhancement Trust Authority (LETA) in an amount not to exceed \$70,000.00. Exhibits: Joint Resolution. Page 44
10. Consider approving an Agreement for Limited Services between the Lawton Enhancement Trust Authority (LETA) and the City of Lawton to fund activities by LETA designed to encourage, promote and foster economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services and LETA Budget. Page 46
11. Consider approval of the Arts & Humanities Division acceptance of the Local Government Challenge Grant from the Oklahoma Arts Council for the FY 2010-11. Exhibits: Contract on file in City Clerk's office. Page 52
12. Consider accepting a grant from the Corporation for National and Community Service (CNCS) for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2010-2011 funding. Exhibits: Contract on File in City Clerk's Office. Page 53
13. Consider accepting a grant from the Oklahoma Department of Human Services for the Retired and Senior Volunteer Program (RSVP) for Fiscal Year 2010-2011 funding. Exhibits: Contract on File in City Clerk's Office. Page 54
14. Consider approving the lease agreement between the City of Lawton and the Crossroads Youth and Family Services Center, Inc., dba, Crossroads Head Start/ Early Head Start. Exhibits: Lease Agreement. Page 55
15. Consider accepting a grant of \$8,500 from the Oklahoma Humanities Council to support the 2010 Oklahoma Chautauqua program. Exhibits: The Oklahoma Humanities Council grant agreement is on file in the City Clerk's Office. Page 59
16. Consider accepting the additional State Aid for Libraries Grant of \$6,436 from the Oklahoma Department of Libraries for FY 2009-2010. Exhibits: State Aid agreement on file in the City Clerk's office. Page 60

17. Consider accepting a donation of \$1000.00 from the Lawton Westside Wal-Mart, 6301 NW Quannah Parker Trl, to the Lawton Fire Department to be used to repair and/or replace department fitness equipment. Exhibits: None. Page 61
18. Consider accepting donation of funds donated by Wal-Mart West, 6301 NW Quannah Road for Lawton Police Department. Exhibits: None. Page 62
19. Consider authorizing the Mayor to sign and execute the Oklahoma Department of Environmental Quality (ODEQ) Consent Order Addendum, Case No. 07-385(A) requiring certain tasks be performed within an agreed time frame in order to upgrade the City's Wastewater Treatment Plant (WWTP). Exhibits: Schedule of tasks to be completed as part of the addendum. Consent Order Amendment, Case No. 07-385(A) is on file in the City Clerk's Office. Page 63
20. Consider approving Change Order # 1 with S Construction Company, Inc., in the amount of \$1,398.56 for the Intermodal Transportation Museum Project (F.A. Project No. STP-116E(130)EH). Exhibits: None. Page 66
21. Consider approving an agreement with Jacobs Engineering Group, Inc., for professional engineering services for the Bicycle and Pedestrian Plan Phase II and III - COL Project #2010-7. Exhibits: Phase II and III Route Map. Page 67
22. Consider amending the Memorandum of Understanding between the City of Lawton and the Lawton Metropolitan Planning Organization for Congestion Mitigation Air Quality programs and projects during Fiscal Year 2010. Exhibits: Amended Memorandum of Understanding. Page 70
23. Consider approving the construction plat for Wyatt Village Addition, Part 2, subject to conditions. Exhibits: Plat Map. Page 72
24. Consider approving construction plans for storm sewer improvements serving the proposed EZ Go #19 located at SW 52nd Street and Lee Boulevard. Exhibits: Location map. Page 74
25. Consider awarding a construction contract to Dillon Construction, Co. for the Abandoned WWTP Demolition Phase 2 Project #2009-7. Exhibits: None. Page 76
26. Consider accepting a warranty deed and a temporary easement from Ronald Ray and Patsy L. Sampley for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 77
27. Consider accepting a temporary easement from the Korean Presbyterian Church of Lawton for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Temporary easement is on file in the City Clerk's office. Page 78

28. Consider accepting a warranty deed from Jennifer Robinette for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Warranty deed is on file in the City Clerk's office. Page 79
29. Consider accepting a warranty deed from Gerald Eason and a permanent and temporary easement from James S. Eason for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing the Mayor to sign a thank you letter. Exhibits: Warranty deed and Easements are on file in the City Clerk's office. Page 80
30. Consider accepting a warranty deed and a temporary easement from Apollos V. and Rachel Thomasian for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 81
31. Consider accepting a warranty deed and a temporary easement from Rafael and Pauline Rosario for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 82
32. Consider accepting a warranty deed and a temporary easement from Tommy G. and Treasea D. Morris for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office. Page 83
33. Consider adopting a Resolution authorizing the installation of traffic control measures on: Highway 7 on East Lee Blvd east of SE 45th St for eastbound traffic and west of I-44 exit for westbound traffic; Rogers Lane west of 82nd St for eastbound traffic and west of I-44 for westbound traffic; Quanah Parker Trailway west of 82nd St for eastbound traffic; South 11th St north of I-44 for northbound traffic; SW 82nd St south of Lee Blvd for northbound traffic; West Lee Blvd west of 97th St for eastbound traffic; Cache Rd east of Ft. Sill Blvd. for westbound traffic; SW Delta Ave from the intersection of SW 69th St to 45 feet west of the school's driveway; and SW Ridge Terrace from Lee Blvd. to Park Ridge Blvd. Exhibits: Resolution No. 10- _____ and Traffic Commission Minutes and Traffic Issue Request. Page 84
34. Consider awarding (RFPCL10-041) Rental or Lease Work Clothing to Cintas Corporation of Lawton, OK. Exhibits: Department recommendation, proposal comparison. Page 94
35. Consider extending (RFPCL08-062) Collection of Overdue Utility Bills to Lawton Retail Merchant's Association, Inc. of Lawton, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 98
36. Consider awarding (CL10-045) Cement Kiln Dust to Silver Star Construction of Moore, OK. Exhibits: Department recommendation, abstract. Page 102
37. Consider approving appointments to boards and commissions. Exhibits: None. Page 105

38. Consider approval of payroll for the periods of June 14 – July 11, 2010.

NEW BUSINESS ITEMS:

39. Consider adopting a resolution approving action taken by the Lawton Industrial Development Authority awarding a bid to Arvest Bank for a \$2,500,000 Construction/Bridge loan to assist in financing the Phase IV restoration Project for the New City Hall and by resolution authorize the issuance of the bond anticipation note; approving and authorizing the execution of a note indenture and a series 2010 supplemental note indenture; waiving competitive bidding; approving an Agreement of Support with the City; designating the Note as a bank qualified obligation; authorizing payment of fees and expenses; and containing other provisions relating thereto. Exhibits: Agreement of Support, Resolution 10-____. Page 106
40. Consider awarding a construction contract in the amount of \$4,594,000 to G. W. Hastings Construction Co., Lawton, Oklahoma, for the Phase IV restoration of the original Lawton High School. Exhibits: Correspondence: June 22, 2010; Meyer Architecture Plus, General Phasing Plan Notes; May 25, 2010 and Phase IV Bid Tab Sheet; Meyer Architecture Plus. Page 114
41. Consider approving an agreement with CDBL, Inc., for construction project management services for Rehabilitation Of Old Lawton High School Project (New City Hall) Phases III and IV. Exhibits: None. Page 118
42. Consider and approve an ordinance creating sections 10-16-1601 through 1606, Article 10-16, Chapter 10 Lawton City Code 2005, pertaining to the establishment of an Emergency Management Stabilization Arrangement Ordinance, providing for severability, and declaring an emergency. Exhibits: Ordinance 10-____. Page 120

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

43. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010, and FY 2010-2011, between the American Federation of State, County and Municipal Employees (AFSCME) Local 3894, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 124
44. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None. Page 125

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."

