

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 14, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF PROCLAMATION FOR RODEO DAYS

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 MEETINGS OF JUNE 9 AND JUNE 23, 2009.

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: D'Angelo Adams in the amount of \$900.00, Keyshauna Adams in the amount of \$4,189.00, Lindsay Kassanavoid in the amount of \$500.00, Kevin Greear in the amount of \$32.51, Megan McLaughlin in the amount of \$1,822.34 and Linda Herrington in the amount of \$3,325.00. Exhibits: Legal Opinions/Recommendation; Resolution No. ____; Resolution No. ____; Resolution No. ____; Resolution No. ____; Resolution No. ____.
Page 1
2. Consider the following damage claims recommended for denial: Rizalina Johnston in the amount of \$5,150.00. Exhibits: Legal Opinions/Recommendations.
Page 24
3. Consider adopting a resolution approving a proposed settlement and authorizing the filing of a joint journal entry to make payment in the pending lawsuit of Bruce E. Harrison, Case No., CJ-2007-258, against the City of Lawton. Exhibits: Resolution No. 09-____.
Page 27
4. 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 on filed in the City Clerks Office.
Page 29
5. Consider renewing the professional services agreement with John C. Mackey, for various matters involving real property, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement.
Page 30
6. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Sue Taylor and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Professional & Legal Services on File in City Clerk's Office.
Page 34

7. Consider approving the professional services agreement with L. David Pomeroy, for legal representation of the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement on file in the City Clerk's Office. Page 35
8. Consider approving the professional services agreement with Kimberly Fuhr, for the purpose of providing accounting services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement on file in the City Clerk's Office. Page 36
9. Consider approving an Agreement between the Lawton Heritage Association and the City of Lawton to fund activities by the Association 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. Page 37
10. 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 40
11. Consider approving an Agreement between the Lawton Community Theater and the City of Lawton to fund activities by the Theater 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. Budget will be distributed to the City Council at the meeting. Page 44
12. Consider approving an Agreement between the Buffalo Soldiers Heritage Plaza, Inc., and the City of Lawton to fund activities by the Plaza 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. Page 47
13. 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 50
14. Consider authorizing application of the 2009 Department of Justice Edward Byrne Assistance Grant Local (JAG). Exhibits: Budget Summary, Budget Worksheet and Budget Narrative. Interlocal Agreement with Comanche County is on file in the City Clerk's Office. Page 51
15. Consider approval of the Arts & Humanities Division acceptance of the Local Government Challenge Grant from the Oklahoma Arts Council for the FY 2009-10. Exhibits: Contract on file in City Clerk's office. Page 56
16. Consider approving contracts for the FY 2009-2010 Co-Sponsorship Grant Program. Exhibits: Contract on file in City Clerk's office. Page 57

17. Consider approving contract with the Bobby Dale Band to perform at the COL-Ft. Sill 108th Birthday Celebration hosted in conjunction with the Lawton Arts & Humanities Council's (LAHC) 2009-10 Native American Program on August 1, 2009. Exhibits: Contract on file in City Clerk's office. Page 58
18. Consider approving contract with Miller Pro Audio for sound and lighting equipment and operators for the COL-Ft. Sill 108th Birthday Celebration hosted in conjunction with the Lawton Arts & Humanities Council's 2009-10 Native American Program on Saturday, August 1, 2009. Exhibits: Contract on file in City Clerk's office. Page 59
19. Consider ratifying the actions of the City Engineer and approving Change Order #1 for the Landfill Cells 4-5 Project #2008-4 with M. Hanna Construction Co., Inc. Exhibits: None. Page 60
20. Consider acknowledging receipt of a permit for the construction of a waterline and appurtenances from the Oklahoma Department of Environmental Quality to serve the 2008 CIP Waterline Replacement (Phase 3) Project #2010-1, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated June 3, 2009 is on file in the City Clerk's office. Page 61
21. Consider adopting a Resolution authorizing the installation of traffic control measures on: NW Columbia Ave at the intersection of NW 14th St; east of NW 24th St between NW Williams St and the existing driveway east of Bldg. No. 2235; NW Baltimore Ave at the intersection of NW 44th St; northbound and southbound SW Sheridan Rd at the intersection of SW "F" Ave; southbound NW 27th St and northbound NW 27th St; and SW 47th St at the intersection of SW Park Way Dr. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 09-____. Page 62
22. Consider denying the requests for traffic control measures on: SW McKinley Ave at the intersection of SW 7th St; NW Meadowbrook Ave at the intersection of NW 40th St. Exhibits: Traffic Commission Minutes and Traffic Issue Requests. Page 80
23. Consider setting the date of August 25, 2009, to hold a public hearing and consider closing a portion of a public utility easement on Lot 4, Block 2, Dove Creek Addition, Part 1C, located at 2408 SW 53rd Street. Exhibits: Application; Site Plan. Page 89
24. Consider setting the date of August 25, 2009, to hold a public hearing and consider closing a portion of the right-of-way of SW Summit Avenue and SW 13th Street. Exhibits: Location Map, Site Plan and Application. Page 93
25. Consider granting a temporary access easement to Piknik, Inc., dba Days Inn, for access to 801 East Gore Boulevard. Exhibits: Site Plan, Temporary Access Easement on file in City Clerk's Office. Page 97
26. Consider granting a revocable permit for parking and maneuvering in the right-of-way of SE 1st Street and SE Monroe Avenue for a building located at 1443 SE 1st Street. Exhibits: Revocable Permit, Site Plan, Location Map, Application. Page 99

27. Consider amending the administrative services agreement to the contract (RFPCL07-053) Health and Dental – Third Party Administrator with Blue Cross Blue Shield of OK and authorizing the Mayor and City Clerk to execute the amendment. Exhibits: Amendment 1 to the Administrative Services Agreement with BCBS. Page 106
28. Consider awarding (CL09-047) Bunker/Turnout Gear to Wayest Safety, Inc. of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 111
29. Consider extending the contract (CL08-003) Rear Suspension Repair with Loden Spring & Suspension, Inc. of Wichita Falls, TX. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 114
30. Consider extending the contract (RFPCL08-062) Collection of Overdue Utility Bills with Lawton Retail Merchants Assn. of Lawton, OK. Exhibits: Department Recommendation, Proposal Price Bid Sheet, Contract Extension Form. Page 119
31. Consider awarding (RFPCL09-048) Electrostatic Discharge (ESD) Rubber Tile to StaticWorx Inc. of Watertown, MA. Exhibits: Department Recommendation, Proposal Sheet. Page 125
32. Consider awarding (CL09-049) Jail Food & Supplies to Indian Nation Wholesale Company of Durant, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 129
33. Consider awarding (CL09-050) Lawton Arts & Entertainment Magazine to Colorgraphics “The Print Shop, Inc.” of Lawton, OK. Exhibits: Department Recommendation, Abstract of bids, Vendor Affidavit. Page 136
34. Consider extending the contract (CL06-006) Plexar-Custom Service Agreement with AT&T of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 141
35. Consider approving appointments to boards and commissions. Exhibits: None. Page 145
36. Consider approval of payroll for the periods of June 15 –July 12, 2009.

OLD BUSINESS ITEMS:

37. Consider the following damage claims recommended for denial: Andrea Johnson in the amount of \$153.36. Exhibits: Legal Opinions/Recommendations. Page 146
38. Hold public hearings and adopt a resolution declaring the accessory structure located at: 611 SW Jefferson Avenue 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 the dilapidated structure, if necessary. Exhibits: Resolution No 09-_____. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 149

NEW BUSINESS ITEMS:

39. Hold a public hearing to receive input from citizens and to consider a change to the FFY 2008 Consolidated One-Year Action Plan, Change 3. Consider approving City Council Resolution 09-____, and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Resolution 09-____. FFY 2008, Change 3 is available for review in the City Clerk's Office. Page 153
40. Consider approving a resolution authorizing the calling and holding of an election in the City of Lawton, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the question of the approval or rejection of Ordinance No. 09-_____ of the City relating to an additional one-half percent (0.5%) sales tax of the City and defining the purposes for such tax to assist Lawton Public Schools, as authorized by Title 11, Oklahoma Statutes, Section 22-159; and authorizing the Mayor and City Clerk to execute the Resolution, Special Election Proclamation and Notice. Exhibits: Resolution No. 09-____, Special Election Proclamation and Notice. Page 157
41. Consider approving an ordinance assessing and levying a one-half percent (0.5%) sales tax to be collected from January 1, 2010, through December 31, 2014, for the purpose of assisting Lawton Public Schools with funding school building construction and renovations/remodeling and the purchase of buses, and providing for the administration of the collection of the sales tax. Exhibits: Ordinance No. 09-____. Page 164
42. Consider authorizing the Fire Department to accept the Federal SAFER Grant (Staffing for Adequate Fire & Emergency Response), which provides match based funding to assist with additional firefighter positions in local fire departments and if accepted, would provide 12 new entry-level firefighter positions to the Lawton Fire Department. Exhibits: SAFER Grant Overview. Page 169

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

43. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status of the case before the Oklahoma Public Employee Relations Board, titled AFSCME vs. City of Lawton, PERB No. M010-PPC, and take appropriate action in open session. Exhibits: None. Page 172

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."

