

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JULY 25, 2023 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:

John Ratliff, Acting City Manager

Tim Wilson, Acting City Attorney

Traci Hushbeck, City Clerk

COL James H.B. Peay, IV, Fort Sill Liaison

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Amber Delger, First Christian Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Kelly Harris, Ward Two

Linda Chapman, Ward Three

George Gill, Ward Four

Allan Hampton, Ward Five

Bob Weger, Ward Six

Onreka Johnson, Ward Seven

Randy Warren, Ward Eight

ABSENT:

Mary Ann Hankins, Ward One

PRESENTATIONS:

Employee Spotlight Award - Broderick Jackson, III, Parks and Recreation Department. The City Manager recognized Broderick Jackson, III, Parks and Recreation Department, for his outstanding performance.

Citizen of the Month - Mikaela McCorkle

Mayor Booker presented a Certificate of Commendation from the Mayor's Office to Mikaela McCorkle.

REPORTS: MAYOR/CITY COUNCIL:

Warren stated there has been an onslaught of people knocking on doors and trying to sell people things. He stated citizens need to remember that if they do not have a permanent address in Lawton, they must have a permit. If they do not, please don't talk to them.

Johnson thanked those who have reached out to her family with positive messages and support.

Weger reminded everyone to be careful in the summer heat.

Chapman recognized those employees who are working in the heat.

Harris recognized the work of the Acting City Manager.

AUDIENCE PARTICIPATION:

David Tyler, 501 SW 77th Street, requested the council put the LATS transfer station at 4th and A Avenue where the people who ride the bus want this to go.

CONSENT AGENDA:

Mayor Booker stated items #5, #6 and #9 will be considered separately. Item #8 will be stricken from the agenda.

MOVED by Warren SECOND by Harris to approve the consent agenda with the exception of items #5, #6, #8, and #9. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approval of the minutes of the Lawton City Council regular meeting of June 27, 2023.
2. Consider approving the damage claim (recommended for approval) and resolution authorizing payment for Matt Weber in the amount of \$682.00. **(Resolution 23-115)**
3. Consider approving a resolution to allow for the transfer of monthly commissions from jail inmate calls to a Special Revenue Fund account for the Lawton Police Department's Technical Services Division. Funding comes from the commissions received from the municipal jail's inmate calls. Currently, all revenues received are deposited into the General Fund. The funds will be carried over from year to year. **(Resolution 23-116)**
4. Consider approving an Agreement for Limited Support between the Museum of the Great Plains Trust Authority and the City of Lawton to fund the continued operation of the Museum, and authorize the Mayor and City Clerk to execute the Agreement.
5. Consider entering into an agreement with South-Central Oklahoma Workforce Board to participate in their Work Experience program, which will aid in hiring and training recommended candidates for various positions throughout the City of Lawton; and authorize the Mayor and City Clerk to execute all documents necessary to implement the program.

Craig Akard, Human Resources Director, stated the original agreement has expired. He stated this time they are bringing back the three-month, 520-hour program.

Hampton stated this will provide some incentive and training to people.

Harris questioned if they would come onto our payroll after the training period.

Akard stated if they are selected. The initial three months are paid by Workforce and at the end of the three months, if the hiring manager decides that this person is coming to work and doing the job, they can hire them.

MOVED by Hampton SECOND by Harris to approve an agreement with South-Central Oklahoma Workforce Board. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

6. Consider approving proposed Council Policy 1-13 “Access Policy” pertaining to public access to City Hall and City employees/elected officials with the purpose to enhance security, safety, and efficient operations by establishing procedures for the public when accessing City Hall and when requesting to meet with city employees or elected officials.

Ratliff presented information on the council policy. He felt it was important to bring to the council for approval. It puts a lot of guidelines we are currently using into a formal policy.

Mayor Booker stated he supports this and we cannot provide a safe place for citizens to do business if the employees do not have a safe place as well.

Warren stated we have been lax too long and he supports this policy. We have to protect the employees as well as the citizens.

Hampton stated guidelines need to be set. He does not want anyone to be intimidated to come here and everyone needs to be amicable.

MOVED by Warren SECOND by Harris to approve Council Policy 1-13 “Access Policy”. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

7. Consider approving an amendment to Council Policy 1-6, Council Rules of Procedure, by establishing a requirement that the discontinuance of a program or cessation of city provided services be placed on the agenda no later than ninety (90) days prior to the termination of the program or service.
8. Consider approving a resolution authorizing, subject to certain conditions, an incentive program to encourage the current Police Chief to remain with the City through June 30, 2027. **STRICKEN**
9. Consider granting a long-term ground lease agreement to Cody and Shelby Zimmerman to allow exclusive ingress and egress, over and across the city owned property located south of 359 NW Cherry Road, located on the west side of US Highway 62, by Chandler Creek and Lake Ellsworth, in the Northeast Quarter of Section 19, Township 4 North, Range 11 West of the I.M., Comanche County, Oklahoma.

Wilson stated the same floor amendment will need to be made on this item that was made in the Lawton Water Authority.

MOVED by Gill, SECOND by Chapman, to grant a long-term ground lease agreement to Cody and Shelby Zimmerman with a floor amendment in that paragraph 21 be changed to read “the lease shall be binding upon the parties, their successors, heirs, and devisees. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

10. Consider and take action approving Amendment No. 1 to the Master Services Agreement with Garver, LLC for Professional Engineering Service identified in Work Package #1 for the 2023 water and sewer system rehabilitation program.
11. Consider and take action approving Amendment No. 1 to the Master Services Agreement with Jacobs Engineering Group, INC for Professional Engineering Service identified in Work Package #1 for the 2023 water rehabilitation program.
12. Consider awarding contract CL23-039, Redi-Mix Concrete to Bidder #3, Southwest Ready Mix of Lawton, Ok (Primary), and Bidder #1, Lawton Transit Mix, Ponca City, Ok (Secondary), and Bidder #2, Dolese Bros. Co, Oklahoma City, Ok (Tertiary).
13. Consider extending contract CL22-042 Concrete Repair to A.E. Construction of Lawton, Ok (primary), TE Construction of Lawton, Ok (secondary), and MTZ Construction of Oklahoma City, Ok (tertiary).
14. Consider approving appointments to boards and commissions.

FISTA Trust Authority

Barry Ezerski- LETA Reappointment
3908 NW Elm Avenue
Lawton, OK 73505
08/24/2027

David Madigan- LEDA Reappointment
4330 NW Cache Road
Lawton, OK 73505
08/24/2027

Liz Tomichen- LEDC Appointment
2044 NW 82nd Street
Lawton, OK 73505
08/24/2027

Budget and Efficiency Council Committee

Councilman Bob Weger
2701 NW 75th Street
Lawton, OK 73505
Council Term

Lakes & Land Commission

Councilman George Gill
3705 NE Eastlake Drive
Lawton, OK 73507
07/25/2026

Library Board

Patty Neuwirth
715 Heinzwood Circle
Lawton, OK 73505
05/31/2025

Susan Kremmer
201 NW Mockingbird Road
Lawton, OK 73507
05/31/2025

Fermin Viruet
3817 NW Arlington Avenue
Lawton, OK 73505
05/31/2025

Building Material Review Board

Councilmember George Gill- Council Rep
2705 NE Eastlake Drive
Lawton, OK 73507
Council term

BUSINESS:

15. Hold a public hearing and consider approving the submission and acceptance of the 2023 Department of Justice Edward Byrne Assistance Grant Local (JAG) by the Lawton Police Department, authorize the approval of an Interlocal Agreement between the City & County, as well as any other documents necessary for the grant.

Deputy Chief Will Hines, Lawton Police Department, presented information on the grant. He stated this year the grant is for \$72,832. He stated it is an 80/20 split with the county. Lawton will receive \$58,265 and they would like to purchase two motors for the boats at the lake.

PUBLIC HEARING OPENED.

J.R. Warren, 2418 NW 80th Street, stated this is a good thing and we are getting something good for the city.

PUBLIC HEARING CLOSED.

MOVED by Hampton, SECOND by Warren, to approve the submission and acceptance of the 2023 Department of Justice Edward Byrne Assistance Grant Local (JAG) by the Lawton Police Department and approve an Interlocal Agreement between the City & County. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated the following properties are being stricken from the agenda: 614 SW 26th Place, 1204 NW Ferris Avenue, 1206 NW Baldwin Avenue and 1206 NW Ferris Avenue.

16 Hold a public hearing and adopt a resolution declaring the structures located at 417 SW 23rd Place, 419 SW 23rd Place, 614 SW 26th Place (STRICKEN), 1204 NW Ferris Avenue (STRICKEN), 1206 NW Baldwin Avenue (STRICKEN), 1206 NW Ferris Avenue (STRICKEN), 1436 NW 22nd Street, 1440 NW 22nd Street, 1607 SW F Avenue, 1610 SW New York Avenue, 1701 SW F Avenue, 1725 NW Ash Avenue, 1727 NW Ash Avenue, 1903 SW C Avenue, 2120 NW Bessie Avenue, 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.

417 SW 23rd Place

Jon Jernigan, Neighborhood Services Supervisor reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2019.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Chapman SECOND by Gill, to approve **Resolution 23-117** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

419 SW 23rd Place

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2017.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Chapman SECOND by Gill, to approve **Resolution 23-118** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1436 NW 22nd Street

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2020.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Chapman SECOND by Gill, to approve **Resolution 23-119** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1440 NW 22nd Street

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. He stated staff did not have the ability to pull up the water account on this property, but the fire date is 7/18/22.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Chapman SECOND by Gill, to approve **Resolution 23-120** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1607 SW F Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2020.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Chapman, to approve **Resolution 23-121** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1610 SW New York Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2016.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Johnson SECOND by Gill, to approve **Resolution 23-122** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1701 SW F Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2021.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Warren, to approve **Resolution 23-123** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1725 NW Ash Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2017.

PUBLIC HEARING OPENED.

Kay McNutt, 8986 SW Pecan Road, stated she is the property owner and they do have the property sold and are waiting to close in September. She is asking for additional time to close. She stated the new owner is going to flip the property. She has a contract.

Harris stated he would like to pull this off.

PUBLIC HEARING CLOSED.

Chapman questioned the procedure when someone is selling their home.

Jernigan stated if the council pulls this off, they will keep an eye on it.

Gill stated they can bring this back in 30 days.

Mayor Booker stated they can delay it so that the new owner has time to come in, but we want to hold the new person to our policy or staff can start over. If they pull this off, the process will start over.

Ratliff stated the legal notice does cover new purchasers, but he would recommend to pull it so the new owner will have an opportunity to pull the permit and staff can monitor the progress.

MOVED by Harris SECOND by Gill, to table to September 26, 2023.

Gill stated we need to give these people plenty of notice.

Warren stated if they take possession of the property in September, there is not enough time to give notice. He suggested they table to October.

Charlotte Brown, Community Services Director, stated since the motion is to table to a date certain, that is providing notice. No new notice needs to be done.

Wilson stated they need to clarify if they want to re-notice.

Harris stated they do not want to re-notice. He wants to start over in October.

Wilson suggested the motion be to not put this on the dilapidated list at this time and let staff bring it back in the time they deem appropriate.

MOVED by Harris SECOND by Gill, to not put this on the dilapidated list at this time and let staff bring it back in the time they deem appropriate. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

1727 NW Ash Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2014.

PUBLIC HEARING OPENED.

Jessie Sellars, 93 Applecreek Drive, Elgin, stated this was her father's home and she inherited it. She stated they have a buyer interested and as soon as the lien is released, the buyer will take over and remodel.

PUBLIC HEARING CLOSED.

Harris recommended they take no action.

1903 SW C Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2020.

PUBLIC HEARING OPENED.

Robert Maggett, Sr., 1517 NW 44th Street, stated he owns this property and he has boarded up the property to prevent people from coming in. He plans on remodeling the property.

Hampton questioned if he was ready to pull a permit.

Mr. Maggett stated yes.

Ratliff stated it would be helpful if Mr. Maggett made a formal complaint regarding the vagrants.

PUBLIC HEARING CLOSED.

MOVED by Hampton SECOND by Warren, to approve **Resolution 23-124** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

2120 NW Bessie Avenue

Jernigan reported the numerous violations of city code existing on the property which are documented on the Property Maintenance Evaluation Sheet. Jernigan presented photographs of the property. Utilities have been inactive since 2016.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Chapman SECOND by Gill, to approve **Resolution 23-125** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

Warren questioned if we post and automatically start the process on these houses if we have a burn.

Jernigan stated if there is a structure that is severely burned and is falling down on its own, we go out the next day and start the D&D process.

Warren questioned if the properties that were stricken off the agenda because the owner pulled permit.

Jernigan stated some had legal discrepancies and another one sold the same day we posted on the property.

Johnson questioned what will happen to those properties that were not put on the D&D list today.

Jernigan stated staff will follow up to see if permits were pulled and if the property is still in a dilapidated state. If the owner has done no work, staff will start the demolition process.

17. Receive a report from staff regarding the disposition of criminal cases as requested by Council on October 25, 2022, and take action as deemed necessary.

Chief James Smith, Lawton Police Department, presented information on crime statistics. (Presentation is on file in the City Clerk's Office)

Warren stated the district attorney has to use his money the best way he can to obtain convictions. We need to work harder to create a safer environment for citizens to make the effort to follow through with these cases.

Gill questioned why we are not responding to burglary calls. He has talked to citizens who feel they are not getting any results when they call in.

Chief Smith stated they do respond to burglary calls.

Gill stated he will bring back some type of ordinance where we will do random checks on these salvage companies to make sure they are not taking illegal property.

Mayor Booker stated he was told that citizens are told to file a burglary report online and that no one shows up.

Chief stated the online system is down, so they are responding to all calls.

Mayor Booker stated he will agenda an item to talk about other issues besides the disposition of criminal cases because he does not want to get off topic of this item.

Chapman stated she is frustrated that citizens are not contacting the police when they see something.

Chief Smith stated they are trying to get people to get involved and look at their camera footage when a crime occurs.

Mayor Booker stated he does understand that we have manpower issues, but as many calls that he gets he feels that they need to discuss this and talk about our options.

No action was taken.

The council recessed from 3:33 p.m. to 3:44 p.m.

18. Consider approving a Limited Support Agreement between H.E.L.P. Advocacy Center of Southwest Oklahoma and the City of Lawton to fund activities designed to identify and assist with the opening of a safe, trauma informed space for sexual assault victims to come and receive multi-agency care and support and authorize the Mayor and City Clerk to execute the Agreement.

Ratliff stated this item is to consider funding the H.E.L.P. Advocacy Center for victims of sexual assault and other non-consensual sex crimes. There has been a spotty history in Lawton about proving these services and it is critical that we do this. This item is to approve \$15,000 in funding. The county is also agreeing to \$15,000 in funding. The plan is to get into a facility where nurses can administer services to those who need it.

MOVED by Johnson SECOND by Chapman, to approve a Limited Support Agreement between H.E.L.P. Advocacy Center of Southwest Oklahoma. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

19. Discuss the need for a Jail Trust Authority, direct staff to initiate the process of soliciting RFPs for outside sources to provide guidance and support for the creation of a Jail Trust Authority, and take any other action deemed necessary.

Warren stated this basically is just a request to different entities to provide us with proposals and presentations on what they think we should do as a city as far as creating a trust. He stated the county is not ready to move forward in those discussions, so it is important for us to move forward and decide what we are going to do. In the future other communities could join the trust. This will allow staff to put out an RFP to different entities that can help us navigate the course.

MOVED by Warren SECOND by Johnson to direct staff to put together an RFP that will request proposals and presentations from entities that can help us navigate that course. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

20. Consider waiving sections 7-12-2 and 12-1 of Lawton City Code to allow for children aged 17 and under to operate entrepreneurial ventures, such as lemonade stands, without temporary structure permits and food-service establishment permits, direct staff to include an exception for these requirements in the code that also protects against shams, and take action as deemed necessary.

MOVED by Gill SECOND by Johnson to approve the request to waive the requirements for temporary structure permits and food-service establishments permits for children aged 17 and under to operate entrepreneurial ventures, such as lemonade stands, without temporary structure permits and food-service establishment permits and direct staff to include an exception for these requirements in the code that also protects against shams. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

21. Consider approving an Ordinance to create Sections 7-27-1-2710 through 7-27-1-2712, Article 7-27-1, Division 7-27, Chapter 7, Business, Lawton City Code, 2015; by creating the process for operators to pay their hotel/motel occupancy taxes and establishing procedures for those who fail to pay as otherwise required in City Code and creating the appeal process for any Short Term Rental Facilities who have their licenses revoked, providing for codification, providing for severability, providing for floor amendments and declaring an emergency.

Brown presented information on the ordinance.

Chapman questioned if there are lot of air BNB's that are not paying the tax.

Brown stated we only have 3 or 4 that are paying their fees. There are between 200 – 300 that are operating within city limits.

Harris questioned the estimate of the fees we are missing.

Joe Don Dunham, Finance Director, stated he would estimate between \$300,000 - \$400,000.

Harris questioned how much the tax was.

Dunham stated 7%.

Gill questioned what the obstacle was.

Dunham stated we don't know who has an Air BNB.

Gill stated you can go on the different sites and figure out who they are with addresses or contact the companies that are handling the leases.

Judy Franco, IT Director, stated our software will locate these homes that are being advertised.

Hampton questioned how we get the tax money if they are paying companies like Air BNB.

Dunham stated it is incumbent upon the owner of the property to remit those taxes to the City of Lawton.

Johnson questioned how we would know how many people are staying there.

Franco stated we would not know how many people stay there.

Dunham stated the tax would be based upon the rental amount of the property.

Johnson questioned how we could legally shut off their utilities.

Wilson stated when we passed the hotel/motel ordinance in 2021, the penalty that the voters approved is that if you don't pay your hotel/motel tax, the city's remedy is to shut off your utility service. This is not new language.

Gill stated we can demand records from these Air BNB's. He suggested we check with the Attorney General's office.

Mayor Booker questioned why we can't make Air BNB just pay. It would eliminate a lot of work.

Ratliff stated he received an email from the Air BNB legal department stating they cannot release information about user accounts without a subpoena or search warrant.

Mayor Booker questioned if they could write an ordinance stating that Air BNB is responsible for collecting the taxes and remitting to us.

Wilson stated it is difficult to amend what the voters approved.

Dunham stated we have the right to go to an owner to ensure we are paid the appropriate amount. He stated that we have the right to audit their books.

Mayor Booker stated this is going to be a monitoring nightmare. He suggested that staff give the council a report in 3, 4 or 6 months on how this is working and research if we can go directly to Air BNB and require them to pay taxes.

MOVED by Gill SECOND by Harris to adopt **Ordinance 23-28**, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 23-28

AN ORDINANCE CREATING SECTIONS 7-27-1-2710 THROUGH 7-27-1-2712, ARTICLE 7-27-1, DIVISION 7-27, CHAPTER 7, BUSINESS, LAWTON CITY CODE, 2015; BY CREATING THE PROCESS FOR OPERATORS TO PAY THEIR HOTEL/MOTEL OCCUPANCY TAXES AND ESTABLISHING PROCEDURES FOR THOSE WHO FAIL TO PAY AS OTHERWISE REQUIRED IN CITY CODE AND CREATING THE APPEAL PROCESS FOR ANY SHORT TERM RENTAL FACILITIES WHO HAVE THEIR LICENSES REVOKED, PROVIDING FOR CODIFICATION, SEVERABILITY AND DECLARING AN EMERGENCY.

22. Consider an ordinance pertaining to Personnel Policies and Procedures, amending Section 17-1-4-137, Division 17-1-4, Article 17-1, Chapter 17, Lawton City Code 2015, relating to introductory period or introductory status employees by revising language to allow for easier access to growth opportunities within the workplace, providing for severability and establishing an effective date.

Akard presented information on the ordinance.

MOVED by Warren SECOND by Hampton to adopt **Ordinance 23-29**, waive the reading of the ordinance, read the title only and establishing an effective date. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 23-29

AN ORDINANCE PERTAINING TO PERSONNEL POLICIES AND PROCEDURES, AMENDING SECTION 17-1-4-137, DIVISION 17-1-4, ARTICLE 17-1, CHAPTER 17,

LAWTON CITY CODE, 2015, RELATING TO INTRODUCTORY PERIOD OR INTRODUCTORY STATUS BY REVISING LANGUAGE TO ALLOW FOR EASIER ACCESS TO GROWTH OPPORTUNITIES WITHIN THE WORKPLACE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

23. Consider an ordinance pertaining to Personnel Policies and Procedures, Repealed and Reserved Section 17-1-4-140, Division 17-1-4, Article 17-1, Chapter, 17, Lawton City Code 2015, by renaming the section “Employee Resignation,” defining the terms, exceptions and penalty, providing for severability and establishing an effective date.

Akard presented information on the ordinance.

MOVED by Warren SECOND by Johnson to adopt **Ordinance 23-30**, waive the reading of the ordinance, read the title only and establishing an effective date. AYE: Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 23-30

AN ORDINANCE PERTAINING TO PERSONNEL POLICIES AND PROCEDURES, REPEALED AND RESERVED SECTION 17-1-4-140, DIVISION 17-1-4, ARTICLE 17-1, CHAPTER 17, LAWTON CITY CODE 2015, BY RENAMING THE SECTION "EMPLOYEE RESIGNATION", DEFINING THE TERMS AND EXCEPTIONS AND PENALTY, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

STAFF REPORTS:

Mayor Booker stated items #26 and #25 will be addressed first.

26. Receive an update on no-cost and low-cost family friendly activities and the status of the indoor park at Central Plaza and take action as deemed necessary.

Jason Poudrier, Arts and Humanities Administrator, presented information on the status of the indoor park at Central Plaza and reported on new events.

Mayor Booker questioned when staff will have a list of activities or a plan.

Poudrier stated he could have something by the next council meeting.

Mayor Booker requested staff compile a list of no-cost and low-cost family friendly activities and put it online where citizens can find it.

25. Receive an update from the Public Works Department regarding traffic signal operations on Gore Boulevard from 2nd Street to Lawrie Tatum Road (KCA Veterans Drive) and provide direction as deemed appropriate.

Steven Hofener, Traffic Engineering Consultants, presented an update on the signal operations on Gore Boulevard from 2nd Street to Lawrie Tatum Road. He stated the council should see changes in three weeks.

Mayor Booker stated he would like to put this back on the agenda for an update in a month.

24. Receive a presentation from staff regarding the Building Division and take action as necessary.

Brown presented a report with statistics and policies and procedures they are following in the building division. (Presentation is on file in the City Clerk's office)

The Mayor and Council convened in executive session at 4:52 p.m. and reconvened in regular, open session at 7:43 p.m. Roll call reflected all members present.

EXECUTIVE SESSION:

27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending litigation of Andre Wilson, specifically, the pending litigation in Andre Wilson v. The City of Lawton, Michael Cleghorn, Stan Booker, John Ratliff, Onreka Johnson, Kelea Fisher, Frank Jensen, Neil West, and Michael Jones, CIV-22-716, and, if necessary, take appropriate action in open session. **STRICKEN**
28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending subrogation settlement related to Matthew Wade and, if necessary, take appropriate action in open session.

Wilson read the title of item #28.

MOVED by Harris SECOND by Gill to reject the request for the City to reduce its subrogation claim. AYE: Harris, Gill, Hampton, Weger, Johnson, Warren. NAY: None. MOTION CARRIED.

29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss litigation in the case Cintas Corp. No. 2 v. City of Lawton, CJ-2022-598, and, if necessary, take appropriate action in open session.

Wilson read the title of item #29. No action was taken.

30. 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.

Wilson read the title of item #30. No action was taken.

31. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status, process and possible candidates for the position of city manager, and, if necessary, take appropriate action in open session.

Wilson read the title of item #31. No action was taken.

32. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John Ratliff as Acting City Manager, and in open session take other action as necessary.

Wilson read the title of item #32. No action was taken.

There being no further business to consider, the meeting adjourned at 7:45 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK