

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 26, 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 EMPLOYEE OF THE MONTH TO JOE KRACHINSKY, CONSTRUCTION INSPECTOR FOR ENGINEERING DIVISION, FOR THE MONTH OF JUNE AND COLLETTE HAWKINS, HOUSING DEVELOPMENT SPECIALIST IN THE HOUSING ASSISTANCE DIVISION OF THE COMMUNITY SERVICES DEPARTMENT FOR THE MONTH OF JULY.

PRESENTATION TO HERSHEY TRACK MEET PARTICIPANTS

REPORT FROM MUSEUM OF THE GREAT PLAINS

MCMAHON AUDITORIUM 50TH ANNIVERSARY PUBLIC RECOGNITION

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 claims recommended for approval and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: William & Sundy Cox in the amount of \$55.00 and Kenneth Ribble in the amount of \$213.48. Exhibits: Legal Opinions/Recommendations. Page 1
2. Consider the following damage claims recommended for denial: Annamaria Simpson in the amount of \$1,031.86, Anne & Glenn Williams in the amount of \$293.75, and Richard & Doris Bjork in the amount of \$743.69. Exhibits: Legal Opinions/Recommendations. Page 6
3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in filing and making payment of the judgment in the Workers' Compensation case of Ramon Ortega in the Workers' Compensation Court, Case No. 2004-16760H. Exhibits: Resolution No. 05-_____. Page 13
4. Consider approval of renewing the Retainer Agreement for Professional Services with Granville D. Long, to provide professional investigative services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement Page 15
5. Consider setting a public hearing on September 13, 2005 at 6 o'clock pm in the City Council Chambers to hear any comments for or against closing part of Roosevelt Avenue, part of SW 1st Street, the alley in Block 31, Airport Addition, and the alley in Block 32, Airport Addition. Exhibits: Location Map and Notice of Public Hearing. Page 20

6. Consider adopting two (2) resolutions authorizing the applications for grant funds to be submitted to the Oklahoma Strategic Military Planning Commission for Two Hundred Twenty five Thousand Dollars (\$225,000.00) and a second grant application to be submitted to the Comanche County Industrial Development Authority for One Hundred Fifty Thousand Dollars (\$150,000.00) for the purpose of easement acquisition to create an urban encroachment along the perimeters of Ft. Sill Military Installation and authorize the Mayor and City Clerk to execute the necessary documents. Exhibits: Resolution No. 05-_____, Application to Oklahoma Strategic Military Planning Commission, Resolution No. 05-_____, Application to the Comanche County Industrial Development Authority, Letter from Robert Gregory, Land Legacy, dated 4-19-2005, Ft. Sill Private lands Initiative Summary, Dept. of Army Approval of Compatible Use Buffer, dated 4-27-2005, News Release issued by Ft. Sill Public Affairs Office, dated 5-6-2005. Page 23
7. Approval for Arts & Humanities Division to accept the Local Government Challenge Grant from the Oklahoma Arts Council for the FY 2005-2006. Exhibits: Agreements are on file in the City Clerk's Office. Page 40
8. Consider approving contracts for the Co-Sponsorship Grant Program provided through the Parks and Recreation Department. Exhibits: Contract on file in the City Clerk's Office. Page 41
9. Consider approving renewal of the Contract for Tourism and Economic and Industrial Development Services Agreement with the Lawton Chamber of Commerce and Industry (LCCI) for Fiscal Year 2005-2006. Exhibits: Tourism and Economic Development Services Agreement and Chamber of Commerce Hotel/Motel Tax Proposed Budget. Page 42
10. Consider approving a revocable permit to perform geo-probe borings and monitoring wells on the North Sheridan Road right-of-way near 2403 North Sheridan Road. Exhibits: Application and Revocable Permit with Map. Page 52
11. Consider approving a revocable permit to install a sign in a utility/drainage easement for the Southwest Lee Boulevard front of 4202 SW Lee Boulevard. Exhibits: Application and Revocable Permit with Map. Page 57
12. Consider accepting the Modification of the Existing Landfill Leachate Collection System Project #2004-11 as constructed by L. D. Kemp Excavating, Inc. and placing the Maintenance Bond into effect. Exhibits: None Page 63
13. Consider approving plans and specifications for the Animal Welfare Building Expansion Project #2004-14 and authorizing staff to advertise for bids. Exhibits: None Page 64
14. Consider endorsing an amendment to the Federal Fiscal Year 2006-2008 Transportation Improvement Program (TIP) for inclusion of a streetscape enhancement project for 2nd Street from Ferris Avenue to Columbia Avenue as a transportation enhancement project. Exhibits: Letter from ODOT. Page 65
15. Consider endorsing an amendment to the Federal Fiscal Year 2006-2008 Transportation Improvement Program (TIP) for inclusion of a Transportation Museum on the grounds of the Museum of the Great Plains as a transportation enhancement project. Exhibits: Letter from ODOT. Page 68

16. Consider endorsing an amendment to the Federal Fiscal Year 2005-2007 Transportation Improvement Program (TIP) for the grading, drainage, surfacing and utility relocation at I-44 and Rogers Lane. Exhibits: Letter from ODOT. Page 71
17. Consider approving the following contract extension: Hydraulic Pump and Cylinder Repair (CL04-068) with Horizon Hydraulics Inc. Exhibits: Contracts, information from previous bid award, and letters of staff recommendations on file in Financial Service's Office. Page 73
18. Consider approving appointments to boards and commissions. Exhibits: None Page 75
19. Consider approval of payroll for the periods of July 4-17, 2005. Exhibits: None.

OLD BUSINESS ITEMS:

20. 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 select open positions without interviewing other applicants and providing for severability. Exhibits: Ordinance No. 05-____. Page 77

NEW BUSINESS ITEMS:

21. Hold public hearings and adopt resolutions declaring the structures at: 1214 NW Ferris Avenue, 916 NW Arlington Avenue, 1410 NW 23rd Street, 503 SW Jefferson Avenue, 1706 SW B Avenue, 1712 SW Garfield Avenue, 417 NE 46th Street (Tabled for 6 months-January 11th), 1603 SW Douglas Avenue (Voluntary) and 1214 SW H 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 each dilapidated structure, if necessary. Exhibits: Nine Resolutions. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 80
22. Hold a public hearing and consider a resolution endorsing the Downtown Revitalization Plan for the areas along the 2nd Street corridor bounded by Ferris Avenue south to C Avenue and from Railroad Street west to 4th Street and along the C Avenue corridor bounded by Gore Boulevard south to C Avenue and from Railroad Street west to 7th Street. Exhibits: Resolution No. 05-____, LURA Minutes of Public Hearing and Downtown Revitalization Plan (distributed July 12). Page 110
23. Hold a public hearing and consider an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to P-F (Public Facilities District) zoning classification located at the northeast corner of NW 35th Street and West Gore Boulevard. Exhibits: Ordinance No. 05-____, Location Map, Site Plan, Application, Map Showing Location of Sewerline, Letter of Protest, CPC Minutes. Page 124

24. Hold a public hearing and consider an ordinance changing the zoning from C-3 (Planned Community Shopping Center District) to C-5 (General Commercial District) zoning classification located at 6810 NW Cache Road. Exhibits: Ordinance No. 05-_____, Location Map, Site Plan, Application, CPC Minutes. Page 143
25. Hold a public hearing and consider an ordinance changing the zoning from A-1 (General Agricultural District) to C-4 (Tourist Commercial District) zoning classification located at 7615 NW Cache Road. Exhibits: Ordinance No. 05-_____, Location Map, Site Plan, Application, CPC Minutes. Page 153
26. Hold a public hearing and consider an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to R-2 (Two-Family Dwelling District) zoning classification located at 1502 SW Jefferson Avenue. Exhibits: Ordinance No. 05-_____, Location Map, Application, CPC Minutes. Page 160
27. Consider approving a resolution authorizing and calling for an election in the City of Lawton, State of Oklahoma, for the purpose of setting the dates for the 2005 primary and 2006 general municipal elections of the designated City Council seats, setting a ballot title; and authorizing the Mayor to issue an election proclamation. Exhibits: Resolution No. 05-_____ and Election Proclamation. Page 165
28. Consider adopting a resolution relating to General Obligation Bonds for Sewer System Improvements, fixing the amount of bonds to be sold, providing for the maturity of the bonds, fixing the time and place the bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law. Exhibits: Resolution No. 05-_____. Page 171
29. Consider adopting a resolution relating to General Obligation Bonds for Economic and Community Development, fixing the amount of bonds to be sold, providing for the maturity of the bonds, fixing the time and place the bonds are to be sold, and authorizing the Clerk to give notice of said sale as required by law. Exhibits: Resolution No. 05-_____. Page 175
30. Consider an ordinance pertaining to vehicles and traffic amending Section 23-1-102, Article 23-1, Chapter 23, Lawton City Code, 1995, by defining all-terrain vehicle and creating Section 23-4-404, Article 23-4, Chapter 23, Lawton City Code, 1995, by prohibiting with limited exceptions the use of minibikes, golf carts and all-terrain vehicles on city streets, requiring a warning notice on all minibikes offered for sale in the City of Lawton, providing for severability, codification and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page 179
31. Consider an ordinance amending Section 16-3-1-321, Division 16-3-1, Article 16-3, Chapter 16, Lawton City Code, 1995, by establishing a maximum fine for any individual convicted of dumping trash on public or private property without consent, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page 189
32. Consider an ordinance amending Section 16-5-1-516, Division 16-5-1, Article 16-5, Chapter 16, Lawton City Code, 1995, relating to obscenity regulations and prohibited obscene conduct, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page 192

33. Consider an ordinance amending Section 23-5-537, Article 23-5, Chapter 23, Lawton City Code, 1995, by setting an age limit for passengers riding in an outside compartment and establishing a fine for those convicted of this violation, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page 195
34. Consider an ordinance amending Section 6-5-1-507, Division 6-5-1, Article 6-5, Chapter 6, Lawton City Code, 1995, by removing the requirement of posting a bond prior to receiving a permit to reconstruct, remodel or demolish a dilapidated structure, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-_____. Page 198
35. Discussion of future use of CDBG funding and leveraging. Exhibits: None Page 202

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

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 Anthony Zinn, DC-2005-047, against the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None Page 203
37. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the case styled IAFF Local 1882 and Randy Brierton vs. The City of Lawton, Case No. FMCS 05107-52418-7, and if necessary, take appropriate action in open session. Exhibits: None Page 206

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."