

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 26, 2011 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CERTIFICATES FOR SPONSORSHIP FOR ARMED FORCES
APPRECIATION DAY

PROCLAMATION FOR FAIR HOUSING MONTH

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR
MEETINGS OF JUNE 28 AND JULY 12, 2011.

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: Donald Scott for Northwest Baptist Church in the amount of \$100.00, Robert and Marilyn Elliott in the amount of \$1,967.60 and Weldon and Debra Love in the reduced amount of \$873.81. Exhibits: Legal Opinions/Recommendations, Resolution No. _____, Resolution No. _____.Page 1
2. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers' compensation claim of Larry Dean Morris. Exhibits: Resolution No. 2011-_____.Page 13
3. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers' compensation claim of Samuel Rucker. Exhibits: Resolution No. 2011-_____.Page 15
4. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers' compensation claim of Bobby Dodd. Exhibits: Resolution No. 2011-_____.Page 17
5. 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 Jacob Ferrero in the Workers' Compensation Court, Case No. 2011-01049A. Exhibits: Resolution No. 2011-_____.Page 19

6. Consider approving an Agreement between the Museum of the Great Plains Authority and the City of Lawton to fund activities by the Authority 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 22
7. 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 in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget. Page 27
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 32
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 tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services with Attached Budget. Page 36
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 42
11. Consider terminating professional services agreement with Wells, Nelson, and Associates. Exhibits: None. Page 48
12. Consider accepting a professional services agreement for financial advisement and consulting services with the firm of Municipal Finance Services, Inc. and provide guidance to staff as appropriate. Exhibits: Agreement Letter with Municipal Finance Services, Inc. Page 49
13. Consider approving contracts for the FY2011-2012 Co-Sponsorship Grant Program. Exhibits: Contracts on file in City Clerk's office. Page 56
14. Consider approving the renewal of the annual agreement between the Center for Creative Living Corporation and the City of Lawton for services to senior citizens. Exhibits: Center for Creative Living Agreement. Page 57
15. Consider approving plans and specifications for the NW 82nd Street Sewer line Project #2010-4 and authorizing staff to advertise for bids. Exhibits: None. Page 63

16. Consider approving the record plat for Dove Creek Addition, Part 4A, and accepting the improvements, escrow agreement in lieu of completion of minor improvements, maintenance bonds and easements outside the platted area. Exhibits: Plat Map, Escrow Agreement, Maintenance Bonds and Easements are on file in City Clerk's Office. Page 64
17. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 532 linear feet of 8-inch PVC potable water line and all appurtenances to serve King Fireworks Retail Outlet located at 5202 SW 11th Street. Exhibits: Permit to Construct on file in the City Clerk's Office. Page 66
18. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 304 linear feet of 8-inch DIP waterline, and all appurtenances to serve the Tractor Supply Company located approximately 1/2 mile west of NW 67th Street on the south side of NW Quanah Parker Trailway in the SE/4 of Section 20, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office. Page 67
19. Consider approving the construction plat for Rolling Hills Addition, Part 5, subject to conditions. Exhibits: Plat Map. Page 68
20. Consider approving the record plat for Saint James Place, Part 2, and accepting the water, sewer and drainage improvements, escrow agreement in lieu of completion of minor improvements, maintenance bonds, and easements outside the platted area. Exhibits: Plat Map. Escrow Agreement, Maintenance Bonds and Easement are on file in City Clerk's Office. Page 71
21. Consider approving the record plat for Saint James Place, Part 3. Exhibits: Plat Map. Page 73
22. Consider awarding contract for City of Lawton audit (CL 11-034) to John M. Arledge and Associates of Edmond, OK. Exhibits: Department recommendation and abstract of bids. Page 75
23. Consider extending contract (CL10-051) Hydraulic Pump & Cylinder Repair to Horizon Hydraulics of Oklahoma City, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet. Page 79
24. Consider extending contract (CL10-052) Electric Motor Repair to J & W Electric Motor Co. of Lawton, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet. Page 84
25. Consider awarding (RFPCL11-043) contract for Temporary Workers to Express Employment Professionals of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids. Page 88

- 26. Consider approving appointments to boards and commissions. Exhibits: None. Page 92
- 27. Consider approval of payroll for the periods of July 11 – 24, 2011.

NEW BUSINESS ITEMS:

- 28. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Commercial to Residential/High Density and an ordinance changing the zoning from C-3 (Planned Community Shopping Center District) to R-3 (Multiple-Family Dwelling District) zoning classification located at 152 SE 45th Street. Exhibits: Resolution No. 11-____, Ordinance No. 11-____, Site Plan, Location Map, Applications and Draft CPC Minutes. Page 94
- 29. Hold a public hearing and consider an ordinance closing Hoover Street between NE Dearborn and NE Columbia Avenue, NE Columbia Avenue between Hoover Street and Albert Johnson Sr. Drive, and the alley in Block 8, Vernon Addition. Exhibits: Ordinance No. 11-____, Location Map and Application. Page 116
- 30. Consider hearing an appeal from Mr. George Nassaney's, Lawton Motorsports, concerning the denial of his fire hydrant cost share application for the property located at 5110 NW Cache Road as provided for under Council Policy 6-4. Exhibits: Original Application, Mr. George Nassaney, Lawton Motorsports and Letter of Denial to Mr. George Nassaney. Page 120
- 31. Consider reviewing the proposed ordinances relating to the 2012 Capital Improvement Plan setting forth the ballot propositions and call for the election in October 2011, and provide direction to staff as necessary. Exhibits: Two draft ordinances. Page 124
- 32. 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 2011 primary and 2012 general municipal elections of the designated City Council seats and authorizing the Mayor to issue an election proclamation. Exhibits: Resolution No. 11-_____ and Election Proclamation. Page 151
- 33. Consider an ordinance amending Section 23-5-501, Article 23-5, Chapter 23, Lawton City Code, 2005, removing and modifying certain requirements relating to driving on the right side of the roadway and to driving at less than the maximum posted speed so as to conform with changes in state law, providing for severability, and providing for an effective date. Exhibits: Ordinance 2011-_____. Page 158
- 34. Consider adopting an ordinance creating Section 9-1-134, Article 9-1, Chapter 9, Lawton City Code, 2005, pertaining to Municipal Court, and thereby enacting provisions for keeping confidential certain personal identifying information, providing for severability, and providing for an effective date. Exhibits: Ordinance 2011-_____. Page 161

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.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

35. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the acquisition of right of way for the NW 82nd Street Sewer Line Project #2010-4 and discuss two lawsuits styled The City of Lawton v.s. David A. & Judy Nottingham, Case Number CJ-2011-197 and The City of Lawton v.s. Dennis W. & Mary Lou Merrifield, Case Number CJ-2011-198, in the District Court of Comanche County, and take appropriate action in open session. Exhibits: None. Page 164

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."