

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
JULY 28, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

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 the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Drex and Hedi Thomas in the amount of \$800.00, Emmy Apple in the amount of \$173.54, Jacquelyn Cunningham in the amount of \$97.50 and William Thomas Robison in the amount of \$130.08. Exhibits: Legal Opinions/Recommendations, Resolution No. _____. Page 1
2. Consider the following damage claims recommended for denial: Mike and Deborah Sanfellipo in the amount of \$200.00 and Ralph Conerly in the amount of \$220.00. Exhibits: Legal Opinion/Recommendation. Page 13
3. Consider adopting a resolution approving the settlement by a joint petition and making payment in the pending workers' compensation claim of Eric Tienter. Exhibits: Resolution 09-____. Page 19
4. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and McAFEE & TAFT 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 21
5. Consider renewing the professional services agreement with Mackey Law Firm, to provide professional property research services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement is on file in the City Clerk's Office. Page 22
6. Consider approving an Agreement between the Spirit of Survival Marathon and the City of Lawton to fund activities by the Marathon 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 23
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 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 28

8. Consider approving an Agreement between the Historical Association of the Lawton Rangers, Inc., and the City of Lawton to fund activities by the Association 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 32
9. Consider approving contract with Journey Productions for technical support services for the 2009 International Festival for September 21-29, 2009. Exhibits: Contract on file in City Clerk's office. Page 35
10. Consider ratifying the actions of the Public Works Director/City Engineer and approving an agreement with Zia Corporation, Inc. for professional engineering services for an underground storage tank removal/closure related to the NW 2nd Street Enhancement Project #2005-12. Exhibits: None. Page 36
11. Consider approving a part time Civil Engineer position for CIP projects and authorizing funding. Exhibits: None. Page 37
12. Consider authorizing staff to receive proposals from environmental, energy management and engineering firms for a Landfill Gas Collection and Control Services Agreement. Exhibits: None. Page 38
13. Consider accepting the sanitary sewerline, permanent utility easement, and maintenance bond serving Walgreens at SW 12th Street and Lee Boulevard; approving the record plat of Lot 1R, Block 37, Waldman Addition, a Replat of Lots 1 – 6 and a portion of Lots 7 – 12, Block 37, Waldman Addition; and granting a revocable permit for maneuvering on the utility easement. Exhibits: Plat Map and Revocable Permit. Utility Easement and Maintenance Bond on file in City Clerk's Office. Page 39
14. Consider accepting water and sanitary sewer lines to serve the car dealership located at NW 72nd Street and Quanah Parker Trailway and maintenance bond and consider granting a revocable permit for parking and maneuvering on the permanent utility easement. Exhibits: Location Map. Revocable Permit and Maintenance Bond on file in City Clerk's Office. Page 44
15. Consider approving the application for a Lease-Purchase Agreement for the construction of approximately 1,645 linear feet of 12" diameter water main located along the north side of SW Bishop Road west of SW 52nd Street. Exhibits: Application for Lease-Purchase Agreement. Page 47
16. Consider rejecting the bid proposal received for the Intermodal Transportation Museum Project (F.A. Project No. STP-116E(130)EH) and authorize staff to re-advertise the project following approval by the Oklahoma Department of Transportation. Exhibits: Project Site Plan, Photo of Elgin Depot building. Plans and specifications are on file in the Planning Division office. Page 51
17. Consider extending the contract (CL09-001) Copper and Brass items 1-107 with Oklahoma Contractor's Supply of Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 55

18. Consider awarding (CL10-005) Mowing Contract for Areas M and N to Pair Mowing Contractors, of Lawton, OK. Exhibits: department recommendation, abstract of bids. Page 64
19. Consider awarding (CL10-005) Mowing Contract for Area O to Teen Challenge of Oklahoma, of Cache, OK. Exhibits: department recommendation, abstract of bids. Page 69
20. Consider awarding (CL10-005) Mowing Contract for Area P to L C Lawn Care of Altus, OK. Exhibits: department recommendation, abstract of bids. Page 73
21. Consider awarding (CL09-051) Precast Concrete Manholes to Nance Precast Concrete Product of Piedmont, OK. Exhibits: department recommendation, abstract of bids. Page 77
22. Consider approval of payroll for the periods of July 13 - 26, 2009.

NEW BUSINESS ITEMS:

23. Hold a public hearing and consider adopting an ordinance amending Section 18-6-11-611, Chapter 18, Lawton City Code, 2005, by adding sales of new automobiles as a permitted use in C-4 (Tourist Commercial District) and declaring an emergency. Exhibits: Ordinance No. 09-____. Page 81
24. Discuss and consider adopting a Council Policy on the advertising of vacant positions within the City of Lawton and take appropriate action if necessary. Exhibits: None. Page 84
25. Consider a request for a revocable permit for placement of a subdivision entry sign and ornamental wall on a utility easement located at 6901 NW Silver Creek Circle. Exhibits: Location Map, Application. Revocable Permit on file in City Clerk's Office. Page 85
26. 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 89
27. Consider amending an ordinance pertaining to recreation, Section 19-2-240, Article 19-2, Chapter 19, Lawton City Code, 2005, by making violation of the ordinance unlawful and an offense, providing for a penalty for such violation and further providing for severability, and declaring an emergency. Exhibits: Ordinance 2009- _____. Page 92

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claims of Paul Lopez, Damage Claim No. DC-2009-052, Jeremiah Lopez, Damage Claim No. DC-2009-053, Robert Lopez, Damage Claim No. DC-2009-054, Kristi Chavez, Damage Claim No. DC-2009-058, and Duane Green, Damage Claim No. DC-2009-059 and if necessary, take appropriate action in open session. Exhibits: None. Page 95

29. 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 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session. Exhibits: None. Page 96

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."