

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JULY 28, 2015 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor
Presiding

Also Present:
Jerry Ihler, City Manager
Frank V. Jensen, City Attorney
Traci Hushbeck, City Clerk
COL Glen A. Waters, Fort Sill Liaison

Mayor Fitch called the meeting to order at 6:01 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor William White, Life Changing Christian Ministries, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Keith Jackson, Ward Two
Rosemary Bellino-Hall, Ward Three
Jay Burk, Ward Four (arrived @ 6:36 p.m.)
Dwight Tanner, Jr., Ward Five (arrived @ 6:06 p.m.)
Cherry Phillips, Ward Six
Stanley Haywood, Ward Seven
Doug Wells, Ward Eight

ABSENT: Bob Morford, Ward One

PRESENTATION OF OUTSTANDING CITIZEN OF COMANCHE COUNTY TO CHARLIE WRIGHT

Mayor Fitch presented a Certificate of Commendation from the Mayor's Office to Charlie Wright.

EMPLOYEE SPOTLIGHT PRESENTATION TO BUNKY NORWOOD – WASTEWATER MAINTENANCE DIVISION

The City Manager and Mayor recognized Bunky Norwood for his outstanding performance.

AUDIENCE PARTICIPATION:

Dewell Brewer stated Will Shields, a Lawtonian, will be inducted into the NFL Hall of Fame and he would like to partner with the City of Lawton to have some signs signifying that this is the place where he is from. He sees no representation here and he would like to show his appreciation.

Tanner stated there are a lot of things to brag about in Lawton and this would be one additional thing. He suggested they put a group together and do some brain storming.

Mayor Fitch suggested a meeting to sit down and visit and put together some ideas. He would like to see what other communities have done to recognize an individual. He stated Will has done tremendous things for the youth in Lawton. He suggested they meet at 9 a.m. on Thursday morning.

CONSENT AGENDA

Phillips stated she will not be voting on item #5 or #6 because of conflict of interest.

Mayor Fitch stated Jackson will not be voting on item #3.

Wells requested item #2, with regards to the Bibbs claim, be considered separately.

Phillips requested items #9, #10 and #15 be discussed separately.

MOVED by Burk SECOND by Haywood to approve the consent agenda with the exception of items #2 (Bibbs claim), #9, #10 and #15. AYE: Jackson, Bellino-Hall, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Trent McCool in the reduced amount of \$21,463.50 (**Res. 15-66**) and Clarence and Jean Cobb in the amount of \$2,826.51 (**Res. 15-67**). Exhibits: Legal Opinions/Recommendations, Resolution No. 15-____ and Resolution No. 15-____.
2. Consider the following damage claims recommended for denial: Margot and Michael Bibbs in the amount of \$3,000.00, Brittany Whitfield in the amount of \$522.95 and Gina Roberts in the amount of \$72.00. Exhibits: Legal Opinions/Recommendations.

Wells requested the Bibbs claim be tabled for two weeks.

MOVED by Wells SECOND by Jackson to table the claim of Margot and Michael Bibbs for two weeks. AYE: Jackson, Bellino-Hall, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

3. 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: Proposed Agreement with Attached Budget.
4. Consider approving an Agreement between the Lawton Community Theatre and the City of Lawton to fund activities by the Theatre 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.

5. 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.
6. Consider approving an Agreement between the Armed Services YMCA and MOAA Auxiliary and the City of Lawton to fund activities by the Auxiliary 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.
7. Consider approving a settlement agreement between the City of Lawton and the International Union of Police Association (IUPA), AFL-CIO, Local 24 regarding a recent promotion in the police department. Exhibits: Settlement Agreement.
8. Consider adopting a resolution authorizing the use of the City Seal on a commissioned Lawton Fort Sill Co-op coin in accordance with Chapter 1-1-120 of the Lawton City Code 2005. Exhibits: **Resolution No. 15-68** and Artwork rendering.
9. Consider authorizing staff to prepare and issue an RFP (Request for Proposals) for ATM services. Exhibits: None.

Phillips questioned if there was anything in the RFP about revenues for the city.

Brooks Mitchell, Finance Director, stated not at this time, the RFP is in draft form and they have not finalized all the details. Over the past few months the council has encouraged staff to put ATM's in other city buildings for the convenience to citizens. Once bids are received they will bring the contract back to council for approval.

Ihler stated we do have an ATM machine at another location and we do receive some revenue. He questioned if the council was interested in including that provision in the RFP.

Phillips stated if it was not included in the RFP at this time, she would like to see that included.

Ihler stated they would include in the RFP that the City would receive a percentage.

Jackson questioned if they were making headway with credit card transactions in revenue services and other places in the city.

Mitchell stated staff is working on that and hopes to have it up and running in the near future.

Wells suggested they look at the check clearers like they have at Walmart where they scan your check and then give it back to you.

MOVED by Phillips SECOND by Wells to authorize staff to prepare and issue an for ATM services to include a percentage or dollar figure to the City be included in the proposal. AYE: Jackson, Bellino-Hall, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

10. Consider authorizing staff to prepare and issue an RFP (Request for Proposals) for solid waste recycling services. Exhibits: None.

Phillips stated she is getting a lot of comments from people who are concerned that we are not going to have recycling services. She is trying to let them know that we are in the process of trying to do something a little more permanent. She stated they do hope to get a survey out to the citizens about whether or not they want to do it and how they would like to do it. This proposal is just to get more information to make recycling a permanent fixture in our city.

Ihler stated the RFP will be asking for information on several alternatives. One will be curbside service of recyclables. The second would be a single stream recycle facility and the third alternative would be a mixed waste facility. They are sending the RFP to multiple companies that provide these types of services. They will submit these proposals to the recycling committee.

MOVED by Phillips SECOND by Tanner to authorize staff to prepare and issue an RFP for solid waste recycling services. AYE: Jackson, Bellino-Hall, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

11. Consider approving contract with David Gish (David Entertains) performer for the 2015 International Festival and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Contract on file in City Clerk's office.
12. Consider approving the waiving of property (pavilion fees) usage fees in the amount of \$25.00 per pavilion per day if the pavilion is available not to exceed more that once a quarter annually in conjunction with the service provided by the organization adopting a park in their respective adopted park as set out in accordance with Chapter 7-31-3101 - 3112 of the Lawton City Code and Council Policy 9-2 Parade and Assembly Policy for Adopt-A-Park Agreement participating organizations. Exhibits: Current Adopt-A- Park Agreement.
13. Consider awarding a contract to the Association of South Central Oklahoma Government (ASCOG) to remove and dispose of all Asbestos Containing Material identified in a Phase 1 Environmental Site Review (ESA) conducted by DBA Guardian enterprises for 103 SW 4th Street (Wayne Gilley City Hall). Exhibits: Copy of Asbestos Cost Proposal and Asbestos Abatement Contract
14. Consider approving a Memorandum of Agreement between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement.

15. Consider approving Change Order No. 1 for an offsite construction of a drainage structure under the contract for the NW Arlington Avenue and NW 35th Street Drainage and Street Construction Project #2012-3 with MTZ Construction Inc. Exhibits: None.

Phillips stated she wanted to comment on the item because a street in her ward, Mickelgate Boulevard, has been added to this contract, which right now is closed off to traffic in that area because it is almost a sinkhole. She is glad that staff was able to piggyback this construction onto an existing project. She questioned the timeframe and asked if staff has notified Lawton Public Schools that the road is closed and will be closed for a while. That is a major thoroughfare in the Wyatt Acres area.

George Hennessee, City Engineer, stated staff has notified emergency services that the road is closed. As far as timing, they are trying to expedite as much as they can but the delay is in ordering the steel and getting it delivered. He has asked him to take the steel from the end of the Arlington project and put it into the Mickelgate project.

Phillips questioned if they are looking at 60-90 days.

Hennessee stated based on the assumption that council would approve this change order, he ordered the steel about ten days ago and it takes about six weeks for delivery. If they wait for the steel it will take about 2-3 weeks after delivery to construct the box.

Ihler stated they will go ahead and notify LPS so that they can adjust their bus routes.

MOVED by Phillips SECOND by Wells to approve Change Order No. 1 for an offsite construction of a drainage structure under the contract for the NW Arlington Avenue and NW 35th Street Drainage and Street Construction Project #2012-3 with MTZ Construction Inc
AYE: Jackson, Bellino-Hall, Burk, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

16. Consider approving plans and specifications for the 2nd St Improvement Project Phase I (From NW Columbia Ave to NW Ferris Ave, #2014-03) and authorizing staff to advertise for bids. Exhibits: Plans and specifications are on file in the Engineering Division office.
17. Consider awarding a construction contract to Williams Painting & Sandblasting, Inc. for the Industrial Elevated Tank & East Elevated Tank Re-painting Project (#2015-05). Exhibits: A copy of the agreement is on file in the City Clerk's office.
18. Consider awarding contract (CL15-042) Concrete Repair to Alfred Espinoza (Primary -Bid #1, items 1a-1d) of Lawton, OK and Allison Excavation (Secondary- Bid #2, items 1a-1d) of Cache, OK. Exhibits: Department Recommendation, Price Sheet.
19. Consider awarding contract (CL15-048) Sodium Hypochlorite to Petra Chemical Company of Dallas, TX (Primary Vendor) and Brenntag Southwest Inc. of Sand Springs, OK (Secondary Vendor). Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.

20. Consider awarding contract (CL15-050) Electric Motor Repair to Kay Electric of Lawton, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
21. Consider extending contract (RFPCL13-051) Maintenance of Public Grounds to Bedrock Nursery, Inc. of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
22. Consider extending contract (CL14-005) Nuisance Abatement – West Side to Teen Challenge of Cache, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
23. Consider extending contract (CL14-005) Nuisance Abatement – West Side to Lawn Wizards of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
24. Consider awarding contract (CL15-051) Custom Sail Shade Covers to Shade Systems Inc. of Ocala, FL. Exhibits: Department Recommendation, Price Sheet.
25. Consider approval of payroll for the periods of July 6 – 19, 2015.

NEW BUSINESS ITEMS:

26. Review and approve annual funding of the 2nd Annual Freedom Festival as established in Resolution 14-139 in the amount of \$65,000.00. Exhibits: None.

Jackson stated this was a great opportunity to give something back to the citizens and he felt it was a great event. They have already had their first committee meeting to start on next year, but they cannot go anywhere unless they have approval for this funding.

MOVED by Jackson SECOND by Wells to approve annual funding of the 2nd Annual Freedom Festival as established in Resolution 14-139 in the amount of \$65,000.00. AYE: Jackson, Bellino-Hall, Burk, Tanner, Phillips, Haywood, Wells. NAY: None. MOTION CARRIED.

FINANCE REPORT

Brooks Mitchell, Finance Director, reviewed major revenue items for the FY 2016 quarterly budget. He presented revenue and expenditure highlights for period ending June 30, 2015. (On file in the City Clerk's office). He stated he should have a draft of the audit report within the next few days. He stated the next audit will get started this fall and staff will start on the next budget in January.

Mayor Fitch stated according to the data they received through June, even though we were under budget in revenues, we were extremely under budget in expenses. He questioned if we should have a positive carryover for next year and what that amount could be.

Mitchell stated the carryover amount they estimated for the budget was \$900,000. It should be at least that and could be more.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

COL Waters stated this Friday at 9 a.m. at Fort Sill they are hosting their monthly retirement ceremony at the 95th Replacement Center. He stated on August 27th at 10 a.m., LPS and Fort Sill will conduct the opening ceremony for Freedom Elementary School.

Wells reminded everyone to vote on August 11th for the 2016 CIP program. He stated if we do not have alternate water resources in the future we will be in serious trouble.

Phillips stated she had a great time at the employee luncheon on August 24th. She got to meet many new people and we have a great group of employees who are proud to work for the City of Lawton.

Burk stated the Two Hearts Adoption event will be held at Animal Welfare on August 1st at 10 a.m.

Mayor Fitch stated on August 1st the Lawton Rangers will hold their breakfast as well as the Pioneer Women's Club memorial service. The rodeo will be held August 5-8 at 8 p.m. The rodeo parade will be on August 8th at 10 a.m. in downtown Lawton. On August 4th the 114th birthday celebration will be held at city hall. He stated they will recognize Dr. Charles Graybill with the Lawton Award of Excellence.

There being no further business to consider, the meeting adjourned at 7:01 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK