



City of Lawton

City Council

Agenda

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Tuesday, August 9, 2022

2:00 PM

**Lawton City Hall
Council Chambers/Auditorium**

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

REPORTS: MAYOR/CITY COUNCIL

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 approval of the minutes of the Lawton City Council regular meeting of July 26, 2022. [22-497](#)
Attachments: [26Jul22](#)
2. Consider the following damage claim recommended for approval: Brandi and Kyle Christensen in the reduced amount of \$14,232.13. [22-481](#)
Attachments: [DC-2022-016, Christensen, Brandi and Kyle - Memorandum](#)
[DC-2022-016, Christensen, Bandi and Kyle - Resolution and Warrant of Attorney](#)
3. Consider the following damage claim recommended for denial: Roberta Vowell on behalf of McArthur Park Townhouse Association in the amount of \$60.00. [22-482](#)
Attachments: [DC-2022-018, Vowell, Roberta - Memorandum](#)

4. Consider adopting a resolution approving the joint petition settlement and making payment in the worker's compensation claim of former employee, Stephanie Crawford. [22-474](#)
Attachments: [Resolution 22-](#)
5. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of former employee, Stephanie Crawford. [22-473](#)
Attachments: [Resolution 22-](#)
6. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04511A. [22-469](#)
Attachments: [Resolution 22-](#)
7. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Matthew McKinney in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-04512H and CM3-2019-04511A. [22-471](#)
Attachments: [Resolution 22-](#)
8. Consider renewing an agreement with Floyd & Driver, PLLC to assist the City with regulatory requirements associated with funding received in connection with the American Rescue Plan Act of 2021 and authorize the execution of the agreement. [22-468](#)
Attachments: [City of Lawton - LSA \(ARPA\)](#)
9. Consider approving an Agreement between the Lawton Fort Sill Chamber of Commerce and the City of Lawton, to include any floor amendments that may be made thereto, to fund activities by the Chamber designed to encourage, promote and foster tourism, including elements of economic development related thereto in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. [22-476](#)
Attachments: [HotelTaxTourismAgreement for Chamber 2022-2023 Final](#)
[Attachment B - Chamber HM Budget FYE 3-30-23 \(As Adjusted 6-24-22\)](#)

10. Consider approving an Agreement between the Lawton Economic Development Corporation and the City of Lawton to fund activities designed to encourage, promote and foster economic/industrial development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. [22-499](#)

Attachments: [LEDC Professional Svcs Agreement FY 2022-2023](#)
[LEDC-City FY 22-23 Atch A \[Performance Measures\] & Atch B \[Budget\]](#)

11. Considering approving a resolution amending Appendix A, Chapter A-19, Article A-19-7, Schedule of Fees and Charges, Lawton City Code, 2015, by adding adult softball registration fees, increasing the rental fees for athletic field rentals and reorganizing and simplifying said athletic field rental fees within the fee schedule, and authorizing the Mayor and City Clerk to execute the resolution. [22-495](#)

Attachments: [Res 22-](#)

12. Consider approving the revised and updated FY 2023 Memorandum of Understanding between the City of Lawton and the Lawton Metropolitan Planning Organization for metropolitan transportation planning, noting the increase in budgeted funds as approved by the Oklahoma Department of Transportation (ODOT). [22-439](#)

Attachments: [LMPO Agreement](#)

13. Consider approving a resolution amending the City of Lawton FY22-23 budget by appropriating up to \$1,547,164.13 to Engineering's Special Revenue Fund Construction, Improvements and Additions account to fund the replacement of existing sidewalks and construction of new sidewalks throughout the City. [22-487](#)

Attachments: [08.09.22 Medical Marijuana Resolution](#)

14. Consider approving an agreement between the City of Lawton and the Department of Transportation of the State of Oklahoma Project Number TAP3-2988(004) TP, State Job Number 32988(04)(05), which consists of Pedestrian/Bike improvements for the City Project Number EN1604 East Gore Blvd/I-44 Pedestrian Bridge. [22-194](#)

Attachments: [32988\(04\) Combined Urban Funding Agreement - ODOT let to City 7-25-2022.pdf](#)

15. Consider authorizing staff to issue a letter of intent to cancel CL22-028 Cationic Polymer contract with Hawkins, Inc. due to product incompatibility with current treatment plant infrastructure and authorize staff to rebid the contract. [22-467](#)

Attachments: [CL22-028 Cancellation](#)
[Termination Notice to Vendor-Draft](#)

16. Consider awarding CL22-052 Manhole Coating Product to Pipeline Video Inspection, LLC of Scottsdale, AZ. [22-472](#)

Attachments: [CL22-052 - Abstract](#)
[AWARD CL22-052 Manhole Coating Product](#)

17. Consider approving appointments to boards and commissions. [22-485](#)

Attachments: [Board Appointments- 08-09-2022](#)

BUSINESS ITEMS:

18. Consider accepting the FY 2021 Performer, a financial statement analysis report of the City of Lawton, as presented by Frank Crawford of Crawford and Associates. [22-475](#)

Attachments: [Lawton Performer 21 new format final](#)

19. Consider naming the drive that leads to Eastside Park “Keith Jackson Parkway” after former Councilmember Keith Jackson in honor of his work with youth sports and his years serving on City Council. [22-360](#)

Attachments: [Keith Jackson Parkway Map](#)

20. Consider approving an Agreement for Funding and Limited Support between the Fires Innovation Science and Technology Accelerator (FISTA) Development Trust Authority and the City of Lawton to fund the operation, management, administration, maintenance and equipping of FISTA facilities during the 2022-2023 fiscal year to encourage economic/industrial development in the City of Lawton and authorize the Mayor and City Clerk to execute the Agreement. [22-419](#)

Attachments: [2023 FISTA ANNUAL AGREEMENT](#)
[FISTA Proposed Budget FYE 6-30-23](#)

21. Consideration of approval for the Draft of the FFY 2022 Annual Action Plan (AAP) with an amendment to the 5-year Consolidated Plan (CONPLAN), acceptance of recommended amounts for Public Service Organization (PSO) Funding Request Applications, and revisions to Housing and Urban Development (HUD) funded programs submitted through the Housing & Community Development (HCD) office of the City. [22-478](#)

Attachments: [2022 AAP Funding Estimates 07142022](#)
[CPC Agenda 06302022](#)
[Presentation](#)

22. Receive an update on the Elmer Thomas Park & Lakes master plans along with discussion on any park items, receiving input from council, and give direction and guidance as deemed necessary. [22-488](#)

23. Consider authorizing the City Manager to use previously approved American Rescue Plan Act funding to offer a back to work incentive for new hires up to \$7,500.00 depending on the position, difficulty of the position to fill, or length of time to fill an empty position. [22-451](#)

Attachments: [Back To Work Exhibit.docx](#)

STAFF REPORTS:

- Receive an update on CIP Projects from Director of Engineering [22-489](#)

EXECUTIVE SESSION ITEMS:

24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an action relating to litigation against the manufacturers and distributors of opioids in an effort to hold them accountable for their marketing practices alleged to have caused public nuisance and monetary damages suffered by municipalities, specifically, the City's pending litigation in City of Lawton v. Purdue Pharma Inc., et al, CIV-19-78 as part of In Re: National Prescription Opiate Litigation MDL No. 2804, to include a discussion and consideration for approval a potential settlement with distributors Cardinal Health, McKesson Corporation and AmerisourceBergen Corporation, and if necessary take action in open session that may include the approval of one or more resolutions and/or other documents related to any such settlement. [22-434](#)

25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an action relating to litigation against the manufacturers and distributors of opioids in an effort to hold them accountable for their marketing practices alleged to have caused public nuisance and monetary damages suffered by municipalities, specifically, the City's pending litigation in City of Lawton v. Purdue Pharma Inc., et al, CIV-19-78 as part of In Re: National Prescription Opiate Litigation MDL No. 2804, to include a discussion and consideration for approval a potential settlement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively "Janssen"), and if necessary take action in open session that may include the approval one or more resolutions and/or other documents related to any such settlement. [22-502](#)
26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an action relating to litigation against the manufacturers and distributors of opioids in an effort to hold them accountable for their marketing practices alleged to have caused public nuisance and monetary damages suffered by municipalities, specifically, the City's pending litigation in City of Lawton v. Purdue Pharma Inc., et al, CIV-19-78 as part of In Re: National Prescription Opiate Litigation MDL No. 2804, to include a discussion and consideration for approval a potential settlement with Mallinckrodt PLC & Mallinckrodt LLC, and if necessary take action in open session that may include the approval one or more resolutions and/or other documents related to any such settlement. [22-503](#)

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."