

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 26, 2006 - 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 FOR SEPTEMBER TO JEFF WELCH, SAFETY AND RISK OFFICER IN THE HUMAN RESOURCES DEPARTMENT.

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.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF AUGUST 8, 2006.

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 claims which are over \$400.00: Anthony Rodriguez in the reduced amount of \$1,652.25, Julio and Donna Macias in the amount of \$640.61, Weldon and Debra Love in the reduced amount of \$25,000.00. Exhibits: Legal opinions/Recommendations, Resolution No. ____, Resolution No. ____, Resolution No. ____.
2. Consider the following damage claim as recommended for denial: Felix Martinez in the amount of \$100.00. Exhibits: Legal Opinion/Recommendation.
3. Consider approving contracts for cultural programming in the Lawton Metropolitan Area for events that commemorate the state's centennial. Exhibits: Contracts on file in City Clerk's office.
4. Consider adopting a Resolution approving the submission of a Transportation Enhancement (TE) grant application to the Oklahoma Department of Transportation for the landscaping and enhancement of the Tri-level interchange in North Lawton. Exhibits: Resolution No. 06 - ____ and Application Summary. A Complete Application is on file in the Office of the City Clerk.
5. Consider adopting a resolution approving the submission of a Transportation Enhancement (TE) grant application to the Oklahoma Department of Transportation for a streetscape enhancement project for 2nd Street from Gore Boulevard to SW A Avenue and authorize the Mayor to execute. Exhibits: Resolution 06- ____, Map, Funding Allocation Matrix. Complete application is on file in the Office of the City Clerk.
6. Consider adopting a resolution approving the submission of a Transportation Enhancement (TE) grant application to the Oklahoma Department of Transportation for a streetscape enhancement project for 2nd Street from SW A Avenue to SW C Avenue and authorize the Mayor to execute. Exhibits: Resolution 06- ____, Map, Funding Allocation Matrix. Complete application is on file in the Office of the City Clerk.

7. Consider accepting a warranty deed from Welch Enterprises, Inc. for right of way needed for the NuMu Creek Channel Improvement Project #2006-10, authorizing the Mayor and City Clerk to execute the deed and authorizing payment for same. Exhibits: Warranty deed is on file in the City Clerk's office.
8. Consider authorizing the Mayor and City Clerk to execute a contract with 050 Engineering Company for the design of the Sludge Processing Building Ventilation Project #2006-11. Exhibits: Agreement is on file in the Engineering Division office.
9. Consider adopting a resolution for the selection of a consulting engineer to conduct the bi-annual inspections required by the National Bridge Inspection Standards (NBIS) Program. Exhibits: Letter from ODOT, Resolution 06-____.
10. Consider approving the record plat for Hodges Addition, formerly know as Doe Doe Park Development, Part One, a Replat of portions of Blocks 6, 7, and 8, Radio City Addition. Exhibits: Plat Map.
11. Consider authorizing the Mayor to execute the recertification application for the Community Rating System of the National Flood Insurance Program. Exhibits: Recertification Application (on file in City Clerk's office).
12. Consider accepting a maintenance bond for the 8-inch waterline constructed to serve the Hospice Center located at 1001 SE 36th Street. Exhibits: Maintenance Bond on file in City Clerk's office.
13. Consider acknowledging receipt of a Tier 1 permit from the Oklahoma Department of Environmental Quality for the construction of 275 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Billingsley Hyundai Dealership located in the E/2 of the E/2 of the NW/4 of Section 20, T-2-N, R-12-W, I.M., City of Lawton, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's office.
14. Consider extending the contract (CL05-012) Refuse Containers with Wastequip Teem of Sioux Falls, South Dakota. Exhibits: Department Recommendation, Contract Extension Form.
15. Consider awarding (CL07-003) Axially-split, Double Suction Centrifugal Pump to Automatic Engineering, Inc., of Tulsa, OK. Exhibits: Department Recommendation, Abstract of Bids.
16. Consider approving appointments to boards and commissions. Exhibits: None
17. Consider approval of payroll for the period of August 28 – September 10, 2006. Exhibits: None.

OLD BUSINESS ITEMS:

18. Hold a public hearing and adopt a resolution declaring the structure at: 508 N.W. Arlington Avenue to be dilapidated public nuisance, 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: Resolution No 06-____; Summary documents with supporting photos. Reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services.

NEW BUSINESS ITEMS:

19. Hold a public hearing and consider an ordinance creating Article 18-12, Chapter 18, Lawton City Code, 2005, establishing the Downtown Lawton Overlay District and declaring an emergency. Exhibits: Ordinance 06-____.
20. Hold a public hearing and consider an ordinance amending Section 18-2-1-205, Lawton City Code, establishing the power to hear and decide appeals on the interpretation, requirement, decision or determination of the Architectural Review Committee for the Downtown Lawton Overlay District to the Board of Adjustment. Exhibits: Ordinance 2006-____.
21. Hold a public hearing and consider an ordinance changing the zoning from A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification located at 4102 NE Cache Road. Exhibits: Ordinance 06-____, Location Map, Application, CPC Minutes.
22. Hold a public hearing and consider an ordinance changing the zoning from A-1 (General Agricultural District) and F (Floodplain District) to R-1 (Single-Family Dwelling District) zoning classification with a Planned Unit Development overlay district located approximately ¼ mile south of NE Cache Road and ¼ mile west of NE Flower Mound Road. Exhibits: Ordinance 06-____, Location Map, Site Plan, Application, CPC Minutes.
23. Hold a public hearing and consider an ordinance annexing approximately 160 acres of land into the corporate city limits located in Southeast Quarter of Section 2, Township 1 North, Range 13 West, I.M. Comanche County, Oklahoma, providing for severability and declaring an emergency. Exhibits: Request Letter, Location Map, Ordinance 06-____, Notice of Publication.
24. Consider the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2005, receive a briefing on the CAPER, hold a public hearing to receive input from citizens, consider the CAPER, and approve the report for submission to HUD. Exhibits: None. (CAPER is on file in the City Clerk's office)

25. Consider approving an E-911 Consolidation Agreement between the City of Lawton and the Comanche County Board of County Commissioners, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement is on file in the City Clerk's office.
26. Consider providing financial support to the Santa Shops Lawton Campaign in the amount of \$5,000 (Five Thousand Dollars) to be used solely for the mega event grand prize of \$10,000 (Ten Thousand Dollars) at the request of the Lawton Fort Sill Chamber of Commerce and Industry and take action as deemed necessary. Exhibits: Letter from Lawton Chamber of Commerce, dated September 15, 2006.
27. Consider rejecting the only proposal received from Sagebrush Properties for the concession lease for the Robinson's Landing concession, review the revised draft agreement which includes a modified buy out clause and if approved direct staff to reissue the Request for Proposals (RFP) through the Lawton Water Authority and take any other action as necessary. Exhibits: Minutes of the February 14, 2006 report on the Robinson's Landing RFP and the proposed revised concession sub-lease.
28. 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 2006 primary and 2007 general municipal elections of the Mayor and designated City Council seats; setting a ballot title; and authorizing the Mayor to issue an election proclamation. Exhibits: Resolution 06-____ and Election Proclamation.
29. Consider an ordinance amending Section 1103 G, Article 11, Chapter 10, Lawton City Code, 2005, to include Lakeview Cable, Inc., as an authorized franchise within the City of Lawton, providing for severability and codification. Exhibits: A letter from Mr. Rowell providing the background of Lakeview Cable, Inc., and the areas presently serviced, Article 11, Chapter 10, LLC 2005, and Ordinance 2006-____.
30. Consider approving a resolution authorizing and calling for an election in the City of Lawton, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the question of approving a nonexclusive cable television franchise for Lakeview Cable, Inc., on December 12, 2006, and setting a ballot title and authorizing the Mayor to issue an election proclamation. Exhibits: Letter from William D. Rowell, President of Lakeview Cable, Inc. Resolution No. 06-____ and Proclamation.
31. Consider approving the addition of Council Policy No. 11-2, Community Service Program, providing for the procedures for the implementation of the City's Community Services Program and establishing an effective date of October 15, 2006. Exhibits: Proposed Council Policy 11-2.
32. Consider an ordinance amending Section 9-1-128, Article 9-1, Chapter 9, Lawton City Code, 2005, by increasing the rate of payment for imprisonment to Twenty-Five Dollars, and defendant guilty by reason of conviction shall be able to perform work on community service projects in lieu of fine or imprisonment, providing for severability, and declaring an emergency. Exhibits: Ordinance 06-____.

33. Consider an ordinance amending Section 1-1-119, Article 1-1, Chapter 1, Lawton City Code, 2005, by allowing the Municipal Judge to order community service in addition or in lieu of fine, providing for severability, and declaring an emergency. Exhibits: Ordinance 06-____.
34. Consider an ordinance amending Section 23-5-520-1, Article 23-5, Chapter 23, Lawton City Code, 2005, by increasing the rate of fines and community service upon conviction of driving under the influence while under age, providing for severability, and declaring an emergency. Exhibits: Ordinance 06-____.
35. Consider an ordinance amending Section 4-2-1-211.1, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by increasing the rate of fines and community service upon conviction of consumption or possession of low point beers by minors, providing for severability, and declaring an emergency. Exhibits: Ordinance 06-____.
36. Consider a request from the Kiowa, Comanche & Apache Intertribal Land Use Committee (KCAILUC) for a 50% (fifty-percent) discount on disposal of approximately 2,000 cubic yards of demolition debris from the rehabilitation and abatement of the “old” Southwestern Hospital building located on the 400 block of Lee Boulevard. Exhibits: Correspondence from KCAILUC, 11-18-05, Correspondence from KCAILUC, 7-28-06, Correspondence from KCAILUC to ASCOG, 3-21-2006.
37. Consider approving the proposed placement of City of Lawton job titles within grades in the previously approved job classification categories. Exhibits: Job categories with job titles and suggested grade placements.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

38. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the purchase of property which is necessary for the Numu Creek Channel Improvement Project #2006-10 and, if necessary, take appropriate action in open session. Exhibits: None.
39. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the appeal before the Oklahoma Supreme Court of the State of Oklahoma, Case No. SD-101934, City of Lawton vs. Public Employees Relations Board and American Federation of State, County, and Municipal Employees, and if necessary, take appropriate action in open session. Exhibits: None.
40. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Kelly Blake, and if necessary, take appropriate action in open session. Exhibits: None.

41. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the semi-annual evaluation review of Traci Hushbeck, City Clerk, and if necessary, take appropriate action in open session. Exhibits: None

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."