

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
SEPTEMBER 27, 2005 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

CLEAN AIR OF LAWTON AWARDS PRESENTATION

COMMENDATION FOR MACARTHUR HIGH SCHOOL KEY CLUB

PROCLAMATION FOR SICKLE CELL MONTH

PRESENTATION OF EMPLOYEE OF MONTH TO JACKIE WARD, FIELD SUPERVISOR IN THE STREETS DIVISION OF THE PUBLIC WORKS DEPARTMENT FOR THE MONTH OF SEPTEMBER.

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 MEETINGS OF AUGUST 9 AND AUGUST 23, 2005.

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 setting a public hearing on October 25, 2005 at 6 o'clock pm in the City Council Chambers to hear any comments for or against the annexation of a certain piece of property described as part of the Southwest Quarter of Section 23, Township 2 North, Range 11 West into City Limits. Exhibits: Location Map Notice of Public Hearing.
Page 1
2. Consider renewing the agreement between the Board of County Commissioners of Comanche County and the City of Lawton for library service to Comanche County residents living outside the City of Lawton. Exhibits: Agreement is on file in the City Clerk's office.
Page 4
3. Consider acknowledging receipt of a permit from the Oklahoma State Department of Environmental Quality for the construction of 1,076 linear feet of eight (8) inch PVC gravity sewer line and all appurtenances to serve the Bishop School, City of Lawton, Comanche County, Oklahoma. Exhibits: None
Page 5

4. Consider authorizing a fundraiser sponsored by local bands in southwest Oklahoma to be held in Elmer Thomas Park to benefit victims of Hurricane Katrina on Sunday, October 9, 2005 and charge a \$5.00 per person to attend while accessing by vehicle into the park and to sell food and drink concessions which all proceeds will go to the local Red Cross. Exhibits: Letter of request. Page 6
5. Consider authorizing a fund-raiser sponsored by the Lawton Civilian Police Academy Association to be held in Elmer Thomas Park to benefit the Lawton Police Department on November 5, 2005 for the purpose of funding the Annual Awards Banquet with coupons of \$2.00 per person being sold prior to the event. Exhibits: Letter of request. Page 8
6. Consider declaring an emergency and waiving the competitive bidding requirements for the Fire Station #4 Re-Roofing Project #2005-14. Exhibits: None Page 11
7. Consider approving the construction plat for Wolf Creek Town Center, Phase I, subject to conditions. Exhibits: Plat map. Page 13
8. Consider approving the construction plat for Wyatt Village Addition, Part 1, subject to conditions. Exhibits: Plat map and CPC minutes. Page 15
9. Consider approving the construction plat for Regal Estates, Part 5, subject to conditions. Exhibits: Plat map. Page 17
10. Consider authorizing the Mayor to execute the recertification application for the Community Rating System of the National Flood Insurance Program. Exhibits: Recertification Application is on file in the City Clerk's Office. Page 19
11. Consider ratifying the action of the Lawton Water Authority to approve the Surface Sub-Lease Contracts for Tract E- 14 and E-25 at Lake Ellsworth between the Lawton Water Authority and Cameron University, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Leases are on file in the City Clerk's Office. Page 20
12. Consider entering into an agreement with the Oklahoma State Department of Health to perform services related to Food Handler Permits and restaurant inspections. Exhibits: Memorandum of Agreement. Page 21
13. Consider adopting a street light resolution to authorize the installation of street lights at the specified locations. Exhibits: Street Light Resolution No. 437 Page 25
14. Consider approving a request from MPRI to produce a high-impact, quality pamphlet for the Phase III-Fort Sill 2050 plan and authorize the Mayor and City Clerk to execute the documents required for the grant application to the Oklahoma Strategic Military Planning Commission. Exhibits: Letter dated August 2, 2005 from MPRI to Dana Davis and Letter dated August 18, 2005 from MPRI to Larry Mitchell. Page 28

15. Consider rejecting bids for Biomonitoring Testing (CL06-002). Exhibits: Recommendation Memo, dated August 26, 2005, from Wastewater Treatment Plant Chief Chemist, Review Memo to WWTP dated August 24, 2005, from Financial Services Supervisor, Vendor's Mailing List, Bid Tabulation. Page 32
16. Consider approving the following contract extensions: A) Automatic Transmission Repair (CL05-016), K-Co DBA Mr. Transmission, of Lawton, Oklahoma – Equipment Maintenance B) Tire Recapping (CL04-005), Mileage Masters, Inc., of Oklahoma City, Oklahoma – Equipment Maintenance and C) Pest Control Services (CL04-028), Advanced Pest & Termite Services, of Fletcher, Oklahoma – Building Maintenance Page 37
17. Consider approval of payroll for the periods of August 29- September 11, 2005. Exhibits: None.

OLD BUSINESS ITEM:

18. Consider the following damage claim recommended for denial: Javier Solis. Exhibits: Copy of Claims Memorandum/Recommendation dated August 25, 2005. Page 38

NEW BUSINESS ITEMS:

19. Hold public hearings and adopt resolutions declaring the structures at: 807 SW 3rd Street, 914 SW E Avenue, 1511 SW Bishop Road, 309 NW Dearborn Avenue, 1202 SW F, Avenue, 811 SW Jefferson Avenue, 1817 SW Garfield Avenue, 2501 SW A Avenue to be dilapidated public nuisances, 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: Resolutions No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; Summary documents with supporting photos. Reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 41
20. Hold a public hearing to receive input from citizens and consider and receive a briefing on the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2004, and approve the report for submission to HUD. Exhibits: The CAPER is on file in the City Clerk's Office. Page 69
21. Consider an ordinance pertaining to recreation amending Sections 19-4-406 and 19-4-413, Article 19-4, Chapter 19, Lawton City Code, 1995 by setting provisions to allow animals to be hunted that are destroying property, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-____. Page 71

22. Consider a retainer agreement for professional services to be provided by Frank Waits, an independent contractor, and the City of Lawton for the hunting, trapping and removal of feral hogs on City owned property in accordance with the Lawton City Code Section 19-4-411-C5. Exhibits: Retainer Agreement for Professional Services. Page 74
23. Consider an ordinance amending, Section 19-6-606, Article 6-606, Chapter 19, Lawton City Code, 1995, pertaining to adding regulation to include the issuance of a three (3) inch identification number for the golf carts used at the lake areas by providing a definition of the term “golf carts” used at the lake areas, providing for severability and effective date. Exhibits: Ordinance No. 05-____. Page 78
24. Consider an ordinance pertaining to alcoholic beverages amending Section 4-1-1-109, Division 4-1-1, Article 4-1, Chapter 4, Lawton City Code, 1995 by omitting the regulation regarding on-premise consumption of alcoholic beverages in restaurants operated by concessionaires on City-owned Lake property and repealing Section 4-1-1-118, Division 4-1-1, Article 4-1, Chapter 4, Lawton City Code, 1995 and pertaining to Recreation amending Section 19-1-102, Article 19-1, Chapter 19, Lawton City Code, 1995, and Section 19-2-232, Article 19-2, Chapter 19, Lawton City Code, 1995, by raising the fine regarding the use of intoxicating beverages used on vessels on City lakes to be in conformance with State Statutes, providing for severability, repealer and effective date. Exhibits: Ordinance No. 05-____. Page 81
25. Consider adopting an ordinance pertaining to damage to municipal property, creating Section 1-3-301, Article 1-3, Chapter 1, Lawton City Code, 1995, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance No. 05-____ Page 85
26. Consider authorizing staff to proceed with the Solid Waste Refuse Collection Pilot Program approving the parameters for implementation of the program. Exhibits: Location Maps showing Pilot Program areas and List of Pilot Program parameters. Page 88

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

27. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss potential litigation regarding 3-Caldwell’s, Inc., and take appropriate action in open session. Exhibits: None Page 94
28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the consolidated law suit, in the Comanche County District Court, Comanche County Rural Water District No. 1, et al vs. City of Lawton and Lawton Water Authority, Case No. CJ-2003-928; and if necessary, take appropriate action in open session. Exhibits: None. Page 95

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."