

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 11, 2005 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATION FOR "FIRE PREVENTION WEEK".

PROCLAMATION FOR "LIGHTS ON AFTER SCHOOL DAY".

PROCLAMATION FOR "NATIONAL ARTS & HUMANITIES MONTH".

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 MEETING OF SEPTEMBER 13, 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 the following damage claim recommended for approval and consider passage of any resolution authorizing the City Attorney to file a friendly suit for the claim which is over 400.00: Nona & Johnny Brown in the amount of \$450.00. Exhibits: Legal Opinion/Recommendation; Resolution No. 05-____. Page 1
2. Consider the following damage claims recommended for denial: Willie F. Russell in the amount of \$1,050.00, Billy & Linda Cummings in the amount of \$1,500.00. Exhibits: Legal Opinions/Recommendations. Page 6
3. Consider authorizing the City Attorney to accept the sum of Fifteen Thousand Ten and 02/100 Dollars (\$15,010.02) for settlement of the City's subrogation interest in the personal injury case of Jason P. Hamilton. Exhibits: None. Page 11
4. Consider approving a promissory note executed by Dorothy Anthony in favor of the City obligating her to pay for damages to City property and authorize the Mayor to execute the note. Exhibits: Promissory Note. Page 12
5. Consider declaring a 1 ½ acre tract of land located in part of the Northwest Quarter of Section 31, Township 4 North, Range 12 West as surplus property, and authorize it to be sold at public auction and set a minimum bid of \$750.00. Exhibits: Request letter and Location Map. Page 15

6. Consider approving a Resolution amending Resolution 04-56 by providing for additional members and clarifying the duration of the Lawton Base Realignment and Closure Committee. Exhibits: Resolution No. 05-____. Page 18
7. Consider approving a resolution approving and supporting the efforts of Fort Sill and Land Legacy to create a buffer zone around the perimeter of Fort Sill. Exhibits: Resolution No. 05-____ and Buffer Zone map. Page 21
8. Consider denying a request for the installation of traffic control on SW “C” Avenue at 19th Street and the removal of traffic control on NW Erwin/23rd Street at Cache Road. Exhibits: Traffic Commission Minutes. Page 24
9. Consider approving a Resolution authorizing the installation of a traffic control device on NE Independence at Cache Road and at NW Compass and Euclid. Exhibits: Traffic Commission Minutes and Resolution No. 05-____. Page 27
10. Consider acknowledging receipt of a permit from the Oklahoma State Department of Environmental Quality for the construction of 4,692 linear feet of eight (8) inch PVC gravity sewer line, 1,561 linear feet of eight (8) inch PVC water line and 3,946 linear feet of six (6) inch PVC water line and all appurtenances to serve the Eastlake Addition Part 2, City of Lawton, Comanche County, Oklahoma. Exhibits: Permits are on file in the City Clerk’s office. Page 31
11. Consider adopting Resolution No. 05-____ amending Resolution 05-61 extending the moratorium on the issuance of building permits for the construction of buildings in an area bounded by the north right-of-way line of Ferris Avenue, the north right-of-way line of Gore Boulevard, the west right-of-way line of 4th Street, and the east right-of-way line of Railroad Street from April 15, 2005 to June 15, 2006. Exhibits: Resolution No. 05-____. Page 32
12. Consider approving a contract with SESAC, Inc. to obtain authorization for the City of Lawton to lawfully use the copyrighted musical compositions included in the SESAC repertory. Exhibits: Contract is on file in the City Clerk’s office. Page 35
13. Consider approving a request to enter into a contract application process with the Oklahoma Highway Safety Office and the City of Lawton for an overtime reimbursement of traffic enforcement project. It will also allow for the purchase of 2 hand-held radar systems to be used for this enforcement project and allow for public information and education events pertaining to it. This contract will be in conjunction with the Project Under 21 Enforcement Grant. Exhibits: Copy of the project contract application request in the amount of \$80,000.00 is on file in the City Clerk’s office. Page 36
14. Consider accepting the Highland Cemetery Road Overlay Phase III Project #2005-11 as constructed by T & G Construction, Inc. and placing the Maintenance Bond into effect. Exhibits: None Page 37

15. Consider ratifying the actions of the Public Works Director/City Engineer awarding a contract to BRB Metal Roofing & Manufacturing for the Fire Station #4 Re-Roofing Project #2005-14. Exhibits: None Page 38
16. Consider adopting a resolution extending the present five percent (5%) Emergency Telephone fee through June 30, 2006. Exhibits: Proposed Resolution No. 05-____ and Resolution No. 04-61. Page 39
17. Consider accepting the donation of a trained police dog. Exhibits: Memorandum of Understanding reference donation of “Major”, a police dog. Page 48
18. Consider awarding (CL06-005) VHF/UHF Portable & VHF/UHF Mobile Radio Equipment to Lawton Communications of Lawton, Oklahoma. Exhibits: Abstract of bids and department recommendation. Page 50
19. Consider awarding (CL06-007) Degreaser to Mid-American Research Chemical, of Columbus, Nebraska. Exhibits: Abstract of bids and department recommendation. Page 54
20. Consider awarding (CL06-010) Testing Services to Standard Testing and Engineering Company, of Lawton, Oklahoma. Exhibits: Abstract of bids and department recommendation. Page 57
21. Consider approving appointments to boards and commissions. Exhibits: None Page 65
22. Consider approval of payroll for the periods of September 12- 25, 2005. Exhibits: None.

OLD BUSINESS ITEM:

23. Consider declaring the structure at 915 C Avenue dilapidated. Exhibits: Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 67

NEW BUSINESS ITEMS:

24. Hold a public hearing and consider an ordinance annexing approximately 155 acres of land into the corporate city limits located in Southwest Quarter of Section 23, Township 2 North, Range 11 West, Comanche County, Oklahoma, and declaring an emergency. Exhibits: Petition, Location Map, Proposed Ordinance and Notice of Publication. Page 68
25. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Residential/Low Density to Commercial and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at 1702 - 1706 NW Ferris Avenue. Exhibits: Resolution No. 05-____, Ordinance No. 05-____, Location Map, Site Plans, Applications and Draft CPC Minutes. Page 75

26. Consider providing financial support to the Santa Shops Lawton campaign. Exhibits: Letter of request from the Lawton Fort Sill Chamber of Commerce. Page 94
27. Consider an appeal on the denial of a building permit for a garage conversion in a special flood hazard area located at 733 NW Heinzwood Circle submitted by Larry Sessums. Exhibits: Letter of Denial by the License and Permit Center, Map indicating floodplain, Notice of Appeal, Recommendation from Civil Engineer and Order. Page 96
28. Consider declaring a single tract of land described as Lots 1 through 42 of Block 3 of Plainview Addition as surplus property, and authorize the tract to be sold at public auction and set a minimum bid of \$21,000.00. Exhibits: Request letter and location map. Page 104
29. Consider terminating the Retainer Agreement for Professional and Legal Services with Ashton, Wisener & Munkacsy and approve the Retainer Agreement for Professional and Legal Services with J.W. Doolin of 802 D Partnership and authorize the Mayor and City Clerk to execute the document. Exhibits: Retainer Agreement for Professional and Legal Services on file in the City Clerk's office. Page 107
30. Discuss the potential of consolidating City of Lawton Emergency Operations with Comanche County and take appropriate action if necessary. Exhibits: None Page 108
31. Consider agreeing with the initial placement of City of Lawton job titles within the previously approved job classification categories. Exhibits: Job categories with job titles, market plan and previous council commentaries. Page 109
32. Consider approval of the City Manager's request to add two (2) staff positions to the Community Services Department and take the appropriate action necessary to amend the FY 2005-2006 Municipal Budget. Exhibits: Budget summary for Planning and budget summary for License & Permits. Page 119

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Jerry Lynn, and if necessary, take appropriate action in open session. Exhibits: None. Page 122
34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss collection of the City's deficiency judgment in US Mortgage vs. Shannon, et al, Case No. CJ-2004-198, District Court of Comanche County; and if necessary, take appropriate action in open session. Exhibits: None Page 123

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."

