

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 12, 2010 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF OML INOVATION AWARD FOR 2010.

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 the following damage claims recommended for denial: Juan and Catherine Alcala in the amount of \$122.00, and Clariece Brown and Jack Morgan in the amount of \$5,098.19. Exhibits: Legal Opinions/Recommendations Page 1
2. Consider the following damage claims recommended for approval: Tules Zavala and Jeffrey Vest in the amount of \$6,198.84 and Virgil Watson in the amount of \$72.91. Exhibits: Legal Opinion/Recommendation Page 8
3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Cody Don Zachary in the Workers' Compensation Court, Case No. 2010-03195A. Exhibits: Resolution No. 2010-_____ Page 15
4. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Kevin Ray Hardzog in the Workers' Compensation Court, Case No. 2010-05896F. Exhibits: Resolution No. 2010-_____ Page 18
5. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in directing our third party administrator to make payment on the judgment in the Workers' Compensation case of Deborah A. Sellers in the Workers' Compensation Court, Case No. 2009-15388F. Exhibits: Resolution No. 2010-_____ Page 21
6. Consider accepting donations for auditorium seats for the City of Lawton new city hall, and dedicate donated funds to the purchase of new auditorium chairs. Exhibits: Flyer for auditorium chairs. Page 24

7. 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. Page 27
8. Consider accepting a permanent and a temporary easement from Wyatt Development Company, Inc. for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing the Mayor to sign a thank you letter. Exhibits: Documents are on file in the City Clerk's office Page 30
9. Consider accepting a permanent easement from Wyatt Acres Realty Co. for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the document and authorizing the Mayor to sign a thank you letter. Exhibits: Document is on file in the City Clerk's office Page 31
10. Consider accepting a permanent and a temporary easement from Wyatt Development Company, Inc. for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing the Mayor to sign a thank you letter. Exhibits: Documents are on file in the City Clerk's office Page 32
11. Consider accepting a temporary easement from Wyatt Acres Realty Co. for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the document and authorizing the Mayor to sign a thank you letter. Exhibits: Document is on file in the City Clerk's office Page 33
12. Consider accepting a permanent and a temporary easement from Michael Todd Wyatt, Mitchell Scott Wyatt, Johnna Kay Parks and Shana Leigh Wyatt Horton for right of way needed for the NW 82nd Street Sanitary Sewer Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing the Mayor to sign a thank you letter. Exhibits: Documents are on file in the City Clerk's office Page 34
13. Consider awarding a professional services contract to Zia Corporation for the purpose of providing environmental engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. Exhibits: Retainer Agreement for Professional Engineering Services Page 35
14. Consider approving the construction plat for Settler's Crossing, subject to conditions. Exhibits: Plat Map Page 41
15. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 260 linear feet of 8-inch C900 PVC waterline and all appurtenances to serve Wyatt Village Addition, Part 2 located west of SW 82nd Street and south of Gore Boulevard in Section 31, T2N, R12W, Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office. Page 44

16. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 3,787 linear feet of 10-inch C900 PVC waterline, 1,673 linear feet of 8-inch C900 PVC waterline, 4,860 linear feet of 8-inch DR35 PVC sanitary sewer line, 37 linear feet of 8-inch DIP sanitary sewer line and all appurtenances to serve Rose Creek Addition, Part 1 located on the north side of Bishop Road, one half mile west of SW 38th Street in the SW/4 of Section 3, T1N, R12W, Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office. Page 45

17. Consider denying the request for traffic control measures on eastbound NW 40th Street near the intersection of NW 38th Street. Exhibits: Resolution No. 10 ____; Traffic Commission Minutes and Traffic Issue Request. Page 46

18. Consider extending contract (CL10-019) Pest Control Services to Advanced Pest & Termite Control of Sterling, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form Page 54

19. Consider awarding a contract for (CL11-003) Tracked Dozer to Kirby Smith of Oklahoma City, OK. Exhibits: Department Recommendation, Abstract of Bids Page 59

20. Consider awarding a contract for (CL11-004) Financing for Tracked Dozer to Calfirst National Bank of Irvine, Ca. Exhibits: Department Recommendation, Abstract of Bids Page 64

21. Consider awarding (CL11-005) Street Sweeper to United Engines of Oklahoma City, Oklahoma. Exhibits: Department Recommendation, Abstract of Bids Page 69

22. Consider awarding a contract for (CL11-006) Sodium Hydroxide to Brenntag Southwest, Inc., of Sand Springs, Oklahoma. Exhibits: Department Recommendation, Abstract of Bids Page 73

23. Consider awarding (CL11-007) 20 Ton Bursting Winch to Earth Tool Company of Oconomowoc, WI. Exhibits: Department Recommendation, Abstract of Bids. Page 76

24. Consider approving appointments to boards and commissions. Exhibits: None. Page 79

25. Consider approval of payroll for the period of September 20 – October 3, 2010.

NEW BUSINESS ITEMS:

26. Consider accepting the 2010 COPS Hiring Program Grant 2010UMWX0252. Exhibits: Letter of Approval. Page 81

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

27. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2010-2011 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None Page 88

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending public nuisance action involving Gert's Pub and Grub; and if necessary, take appropriate action in open session. Exhibits: Notice of Public Nuisance Letter; Updated Emergency Response List Page 89

29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action relating to the cracking of the foundation of the newly constructed Medicine Park Water Treatment Plant Water Storage Tank and if necessary, take appropriate action in open session. Exhibits: None Page 97

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."