

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 13, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF CITIZEN OF THE MONTH FOR OCTOBER 2009 TO MARJORIE HOLLIS.

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: Mi He Peacock in the amount of \$2,086.77, William Henson in the amount of \$356.00 and AT&T Telephone, L.P. in the amount of \$439.35. Exhibits: Legal Opinion/Recommendation.
2. Consider approving an Amendment to the Agreement for Judicial Services with Jon Oscar Lagerberg, and authorize the Mayor and City Clerk to execute the Amendment. Exhibits: Amendment is on file in the City Clerk's Office.
3. Consider approving an Amendment to the Agreement for Judicial Services with Nathan M. Johnson, and authorize the Mayor and City Clerk to execute the Amendment. Exhibits: Amendment is on file in the City Clerk's Office.
4. Consider approving an Amendment to the Agreement for Judicial Services with Felix A. D. Cruz, and authorize the Mayor and City Clerk to execute the Amendment. Exhibits: Amendment is on file in the City Clerk's Office.
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 Robert Edmonson in the Workers' Compensation Court, Case No. 2009-02530A. Exhibits: Resolution No. 2009-_____.
6. Consider approving a Contract for Services with Bill Phelps & Associates, LLC, beginning November 1, 2009 through June 30, 2010, for the purpose of providing professional consulting/lobbyist services to the City and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Contract for Services between Bill Phelps, the City of Lawton, and the Lawton Fort Sill Chamber of Commerce.

7. Consider adopting a Resolution authorizing the City of Lawton to apply for a grant from the Oklahoma Strategic Military Planning Commission, through the Department of Commerce, in the amount of \$625,000 for improvements to US-62 (Rogers Lane) at Sheridan Road and Fort Sill Boulevard, City of Lawton, and authorize the Mayor and City Clerk to execute all necessary documentation. Exhibits: 'Resolution 09- ____; Letter from Oklahoma Department of Transportation dated May 14, 2009; Proposed estimate of City of Lawton Costs for the Projects; Oklahoma Strategic Military Planning Commission Grant Application Form.
8. Consider accepting a grant between the Oklahoma Highway Safety Office (O.H.S.O.) and the City of Lawton – Police Department for an overtime reimbursement of traffic enforcement. This grant will also provide overtime reimbursement for the enforcement of the state and city laws governing the sale of alcoholic beverages to minors. Exhibits: None.
9. Consider a request to provide payment in-lieu of stormwater detention for St. James Apartments Unit No. 9 at 8802 NW Cache Road. Exhibits: None.
10. Consider setting the date of November 17, 2009, to hold a public hearing and consider closing a portion of a public utility easement on Lot 14, Block 1, Scissortail, Part 1, located at 1109 NE Scissortail Drive. Exhibits: Application, Site Plan and Location Map.
11. Consider acknowledging receipt of Tier I permits from the Oklahoma Department of Environmental Quality for the construction of 790 linear feet of 8-inch PVC waterline, 1,645 linear feet of 12-inch PVC water line, 750 linear feet of 8-inch PVC sanitary sewer line, 124 linear feet of 8-inch DIP sanitary sewer line, and all appurtenances to serve Dove Creek Addition, Part 3 located west of SW 52nd Street, north of Bishop Road in the SE/4 of Section 4, T1N, R12W, Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office.
12. Consider approving the construction plans for traffic signalization on East Gore Boulevard at the Fort Sill Apache Casino located at 2401 East Gore Boulevard. Exhibits: Site Plan.
13. Consider adopting Street Light Resolution No. 464 to authorize the installation/removal of street lights at the location listed in the Resolution. Exhibits: Street Light Resolution No. 464
14. Consider adopting a Resolution authorizing the installation of traffic control measures on: SW "D" Avenue from SW 6th Street to SW 11th Street; NW 40th Street between NW 38th Street and NW 39th Street; SE Elmhurst Lane from the intersections of SE 38th Street to SE 40th Street; NW 39th Street from the intersection of NW Santa Fe Avenue; NW Hilltop Drive. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 09-____.

15. Consider accepting a warranty deed and a temporary easement from Hildegard Powell for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Warranty deed and temporary easement are on file in the City Clerk's office.
16. Consider approving an agreement with PSA Dewberry for professional engineering design services for the Santa Fe Bridge Replacement Project #2010-2. Exhibits: A copy of the agreement is on file in the City Clerk's office.
17. Consider awarding a construction contract to Bowles Construction, Co. for the 2008 CIP Waterline Replacement Phases 1 & 2 Project #2008-12. Exhibits: Letter dated Sept. 21, 2009 from We Build, Inc.
18. Consider approving Change Order #1 for the Numu Creek Bridge Replacement Project #2008-15 with Wittwer Construction Co., Inc. Exhibits: None.
19. Consider awarding (CL10-008) Fluorosilicic acid to Pencco, Inc of San Felipe, TX. Exhibits: Department recommendation, Abstract of bids.
20. Consider awarding (CL10-012) Double Drum Vibratory Roller to C. L Boyd Company, Inc of Oklahoma City, OK. Exhibits: Department recommendation, Abstract of bids.
21. Consider awarding (RFPCL10-001) Employee Physicals/Drug Screen Testing-Section A (Physicals/Assessments) to the Center for Occupational Health, of Lawton, OK. Exhibits: Department recommendation, Proposal Price Sheets
22. Consider awarding (RFPCL10-001) Employee Physicals/Drug Screen Testing-Section B (Drug/Alcohol Testing) to Allied Health Research Laboratory, of Lawton, OK. Exhibits: Department recommendation, Proposal Price Sheets.
23. Consider awarding (CL10-014) 15 Ton Tandem axle trailer to Belshe Industries of Tecumseh, OK. Exhibits: Department recommendation, Abstract of bids.
24. Consider awarding (CL10-013) Excavator from C.L . Boyd Company, Inc of Oklahoma City, OK. Exhibits: Department recommendation, Abstract of bids.
25. Consider extending the contract (CL09-011) Personal Soft Body Armor from Special Ops Uniforms, Inc from Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
26. Consider extending the contract (CL09-010) Tactical Body Armor (Level III A) Vest from Oklahoma City, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.

27. Consider awarding (CL10-011) Asphalt Milling Machine from Asphalt Zipper, Inc. of American Fork, Utah. Exhibits: Department recommendation, Abstract of bids.
28. Consider extending the contract (RFPCL09-008) Emergency Notification System from Emergency Communications Network, Inc of Ormond Beach, Fl. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
29. Consider approving appointments to boards and commissions. Exhibits: None.
30. Consider approval of payroll for the period of September 21 – October 4, 2009.

OLD BUSINESS ITEMS:

31. Consider accepting an agreement between the City of Lawton, Oklahoma, and the Board of County Commissioners of the County of Comanche, Oklahoma Pictometry International, Corp., for the purpose of obtaining orthogonal and oblique digital images of the Earth's surface in Comanche County, captured from airborne platforms using Pictometry's patented and proprietary hardware and software capture systems and authorize the Mayor and City Clerk to execute all documentation as necessary. Exhibits: Proposed Agreement between the City of Lawton and Comanche County; Exhibit "1" of Proposed Agreement; Annual Cost breakdown.

NEW BUSINESS ITEMS:

32. Consider the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year (FFY) 2008, receive a briefing on the CAPER, hold a public hearing to receive input from citizens, and approve the report for submission to HUD, and authorize the Mayor to sign the approved CAPER. Exhibits: CAPER is on file in the City Clerk's Office.
33. Consider an ordinance amending Section 20-1-101 of the Lawton City Code modifying the requirements for revocable permits that may be granted administratively, limiting the issuance of revocable permits near water mains, and adding provisions for encroachments not otherwise meeting the requirements for a revocable permit, and declaring an emergency. Exhibits: Ordinance 09-____.
34. Consider approving a resolution amending the fees and charges related to revocable permits. Exhibits: Resolution 09-____.
35. Consider approving and authorizing a supplemental appropriation of Cellular Service Fee funds. Exhibits: Memorandum from Emergency Communications Supervisor to Police Chief

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

36. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010 between the American Federation of State, County and Municipal Employees (AFSCME), Local 3894, and the City of Lawton, and take appropriate action in open session. Exhibits: None.
37. Pursuant to Sections 307B.3, Title 25, Oklahoma Statutes, consider convening in Executive session to discuss the purchase of real property which is necessary for the NW Santa Fe Bridge Replacement Project #2010-2 and if necessary, take appropriate action in open session. Exhibits: None.
38. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the appointment of a particular applicant to the position of Municipal Judge. 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."