

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 27, 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 PROCLAMATION FOR PANCREATIC CANCER AWARENESS 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 REGULAR MEETING OF SEPTEMBER 21, 2009.

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 the resolution authorizing the City Attorney to file a friendly suit for the claims which is over \$400.00: Joella and Steven Wentz in the amount of \$1,446.28, William Swagger in the amount of \$33.50 and Andrew Fanning in the amount of \$1,000.00. Exhibits: Legal Opinion/Recommendation, Resolution No. 09-____ and Resolution No.09-____.
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2. Consider the following damage claims recommended for denial: Beth and Michael Sanchez in the amount of \$802.44. Exhibits: Legal Opinion/Recommendation.
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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 William Looney in the Workers' Compensation Court, Case No. 2004-15346H. Exhibits: Resolution No. 2009-____.
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4. Consider a Resolution permitting the use of Elmer Thomas Park 24 hours a day during the period March 16-22, 2010, as requested by the Vietnam Veterans of America. Exhibits: Resolution No. 09-____ and "The Wall That Heals" Exhibition Summary.
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5. Consider acknowledging receipt of a permit for the construction of a waterline and appurtenances from the Oklahoma Department of Environmental Quality to serve the NW 35th Street Waterline Project, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated September 25, 2009.
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6. Consider approving the Oklahoma Department of Transportation (ODOT) Change Order No. 3 for the NW 67th Street (Cache Road to Rogers Lane) Project #2003-7. Exhibits: None. Page 26
7. Consider approving Change Order #1 for the NW 2nd Street Enhancement Project #2005-12 with RCJ Construction, Inc. Exhibits: None. Page 27
8. Consider adopting a Resolution authorizing the installation of traffic control measures on: SE Coachman Drive; SW 'B' Avenue; NE Dove Lane, NE Tortoise Drive and NE 9th Street. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 09-____. Page 28
9. Consider granting an extension of time for the performance bond for drainage improvements in Scissortail, Part 1. Exhibits: None. Page 36
10. Consider approving the record plat for Arvest Bank Addition. Exhibits: Plat Map. Page 37
11. Consider a request by the Lawton Toy Run Committee, a non-profit organization, for the City of Lawton to co-sponsor and waive permit fees for the Lawton Toy Run to be held on November 21, 2009, which would benefit the children of our community during the 2009 holiday season. Exhibits: Council Policy 9-2, Request Letter from Lawton Toy Run Committee, IRS Letter, Proof of Non-Profit Status and Flyer for Lawton Toy Run Event. Page 39
12. Consider extending the contract (CL09-007) Electro Fusion Polyethylene Fittings for DR17 Pipe from ISCO Industries, LLC of Louisville, KY. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 45
13. Consider extending the contract (CL09-027) Laboratory Services of Toxic Pollutants from Accurate Environmental Laboratories. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 49
14. Consider extending the contract (CL09-014) Redi-Mix Concrete from Southwest Ready Mix of Lawton, Ok. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form. Page 54
15. Consider approval of payroll for the period of October 5 – 18, 2009.

OLD BUSINESS ITEMS:

16. 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 and Letters of Support.

NEW BUSINESS ITEMS:

17. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Residential/High Density to Public and an ordinance changing the zoning from R-3 (Multiple-Family Dwelling District) to P-F (Public Facilities District) zoning classification located at 1403 SW Summit Avenue. Exhibits: Resolution No. 09-____, Ordinance No. 09-____, Site Plan, Location Map, Applications and CPC Minutes. Page 67
18. Consider a request for funding assistance for the Lawton-Fort Sill Regional Airport in the amount of \$50,000 (Fifty Thousand Dollars) to complete jet fuel tank installation and repair to existing jet fuel tanks and take proper action as deemed necessary. Exhibits: Letter; Request for funding, Lawton Ft. Sill Regional Airport, dated Sept. 30, 2009, Resolution 05-54, Passed by Council May 26, 2009, Minutes from May 26, 2009 Council Meeting approving Resolution 05-54 and Joint Resolution with Lawton Fort Sill Chamber of Commerce. Page 81
19. Consider approving an ordinance amending Section 10-1-102, Article 10-1, Chapter 10, Lawton City Code, 2005, by amending the definition of “Public Improvement” to make the definition consistent with a recent amendment to the same term used in Oklahoma’s Public Competitive Bidding Act of 1974, providing for severability, and declaring an emergency. Exhibits: Ordinance 09-____. Page 87
20. Consider approving an ordinance adding Section 23-2-216, Article 23-2, Chapter 23, Lawton City Code, 2005, by adopting the state’s required language to be displayed on signage for physically disabled reserved parking spaces, providing for severability, codification and declaring an effective date of January 1, 2010. Exhibits: Ordinance No. 09- ____ and Examples – R7-8 & R7-8a signage. Page 91
21. Consider approving an Ordinance pertaining to Buildings, Construction & Housing amending Sections 6-6-1-601 and 6-6-1-604, Division 6-6-1, Article 6-6, Chapter 6, Lawton City Code, 2005, by establishing residential structural contractors and requiring general liability insurance for such contractors, providing for severability and declaring an emergency. Exhibits: Ordinance No. 09-____. Page 96
22. 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: Council Rules of Procedure, Proposed Agreement between the City of Lawton and Comanche County, Annual Cost breakdown Proposed Pictometry Agreement, Exhibits A-D available in City Clerk’s Office. Page 99

23. Receive a report on the City's financial condition for the 1st Quarter of Fiscal Year 2009-2010, and provide direction to staff. Exhibits: None. Page 107

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending damage claim of Jason Wells and if necessary, take appropriate action in open session. Exhibits: None. Page 108
25. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the appointment of a Municipal Judge and in open session, consider approving a proposed employment agreement and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Agreement to be distributed in executive session. Page 109

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."