

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 6, 2007 - 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 NOVEMBER 2007 TO OTILDA G. SMITH.

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 approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Renate and Jonathan Morgan in the reduced amount of \$1,360.74, Branding Iron BBQ, Inc. in the amount of \$495.00, Ezra and Adriene Davis in the reduced amount of \$10,263.47, Travis and Leslie Thorpe in the reduced amount of \$5,000.00, James and Nancy Elliott in the amount of \$3,440.31 and Damian Everette in the amount of \$17,500.00. Exhibits: Legal opinions/Recommendations, Resolution No. 07-____, Resolution No. 07-____, Resolution No. 07-____, Resolution No. 07-____, Resolution No. 07-____. Page 1
2. Consider the following damage claims recommended for denial: Tomas Tapia in the amount of \$30.00 and Julio and Donna Macias in the amount of \$901.38. Exhibits: Legal Opinions/Recommendations. Page 26
3. Consider approval of the Retainer Agreement for Professional Services with Mary Anne Derrico, RN, to provide professional services to the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement. Page 35
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 Jason Johnson in the Workers' Compensation Court, Case No. 2006-03032 X. Exhibits: Resolution No. 2007-____. Page 38
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 Darrell Southerland in the Workers' Compensation Court, Case No. 2007-01452 J. Exhibits: Resolution No. 2007-____. Page 41

6. Consider approving the Contract for Sale of surplus property located at 1210 SW G Avenue, in the amount of One Thousand Dollars (\$1,000.00), and authorize the Mayor and City Clerk to execute the Contract for Sale and a Quit Claim Deed. Exhibits: The Contract for Sale and Quit Claim Deed. Page 44
7. Consider approving a professional services agreement with Meyer Architecture Plus L.L.C./Structures America Innovative Engineering, PLC for the structural testing and evaluation of existing concrete flooring for the CJHS Restoration Project – Phase II. Exhibits: Structures America Innovative Engineering, PLC agreement for Provision of Limited Professional Services and October 29, 2007 Memo from Gary Armbruster, AIA, Meyer Architecture Plus. Page 50
8. Consider entering into an agreement with CGI Communications, Rochester New York, to provide promotional videos of the City of Lawton free of charge showcasing the City of Lawton. Exhibits: CGI Communications Agreement, Letter of Introduction of CGI Communications. Page 55
9. Consider approving the first option to renew request from Kent Waller in accordance with Amendment No. 3 of the Ground Lease and Non-Exclusive Concession Operation agreement between the Lawton Water Authority, Schoolhouse Slough, Inc., and the City of Lawton, Oklahoma. Exhibits: Amendment No. 3 of lease, Council Agenda December 10, 2002 and letter of request from Mr. Kent Waller to excise his first (1st) five (5) year option. Page 60
10. Consider approving cooperative purchase agreement for the Holiday in the Park, “Holiday House”. Exhibits: Holiday House Cooperative Purchase Agreement Page 65
11. Consider approving operation agreement for the Holiday in the Park, “Holiday House”. Exhibits: Holiday House Operation Agreement. Page 69
12. Consider approving plans and specifications for the Water Storage Tank Floor Project #2007-9, authorizing additional funding and authorizing staff to advertise for bids. Exhibits: None. Page 79
13. Consider approving Change Order #1 for the Lake Ellsworth Bypass Project #2004-2 with Bowles Construction Company. Exhibits: None. Page 80
14. Consider adopting a Resolution authorizing the installation of traffic control measures along NE Brentwood Dr., NW Euclid Dr., NW Santa Fe Dr., and NW 40th St. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 07-____. Page 81
15. Consider denying the request for installation of traffic control measures along NE Brentwood Dr., and NE Shelter Creek Dr.; and at the intersection of NW 40th and NW Meadow Brook Dr.; and SW Arbuckle Avenue and SW Chisholm Trail Blvd. Exhibits: Traffic Commission Minutes, Traffic Issue Requests. Page 93

16. Consider accepting the 12-inch waterline constructed in the 7600 block of NW Cache Road to serve Southwest Plaza, maintenance bond, and easements. Exhibits: Location Map. Maintenance Bond and Easements on file in City Clerk's Office. Page 104
17. Consider approving the construction plat for Katy Ridge subject to conditions. Exhibits: Plat Map. Page 106
18. Consider approving the construction plans for a 6-inch waterline crossing Gore Boulevard for a fire hydrant to serve #1 SW 11th Street. Exhibits: Location Map. Page 108
19. Consider approving the record plat for The Highlands, Part 1, and accepting an escrow in lieu of completing functional improvements, easements outside the platted area, money in lieu of park land dedication, and money in lieu of detention. Exhibits: Plat Map. Easements are on file in the City Clerk's office. Page 110
20. Consider entering into a Lease-Purchase Agreement with Opela Partners, LP, for approximately 2,106 linear feet of 10-inch diameter sanitary sewer main located east of SW 52nd Street and north of SW Bishop Road and accept maintenance bond. Exhibits: Sanitary Sewer Main Location Map and Lease Purchase Agreement with exhibits. Maintenance Bond on file in City Clerk's Office. Page 112
21. Consider setting the date of December 11, 2007, to hold a public hearing and consider an ordinance closing portions of SW 24th Street and SW 24th Place south of Jefferson Avenue. Exhibits: Application, Location Map and Council Policy 5-1. Page 125
22. Consider awarding (CL08-014) Water Purification Unit to Fisher Scientific Co. LLC of Hanover PK, IL. Exhibits: Department recommendation, abstract of bids. Page 130
23. Consider awarding (RFPCCL08-015) H.C. King Re-Roofing Project to Clayco Industries Inc. dba Ford Roofing & Sheet Metal Co. of Lawton, OK. Exhibits: Department recommendation. Page 133
24. Consider approval of payroll for the period of October 15 - 28, 2007.

BUSINESS ITEMS:

25. Hold public hearings and adopt resolutions declaring the structure(s) at: 618 S.W. "H" Avenue, 622 S.W. "H" Avenue, 626 S.W. "H" Avenue, 1409 S.W. Oklahoma Avenue, 1914 S.W. "B" 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. Summary documents with supporting photos and reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 136

26. Hold a public hearing and consider an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to C-1 (Local Commercial District) zoning classification located at #1 Morford Drive and 1925 West Gore Boulevard. Exhibits: Ordinance 07-____, Location Map, Application, Site Plan and CPC Minutes. Page 152
27. Consider waiving Council Policy 1-6, and if approved, reconsider the naming of S.W. G Avenue from 3rd Street to 6th Street to Dr. Joe R. Williams, Sr. Avenue and if renamed back to S.W. G Avenue, approve the dedication of S.W. G Avenue from 3rd Street to 6th Street in honor of Dr. Joe R. Williams, Sr. Exhibits: Minutes from the Lawton City Council meeting of May 8, 2007. Page 162
28. Consider an ordinance adding Section 2-5-1-502, Division 2-5-1, Article 2-5, Chapter 2, Lawton City Code, 2005, by establishing guidelines for renaming of public streets and honorary designation of streets, providing for severability, codification and establishing an effective date. Exhibits: Ordinance No. 07-____. Page 165
29. Consider an ordinance adding Section 2-5-1-502, Division 2-5-1, Article 2-5, Chapter 2, Lawton City Code, 2005, by establishing guidelines for the honorary designation of a street, providing for severability, codification and establishing an effective date. Exhibits: Ordinance No. 07-____. Page 168
30. Discuss Chapter 18-8-1-804, Lawton City Code 2005 regarding criteria for driveways and openings for one and two family dwelling units and take appropriate action if necessary. Exhibits: Chapter 18-8-1-804, Lawton City Code, 2005. Page 171
31. Discuss Chapter 22-2-1-215, Lawton City Code, 2005, regarding water leak adjustments and take appropriate action if necessary. Exhibits: Chapter 22-2-1-215, Lawton City Code, 2005. Page 174
32. Discuss and take appropriate action as necessary concerning a request to consider cost share assistance with Indian Nation Wholesale for the cost of required fire hydrant as related to their building project located at 3602 SW 11th Street. Page 178
33. Consider an ordinance pertaining to animals amending section 5-1-101, 106 and 106.1, Article 5-1, Chapter 5, Lawton City Code: by providing for the definition of health certificate; by providing that the voluntary transfer of dogs and cats without compensation shall not require a BAT permit if the animal is already spayed or neutered and has a license with the City; by providing that pet shops shall only sale dogs and cats acquired from USDA licensed breeders, breeders who have obtained a BAT permit from the City of Lawton, or breeders from within the State of Oklahoma, and each dog or cat acquired must have health certificates and vaccination records; providing that no pet shop will accept any dogs or cats from the public unless the animals are already spayed or neutered and have an “A” license; and establishing that pet shops will provide the Lawton Animal Welfare Division the original copy of the pet shop advertising/transfer form no later than the last day of each month; providing for severability; and declaring an emergency. Page 180
34. Consider receiving a report on the City’s financial condition for the 1st Quarter of fiscal year 2007-2008, and provide direction to staff. Exhibits: None. Page 188

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

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."