

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 11, 2014 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor
Presiding

Also Present:
Bryan Long, City Manager
Tim Wilson, Deputy City Attorney
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:14 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Charles Barnett, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bob Morford, Ward One
Keith Jackson, Ward Two
Rosemary Bellino-Hall, Ward Three
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
Doug Wells, Ward Eight

ABSENT:

None

PROCLAMATION FOR PSI UPSILON CHAPTER, OMEGA PSI PHI FRATERNITY, INC.
WEEK

Mayor Fitch proclaimed the week of November 10 – 17, 2014 as Psi Upsilon Chapter, Omega Psi Phi Fraternity, Inc. Week and November 17, 2014 as Psi Upsilon Chapter, Omega Psi Phi Fraternity, Inc. Day. He presented the proclamation to members of the fraternity

EMPLOYEE SPOTLIGHT PRESENTATIONS TO DOUGLAS STAMPER-STREET
DIVISION, GARY BISHOP-STREET DIVISION, JEREMY RUSSELL-STORMWATER
MANAGEMENT DIVISION AND ANGELA RICHARDS-BUILDING MAINTENANCE
DIVISION.

The City Manager and Mayor recognized employees for their outstanding performance.

AUDIENCE PARTICIPATION:

Chris Berry, President of the Forest Service Council, which is the governing body of the National Federation of Federal Employees within the Forest Service, stated on October 9, 2014, the Department of Labor issued a final notice that the Treasure Lake Job Corps would be closed. The National Federation of Federal Employees is going to work to make sure this does not happen. The closure is a loss of over \$6 million a year to this community. Many of their employees will be uprooted and given employment elsewhere and others will be terminated. Sixty percent of the students at Treasure Lake are Oklahomans. The criteria do not take into account the unique contributions that forest service conservation centers make to the rural community. They believe that Treasure Lake needs to be saved.

Shawn Patterson, Vice President of the Forest Service Council, stated next week they are going to Washington to meet with Senator Inhofe and Congressman Cole, who are opposed to closing Treasure Lake. They will be working with them on different solutions on how to stop the closing. He requested the council and audience contact representatives in Washington and let them know that you oppose the closing.

Mayor Fitch stated a resolution was submitted to the Department of Labor supporting the continuing operation of Treasure Lake Job Corp. He suggested council members send a brief email to Senator Inhofe and Congressman Cole. He questioned the name of Congressman Cole's staff person.

Mr. Patterson stated Sandra Brown.

Mayor Fitch stated he and several council members will be in contact with the congressional delegation regarding keeping the center open. It has been beneficial in keeping a lot of youth employed and the center has been an asset to the community.

Haywood stated the center keeps students out of trouble and helps them get their GED. He stated they support them 100%.

CONSENT AGENDA

Tanner requested items #2 (Hughes claim) and #12 be considered separately.

MOVED by Jackson SECOND by Morford to approve the consent agenda with the exception of items #2 (Hughes claim) and item #12. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claim recommended for approval: Charles and Jennifer Tadlock and Jessika Powell in the amount of \$407.76. Exhibits: Legal Opinion/Recommendation and **Resolution No. 14-143**.
2. Consider the following damage claims recommended for denial: Danny Willis in the amount of \$400.00, and Howard and Stacey Hughes in the amount of \$100.00-\$150.00. Exhibits: Legal Opinions/Recommendations.

Tanner requested staff explain the policy when we go out and do repairs to water main leaks. Some are emergency repairs and some are non-emergency repairs.

Kelea Fisher, Assistant City Attorney, stated city code states that in the event that the city is required to make a non emergency repair to an irrigations system in the prime easement, we are required to give 48 hours notice. That is not typically the situation, we generally have emergency repairs like this situation where we had a call in at 5:52 a.m. for an emergency water main break and we were out three hours later. In an emergency situation we are not required to give notice. The ordinance does state that we are not allowed to act negligently, but we are exempt as long as we stay in the easement and we are performing the repair.

Tanner stated in a non-emergency repair situation, the city is required to give notice to the property owner to allow them to mark the location of their sprinkler heads, lines, etc. Once the lines are marked and if the city damages these lines we would be considered negligent and possibly pay for the damage.

Fisher stated not necessarily and not in every situation.

Tanner stated in this situation it was an emergency repair. He agrees with the reasoning to deny the damage claim to Mr. and Mrs. Hughes, but he just wanted to clarify that if it is a non-emergency repair, the city will notify the citizen. If it is an emergency repair, we are coming out and do our best not to damage anything, but if we do damage something and you have your sprinkler system in the city easement, then that is on you, which is the situation in this case.

Fisher stated there is a corresponding Council Policy 5-3, because there are homeowners across the city that have encroachments such as fences and sprinkler systems that are in the easement and we can't ask them to remove them, they do so at their own risk.

Tanner stated he appreciates those that go out and repair those leaks. The back hoe operator did strike the sprinkler system and he properly documented the event on his work sheet. He did not report the damage to the homeowner and this is his issue. If a city employee knows that they damaged the sprinkler system he wishes we had a policy in place where they would notify the homeowner. In this case there was not a lot of water loss but there could be a scenario where the homeowners are gone for the week and the water just flows and they could have an extremely high water bill.

Long stated staff could draft a change to the council policy if the council desires to do so

Tanner stated if you are a city employee and you know you damaged the water line, the neighborly thing to do would be to notify the homeowner.

Long stated they can make that point well known to city staff.

Fisher stated it is typically our practice to notify homeowner. She did not find a policy or ordinance that would require her to recommend payment of the claim. It is typically our practice, but that does not mean that we were negligent and we needed to pay the claim outside of the compliance of the ordinance or the policy as they currently exist.

Tanner stated Mr. and Mrs. Hughes are being reasonable. Will they accept an amount between the range of \$100 - \$150?

Fisher stated they submitted two estimates for repair, one for \$100 and one for \$150.

Tanner stated they also have utility bill usage for water at \$94.22.

Fisher stated the city would not be liable for the entire amount of their utility bill usage. They did check the water usage during that time frame and it did not run continuously as they indicated. Whether or not we were liable for the usage would stem from whether or not we were liable for the initial damage and she does not believe we were.

Burk stated the sprinkler was in the easement and whenever you put something into the easement, you take it upon yourself that you are in the easement. He stated if he noticed it, he would have hoped the employee went to the door and notify the homeowner. But in no way does he feel that we are responsible for anything in the easement. Everyone has sprinklers and fences in the easement and we take it upon ourselves when we put them there. There is no way he will support paying for a sprinkler repair that is in the easement.

Tanner stated he agrees that if you build a sprinkler system in the easement, if it is an emergency repair it is on you. The issue he is bringing up is the back hoe operator admitted to damaging the sprinkler system and he made note of it in his log, and at that point who is responsible for notifying the homeowner. If someone would call him he would be more than happy to go up and say “hey we damaged your sprinkler system, you need to do something about it”. He would be more than happy to tell them that we are not responsible for the cost of these repairs because it was in the easement. He feels it would be the neighborly thing to do to go inform the homeowner when you know you damaged their sprinkler.

Belinno-Hall stated it is not a law, we just didn’t do the neighborly thing and we need to move on. You cannot legislate being neighborly. She has had her sprinkler system torn out for several thousand dollars, but she put it in the easement and she knew that could happen. Did they tell her they did it? No. Did they tell her they pulled the pipe out from under the concrete driveway that she had to repair? No. It is her responsibility because she put it there. You cannot legislate neighborly. They need to move on.

Tanner stated he is not wanting to pay for the repairs, but he would like to help him out with the water of \$94.22.

MOVED by Tanner to pay the claim of Howard and Stacey Hughes in the amount of \$94.22.
MOTION DIED DUE TO LACK OF SECOND.

MOVED by Jackson SECOND by Burk to deny the claim of Howard and Stacey Hughes in the amount of \$100.00-\$150.00. AYE: Morford, Jackson, Bellino-Hall, Burk, Zarle, Haywood, Wells. NAY: Tanner. MOTION CARRIED.

3. Consider adopting a resolution ratifying the action of the City Attorney and the City Manager in making payment on the judgment in the Workers' Compensation case of Darrell Southerland in the Workers' Compensation Court of Existing Claims, Case No. 2014-00589F. Exhibits: **Resolution No. 14-144.**
4. Consider approving the Retired and Senior Volunteer Program (RSVP) staff to pursue application for a 2015 grant from Leslie Powell Foundation for the benefit of RSVP in the amount of \$1,250.00. Exhibits: Leslie Powell Foundation grant information, instructions and form.
5. Consider dissolving the Lawton Metropolitan Area Air Quality Committee. Exhibits: Current Membership of the LMAAQC and proposed membership for the Air Quality Stakeholder Advisory Committee.
6. Consider accepting a warranty deed from Robert S. & Valerie A. Cook, husband & wife, for right of way needed for the SW 52nd Street Project# 2012-4, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Document is on file in the City Clerk's office.
7. Consider accepting a warranty deed from Keith & Joan Hall, husband & wife, for right of way needed for the SW 52nd Street Project# 2012-4, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Document is on file in the City Clerk's office.
8. Consider accepting a warranty deed from Muhammad J. Zia & Zareen Kousar, husband & wife, for right of way needed for the SW 52nd Street Project# 2012-4, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Document is on file in the City Clerk's office.
9. Consider acknowledging receipt of a permit for the construction of waterline and appurtenances from the Oklahoma Department of Environmental Quality to serve the 2014 Waterline Replacement Phase 1 Project #2014-8, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated October 15, 2014 on file in the City Clerk's office.
10. Consider rejecting all bids, allow modifications to the drawings and rebid the project for the Landfill Equipment Maintenance Building Project #2008-06. Exhibits: A copy of the bids is on file in the City Clerk's office.
11. Consider extending contract (CL14-014) Crane Services to Dale Miller Enterprises of Lawton, OK for an additional year. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.

12. Consider awarding (RFPCL15-012) Collection of Overdue Utility Bills to Glass Mountain Capital LLC of Schaumburg, IL. Exhibits: Department Recommendation, Abstract of Bids.

Brooks Mitchell, Finance Director, stated the previous contract was up so staff put it out for bid. The current company proposed an increase in rates by 3-4%. The company that is recommended came up with a good proposal.

Tanner questioned if the secondary account is the one that we will be transferring over.

Mitchell stated the current company we have has indicated that they would be happy to keep the claims that have already been assigned to them. We are not anticipating a wholesale transfer of old claims to the new company. We may transfer some.

Tanner stated we are going to keep what we have already with the existing company, we are not transferring any of those claims to the new folks.

Mitchell state yes, the overwhelming majority.

Tanner stated the majority are going to stay with United Adjustment Corporation. They are charging 13.5% now and they are going to keep that exactly the same. The memo says “should we decide to leave existing accounts with United Adjustment and not transfer them to a new collection agency, we would not incur the additional expense of higher secondary account collection rates offered under Glass Mountain and ARC’s proposals”. He questioned why we were changing in the first place.

Mitchell stated again, they wanted to increase their rate on primary collections.

Tanner stated it went up ½ %.

Mitchell stated no, they went up 3-4%.

Mayor Fitch questioned if Councilmember Tanner had all his questions answered.

Tanner stated no. The company that we use now charges 13.5% of what they collect. This year’s proposal they went up on any new collections that we would give to them. They would be 15%?

Barbara Curren, Revenue Services Supervisor, stated it would be 17.5%.

Tanner stated we are going to basically leave most of what United Adjustment Corporation has now under their collection contract at 13.5%.

Mitchell stated yes.

Tanner stated then staff has recommended hiring Glass Mountain Capital and they are a little higher to collect this amount.

Mitchell stated not for the primary accounts. The primary accounts that will go to Glass Mountain will be 13%. If we were to move secondary accounts to Glass Mountain, it would be higher, but the plan is not to do that.

Tanner stated we are choosing Glass Mountain because their recovery rate is better.

Mitchell stated that is what they have represented and we want to give them that opportunity.

MOVED by Burk SECOND by Jackson to award (RFPCL15-012) Collection of Overdue Utility Bills to Glass Mountain Capital LLC of Schaumburg, IL. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

13. Consider approving appointments to boards and commissions. Exhibits: None.

Airport Authority

David Aubry
807 N Sheridan Road
Lawton, Oklahoma 73505
12/31/15

City Planning Commission (CPC)

Ron Jarvis
3605 NW Julie Drive
Lawton, Oklahoma 73505
12/14/17

John A. Pereira
218 NW Mimosa Lane
Lawton, Oklahoma 73507
12/14/17

Historical Preservation Commission

Dr. Suzanne Crawford - Professional Historian
3320 Atlanta
Lawton, Oklahoma 73505
12/14/16

14. Consider approval of payroll for the period of October 27 - November 9, 2014.

OLD BUSINESS ITEMS:

15. Consider an ordinance amending Sections 15-2-201, and striking Paragraph H of Section 15-2-204, Chapter 15, Lawton City Code, 2005, establishing the maximum fines for allowing the accumulation of weeds and/or trash on properties within the City of Lawton and allowing rental property management companies and real estate agents to participate in the voluntary registration and notification program. Exhibits: Ordinance 14-__.

Steven Greb, Assistant City Attorney, stated this ordinance makes changes to the trash and weed regulations. At the last meeting council considered this item and directed staff to remove certain provisions of the ordinance. This is the version that is included in the agenda book. Since that time, additional changes have been made and the revised ordinance has been distributed. The

ordinance changes the fee schedule associated with violations of the weed and trash ordinance. It also creates a service that the city will provide to warn property management companies and real estate companies of possible violations if they will voluntarily register their properties with the city. The most recent version clarifies when these companies are not to be presumed being in control of the property for the purposes of defining the code.

Wells stated he attended a meeting on behalf of Richard Rogalski, Community Services Director, based on council guidance at the last meeting. Based on the meeting with the group, they had a couple of other recommendations based on the ordinance they had in hand.

MOVED by Wells SECOND by Morford to adopt **Ordinance 14-34**, with the following alterations and amendments to section 1 of the amended ordinance: Section 15-2-201 deleting paragraph B.3 and C.3 and in paragraph D, Section 15-2-201 delete the proposed language in its entirety and substitute the following language as a new paragraph D: When a property is occupied by a tenant or other lessee whose lease agreement includes maintenance of the premises by the tenant, the rental property management company will not be presumed to be in control of the property. A real estate company that merely lists for sale a property subject to this article will not be presumed to be in control of the property, waive the reading of the ordinance, read the title only.

Tanner stated during the last council meeting they worked up a paragraph where there was a substitution D: When a property is occupied by a tenant or other lessee whose lease agreement includes maintenance of the premises, well that's a given right there.

Wells questioned if Councilmember Tanner had a substitute motion.

Tanner stated he though they were just having discussion. He wanted to read what they had worked up for the last meeting when they were talking about who is in control of the property. "For the purpose of this section the term control means the power, the authority, the ability to manage, direct, superintend, restrict, regulate, govern, administer or oversee the property. A person in control of such property includes, but is not limited to any rental property management company, any property preservation company, or any person contractually responsible for the care, upkeep, maintenance of the property, provided when such property is occupied by a tenant or other lessee whose lease agreement includes maintenance of premises". The provision he suggested they add is "or when the property management agreement relieves the property management from any repair, maintenance and upkeep of the rental property, then the rental property management company will not be presumed to be in control of the property. A real estate company that merely lists for sale a property, subject to this article, will not be presumed to be in control of the property". The only difference in the language that Councilmember Wells had and what he is suggesting is "or when the property management agreement relieves the property management company from any repair, maintenance and upkeep of the rental property." He has personally had property managers and he used to let them do repairs, but sometime when it came time to collect his money, he owed them money and it was just too much so he said look, you folks don't manage my property as far as the maintenance and repair, I'll do that, you call me and then I'll go out and take care of it.

Mayor Fitch questioned if Councilmember Tanner had a substitute motion.

SUBSTITUTE MOTION by Tanner to add “or when the property management agreement relieves the property management company from any repair, maintenance and upkeep of the rental property” to the last version of the ordinance. MOTION DIED DUE TO LACK OF SECOND.

VOTE ON ORIGINAL: AYE: Morford, Jackson, Bellino-Hall, Burk, Zarle, Haywood, Wells.
NAY: Tanner. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-34

An ordinance pertaining to weeds, grass and trash, amending Section 15-2-201 and striking paragraph H of Section 15-2-204, Article 15-2, Chapter 15, Lawton City Code, 2005, by establishing the maximum fines for a violation of said article, expanding the persons eligible to participate in the volunteer registration and notification program, providing for severability and establishing an effective date.

16. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, modifying the fee associated with the registration of rental properties, and establishing a fee for the voluntary registration of real estate companies to receive notifications of tall weeds, grass and trash violations. Exhibits: Resolution No. 14-____.

MOVED by Wells SECOND by Zarle to adopt **Resolution 14-145**. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

Bellino-Hall stated she voted for these ordinances but she wants to say one thing. When she gets off council she is going to be the crazy person in front of your businesses carrying signs when you don't go out and mow lawns that you have rental signs up in front or other property. If she can weed eat 38th Street, you can get out and do a little bit of work too.

NEW BUSINESS ITEMS:

17. Hold a public hearing and consider an ordinance amending Sections 18-1-1-106 and 18-8-1-805 of the Lawton City Code defining the Fairmont Area and establishing parking requirements. Exhibits: Ordinance 14-__ and CPC Minutes.

Greb stated this item creates a transitional parking area that reduces the requirement for off street parking spaces to 40% in that area that is bounded by East Gore Boulevard, F Street, Railroad Street and Larrance Street. This particular area is sandwiched between retail and commercial areas to the west and some light industrial manufacturing areas in the east. It is in a period of transition and this creates a buffer zone that helps bridge the gap between the two extremes and the parking requirements of those two areas.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Haywood SECOND by Tanner to adopt **Ordinance 14-35**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-35

An ordinance pertaining to zoning amending Section 18-1-1-106 of the Lawton City Code, 2005, adding the definition of the Fairmont area and amending Section 18-8-1-805 establishing parking requirements for the Fairmont area, providing for renumbering, and providing for severability.

18. Consider an ordinance pertaining to refuse fees and charges amending Section 22-1-4-141, Division 22-1-4, Article 22-1, Chapter 22, Lawton City Code, 2005, by removing the word “occupied” when referring to the monthly refuse charges due from multifamily apartments, complexes and mobile home parks, providing for severability, and establishing an effective date. Exhibits: Ordinance 2002-46 and Ordinance 14-__.

Scott Meaders, Deputy City Attorney, stated in November 2002 the city council adopted an ordinance that removed entirely the monthly billing exemptions that use to exist for water, sewer and refuse collection. It was an exemption system that was based upon the number of non-occupied units. They also removed the certification process that was in place that owners could come in and make a claim for those exemptions. That system was taken away and replenished with a value credit adjustment that multi-family apartment complexes and mobile home parks could take advantage of. The clear intent was that the council remove those exemptions. Unfortunately there was another section of code that still continued to state that they would be billed on a monthly fee basis based upon the number of occupied units and that section of the code did not get changed and it has been brought to their attention and needs to be adjusted to be consistent with council’s intent back in 2002.

Wells stated he worked closely with council on the way they rewrote the computer programs to bill this new system and he can guarantee that what Mr. Meaders is saying is correct, they did mean this to be the entire ordinance, not just a part.

Tanner stated he remembered when this ordinance was passed and you use to file a vacancy. Now it is based on consumption. If you had 100 units, based on 3,000 gallons of water per unit, that is 300,000 gallons of water per month, and you only used 299,000 per month, they prorate your bill and they knock off the base water amount which is \$16.18, the sewer base is \$12.13 and the sewer rehab which is \$2.35, so basically you get a credit of \$30.66, but you still have to pay for all the other things on the water bill. If you have an apartment complex that has 100 units and 50 are vacant, then you pay the full amount or \$32 for each whether they are occupied or not. If Fort Sill downsizes, some of these apartment complexes will not be able to afford their water bill and they will probably close down the whole building and in that case the city will not be collecting any revenue from that property. He predicts in the future that they will readdress this issue of making folks pay for something that they are not actually using. If that unit is vacant, it’s vacant and we shouldn’t be charging folks to pay for something that they are not using.

MOVED by Wells SECOND by Morford to adopt **Ordinance 14-36**, waive the reading of the ordinance, read the title only and establishing an effective date. AYE: Morford, Jackson, Bellino-Hall, Burk, Zarle, Haywood, Wells. NAY: Tanner. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-36

An ordinance pertaining to refuse fees and charges amending Section 22-1-4-141, Division 22-1-4, Article 22-1, Chapter 22, Lawton City Code, 2005, by removing the word “occupied” when referring to the monthly refuse charge due from multifamily apartments, complexes and mobile home parks, providing for severability, and establishing an effective date.

19. Consider approving a resolution amending Section 22-131, Sewer Fees and Charges, and Section 22-141, Refuse Fees and Charges, Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005 as set forth in Exhibit A attached thereto and establishing an effective date. Exhibits: Resolution No. 14-____, Exhibit “A”.

Meaders stated this is related to item 18 and the changes that were made in code which required analysis of the fee schedule as it currently existed. In doing this, he caught a couple of areas that could be both clarified and needed to be adjusted based upon our current practice and the council’s intent back in 2002.

MOVED by Wells SECOND by Zarle to adopt **Resolution 14-146**. AYE: Morford, Jackson, Bellino-Hall, Burk, Zarle, Haywood, Wells. NAY: Tanner. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Billie Whipp, Acting Parks and Recreation Director, updated the council on the Oklahoma Recreation and Parks Society Annual Conference which was held the previous week at the Lawton-Fort Sill Convention Center.

Wells requested Long get a count of the actual seasonal meters we have in the system we are billing for. He would like council to think about directing staff to change our ordinance to say that any new sprinkler systems will have to have a separate meter on them so they can keep track of water being used for landscaping. He suggested they think about requiring anyone with a sprinkler system needs to have a seasonal meter put in, and maybe give everyone two years to comply. They need to have a way to keep track of this water.

Tanner thanked all the veterans and their families for making us free. He congratulated Sgt. Steve Handy, Sgt. John Roloff and Capt. Craig Akard for thirty years of service with the Lawton Police Department.

Bellino-Hall stated that sidewalks are important. There are many people using the 10-foot sidewalk on the west side of 38th Street. She stated there has been a dead pecan tree on 38th Street and former Mayor Cecil Powell and his grandsons took that tree down. No one asked him to take it down, he just did it because it looked bad. Those are the kinds of things that we, as a community, need to do.

Jackson thanked McArthur High School for putting on a Veteran's Day ceremony and honoring three former students who lost their lives in Afghanistan.

Long stated he failed to mention to the council that the Interim Parks and Recreation Director is Billie Whipp.

Tanner stated that Ms. Whipp is outstanding in customer service, she is very polite and when you have a request, it gets done. He also recognized Cherry Phillips, Councilmember elect for Ward 6.

Mayor Fitch stated Howard Council, the first recipient of the Citizen of Year, passed away on Sunday.

Wells stated rather than have executive session, he suggested a motion be made since they were notified that on November 5th the IUPA accepted the City's offer.

EXECUTIVE SESSION ITEM:

20. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2014-2015 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

MOVED by Wells SECOND by Burk to approve the FY 2014-2015 agreement with the IUPA Local 24, providing for a 3% pay raise for all officers effective January 5, 2015. Furthermore, I authorize the City Attorney to finalize the language of the agreement and have the Mayor, City Clerk and City Attorney sign the agreement. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 7:30 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK