

AGENDA  
LAWTON CITY COUNCIL REGULAR MEETING  
NOVEMBER 19, 2013- 6:00 P.M.  
NEW CITY HALL  
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

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 NOVEMBER 5, 2013.

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: Stacey Dancy in the amount of \$654.39 (**Res. 13-68**) and Tony Salas in the amount of \$407.17 (**Res. 13-69**). Exhibits: Legal Opinion/Recommendation. Resolution No. 13-\_\_\_\_.
2. Consider the following damage claim recommended for denial: Erika Sutter Swain in the amount of \$874.90. Exhibits: Legal Opinion/Recommendation.
3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Kenneth Lindsey. Exhibits: **Resolution 13-70.**
4. 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 Danny Hill in the Workers' Compensation Court, Case No. 2012-05775F. Exhibits: **Resolution 13-71.**
5. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Brent Davis. Exhibits: **Resolution 13-72.**
6. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Mack Cheatham. Exhibits: **Resolution 13-73.**
7. Consider approving an Agreement for Administrative Professional Services between Chelsie Hill and the City of Lawton to work as a fill-in Legal Assistant in the City Attorney's Office, authorize the Mayor and City Clerk to execute the Agreement, and authorize cancellation of the existing agreement with a fill-in Legal Assistant. Exhibits: Proposed Agreement is on file in the City Clerk's Office.

8. Consider approving a lease with the Department of the Army on a tract of land located at 10<sup>th</sup> Street and Gore Boulevard, and authorize the Mayor and City Clerk to execute the lease. Exhibits: Lease is on file in the City Clerk's Office.
9. Consider an agreement allowing the Oklahoma Department of Transportation (ODOT) to enter upon City owned property to undertake a preliminary survey needed in designing construction plans for several intersection improvements along U.S. 277 and for possible changes to the interchange along I-44 and authorize the Mayor to execute the approval form. Exhibits: Letter from the Oklahoma Department of Transportation.
10. Authorize the City Attorney to file and pursue to conclusion a quiet title lawsuit, in the Comanche County District Court to be styled as City of Lawton v. Shane Duke, et al, and to undertake any further action needed to clear record title to the City-owned property located at 1415 SW "E" Avenue in order to facilitate the sale of this property to the Lawton Housing Authority. Exhibits: None.
11. Authorize the City Attorney to file and pursue to conclusion a foreclosure lawsuit in the Comanche County District Court to be styled as City of Lawton and Lawton Urban Homesteading Agency v. Amanda M. Quintania, et al, to obtain a deficiency judgment against Amanda M. Quintania, et al, and to undertake any further action needed to regain possession and ownership to the real property at 1513 NW Irwin Avenue. Exhibits: None.
12. Consider approving the annual agreement with Comanche County providing use of the City Lawton Library to residents of the county who do not live in the Lawton city limits and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Agreement on file in City Clerk's office.
13. Consider accepting a \$1,436.43 donation to the Library from the Friends of the Library to be designated for library material money and library programming. Exhibits: None.
14. Consider approving an agreement between the City of Lawton and Experience Works which will allow the City to serve as a host agency for Experience Works participants, and authorize the Mayor and City Clerk to execute. Exhibits: Host Agency Agreement, Certificate of Liability.
15. Consider authorizing the Fire Chief to submit a FY 2013 AFG application to the FEMA, to assist with acquiring cardiac monitors for the Lawton Fire Department. Exhibits: None.
16. Consider adopting a City Council resolution to support an Oklahoma Affordable Housing Tax Credit (OAHTC) application by Dominion Development and Acquisitions, LLC. to the Oklahoma Housing Finance Agency (OHFA) and authorize the Mayor and City Clerk to execute the document. Exhibits: Exhibit A: **Resolution 13-74.**
17. Consider approving the record plat for the Replat of Block 9, Eastlake Addition. Exhibits: Plat Map.
18. Consider approving the construction plat for Eastlake Addition, Part 3B subject to conditions. Exhibits: Plat Map.

19. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures on: the 4200 block of SW Summit Ave for both the eastbound and westbound directions; and eastbound and westbound SE Elmhurst Lane at the intersection of SE 40<sup>th</sup> Street. Exhibits: **Resolution No. 13-75**, Traffic Commission Minutes and Traffic Issue Requests
20. Consider approving the City of Lawton Community Rating System Program for Public Information (PPI) to maintain reduced flood insurance premiums for Lawton residents through FEMA's National Flood Insurance Program. Exhibits: Program for Public Information.
21. Consider accepting a temporary easement from Charles E. Barger & Karen S. Barger for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
22. Consider accepting a temporary easement from Paul S. Brown & Eiiko O. Brown for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
23. Consider accepting a temporary easement from Juanita L. Grooms FKA Juanita L. Guynn & Kenneth Grooms for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
24. Consider accepting a temporary easement from Brandon Doyle Jones & Ashley Jones for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
25. Consider accepting a temporary easement from Darnell Eugene William Jones & Susan Lampel-Jones for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
26. Consider accepting a temporary easement from Southwest Oklahoma Federal Credit Union, fka Lawton Teachers Federal Credit Union for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.

27. Consider accepting a temporary easement from Rogers Turner for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
28. Consider accepting a temporary easement from George Viccica for right of way needed for the SE 45<sup>th</sup> Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
29. Consider accepting a permanent sewerline easement and a temporary sewerline easement from Curtis L. & Christina M. Giles for right of way needed for the Nine Mile Creek Sanitary Sewer Interceptor Project#2008-2, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
30. Consider rejecting all bids on (RFPCL14-003) Management of Land Recreation Vehicle Park-Lake Ellsworth. Exhibits: Department recommendation.
31. Consider awarding (CL14-008) Southwest Ready Mix, Lawton OK, as the primary vendor and Atlas-Tuck Concrete Inc., Lawton, OK, as the secondary vendor. Exhibits: Department recommendation and Abstract of Bids.
32. Consider extending (CL12-016) Heavy Equipment Services and Parts to C.L. Boyd Co. Inc. of Oklahoma City, OK. Exhibits: Department recommendation.
33. Consider rejecting the only bid received on (CL14-009) Crane Services. Exhibits: Department recommendation.
34. Consider approval of payroll for the periods of October 28 – November 11, 2013.

NEW BUSINESS ITEMS:

35. Consider adopting an ordinance amending Section 5-1-118, Article 5-1, Chapter 5, Lawton City Code, 2005 by providing that if a dog or cat is impounded three (3) times within a twenty-four (24) month period, the animal may not be released from the shelter unless the owner or keeper signs an agreement, in addition to a deposit, to have an animal neutered or spayed within two (2) weeks of release and amending Section 5-4-404, Article 5-4, Chapter 5, Lawton City Code, 2005, by providing that no person shall ride or walk large animals on the private property of another without authorization from the private property owner to do so. Exhibits: **Ordinance 13-37**.
36. Consider adopting a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, by amending existing and establishing new fees pertaining to animal welfare services. Exhibits: **Resolution 13-76**.
37. Consider adopting an ordinance amending Section 17-3-4-335, Division 17-3-4, Article 17-3, Chapter 17, Lawton City Code, 2005, by amending the requirements for qualified domestic relations orders. Exhibits: **Ordinance 13-38**.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

38. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending investigation of matters involving the Lawton Police Department, and if necessary, take appropriate action in open session. Exhibits: None.
39. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2013-2014 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. 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."