

NOTICE AND AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 26, 2019 - 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

EMPLOYEE SPOTLIGHT PRESENTATION TO CINDY GRIFFIN AND SHARI RODRICK –
HUMAN RESOURCES DEPARTMENT

REPORTS: MAYOR/CITY COUNCIL

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 claim recommended for approval: Kamonikah N. Farrow, through her attorney Mike Markey in the reduced amount of \$6,500.00 and Robert Carter in the amount of \$1,258.81. Exhibits: Legal Opinions/Recommendations.
2. Consider approving an Outside Water Sales Contract with Tracy Rowe and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Survey Certificate, Exhibit A showing Lot 3 split into three (3) tracts, Location Map. Contract is on file in the City Clerk's Office.
3. Consider approving an Outside Water Sales Contract with Tracy Rowe and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Survey Certificate, Exhibit A showing Lot 3 split into three (3) tracts, Location Map. Contract is on file in the City Clerk's Office.
4. Consider approving a resolution amending the City of Lawton FY19-20 budget, as amended, by increasing Economic Development (Fund 14) appropriations by \$85,000.00 for additional industrial development legal consulting services. Exhibits: **Resolution No. 19-111**.
5. Consider approving a revised Agreement with the Center for Economic Development Law, broadening the scope of the prior agreement including authorizing and directing the Center for Economic Development Law to prepare an expanded policy for non-retail development and to prepare a project plan pursuant to the Local Development Act which, if approved, will create up to thirteen additional increment districts within the City instead of the originally planned two. Exhibits: Revised Agreement with Center for Economic Development Law.
6. Consider approving the 2020 Notice of Meeting Schedule for Lawton City Council Meetings and Resolution 19-____ rescheduling the regularly scheduled meeting in December 2020. Exhibits: 2020 Notice of Meeting Schedule for Lawton City Council; **Resolution No. 19-112**.

7. Consider approving operation agreement for the Holiday in the Park, “Holiday House”. Exhibits: Holiday House Operation Agreement.
8. Consider approving a Ground Sub-Lease agreement for scoreboard installation between Youth Scoreboards, LLC and the City of Lawton. Exhibits: Ground Sub-Lease Agreement.
9. Consider releasing the escrow agreement in lieu of performance bond for the water and sanitary sewer improvements to serve the Replat of Lot 2, Block 1, Sun Group Development, located approximately ½ mile west of NW 67th Street on the south side of NW Quanah Parker Trailway, and accepting the water and sanitary sewer improvements and an escrow agreement in lieu of maintenance bond. Exhibits: Location Map. Maintenance Bond is on file in the City Clerk’s office.
10. Consider rejecting all bids and authorizing staff to rebid a construction contract for the Library Renovation Project #2017-09. Exhibits: Bid Tab Sheet on file in the Engineering Department.
11. Ratify staff approval of Change Order #2 to the contract between Timco Blasting and Coating and the City of Lawton for construction of the Lawtonka Dam Gate Rehabilitation Project. Exhibits: Change Order #2 – Lawtonka Dam Gate Rehabilitation Project.
12. Consider authorizing Lawton City Mayor to sign grant applications seeking funding towards Ellsworth Spillway repairs identified during the CH2M Hill/Jacobs Engineering investigation and design. Exhibits: None.
13. Consider extending contract (CL18-007) Heavy Equipment Service & Parts to C.L. Boyd Co., Inc. of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
14. Consider approving appointments to boards and commissions. Exhibits: None.

NEW BUSINESS ITEMS:

15. Hold a public hearing and consider a resolution amending the Land Use Plan from Residential/Low Density to Commercial and an ordinance changing the zoning from R-1 Single-Family Dwelling District to C-1 Local Commercial District zoning classification on property located at 1412 NW 23rd Street. Exhibits: **Resolution No. 19-113, Ordinance No. 19-29** with Site Plan, Location Map, Application and CPC Minutes.
16. Hold a public hearing and consider an ordinance to close the alley in Block 22, of Original Townsite of Lawton, located between SW 1st Street and S Railroad Street and SW A Avenue and SW B Avenue, and accept public utility easements. Exhibits: **Ordinance No. 19-30**, Location Map, Utility Easements are on file in the City Clerk’s Office. Letter From CenterPoint Energy Attorney.
17. Hold a public hearing and receive a presentation of proposed Skills Training, Education, Development and Investment (STEDI) Project Plan for the purpose of providing information, including an analysis of potential positive or negative impacts, and answering questions regarding the proposed Project Plan. Exhibits: STEDI Project Plan, Analysis of the Financial Impacts, and Eligibility Report (Included documents are subject to change prior to the date of this hearing).

18. Consider approving a Non-Retail Business Economic Development Assistance Policy superseding and replacing the Economic Development Assistance Policy-Industrial, Council Policy 1-11, adopted by the City Council of the City of Lawton on September 21, 2009. Exhibits: Non-Retail Business Economic Development Assistance Policy – City Council Policy 1-11.
19. Consider approving Ordinance No. 2019-____ relating to finance and taxation; amending the Lawton City Sales Tax Code, codified as Article II of Chapter 10 of the Lawton City Code, 2015; by the enactment of a new paragraph under Section 10-2-205 of the Lawton City Code, 2015; levying an excise tax of two and one-eighth percent (2.125%) on the gross proceeds or gross receipts derived from all sales taxable under the sales tax laws of the State of Oklahoma; providing a limited term of the excise tax beginning April 1, 2020, and ending December 31, 2034, with the exception one-half percent (1/2%) of the two and one-eighth percent (2.125%) excise tax will be for an indefinite period; providing that the excise tax levied by this new paragraph under Section 10-2-205 of the Lawton City Code, 2015 shall be cumulative to all other excise taxes levied by this Chapter or any other taxing authority; providing for codification; repealing certain ordinances contingent upon the approval of this Ordinance by the voters; providing for severability; and providing an effective date for Sections 1 and 2 of this Ordinance with approval of the Ordinance by City voters required. Exhibits: **Ordinance No. 19-31.**
20. Consider approving a Resolution specifying the intent of the Mayor and Council of the City of Lawton, Oklahoma with regard to the replacement of the existing seven-eighths of one percent (7/8%) Capital Improvement/Operational Expenditure Sales Tax and the one and one-quarter percent (1.25%) Capital Improvement Sales Tax with a new sales tax to be levied of two and one-eighth percent (2.125%) to be voted on by the registered voters of the City of Lawton, Oklahoma at an election to be held for such purpose on February 11, 2020. Exhibits: **Resolution 19-114.**
21. Consider approving a Resolution authorizing the Mayor to issue a Proclamation calling a special election submitting Ordinance No. 2019-____ to the registered voters of the City of Lawton, Oklahoma, for their approval or disapproval, which if approved would amend the City Sales Tax Code by levying an excise tax of two and one-eighth percent (2.125%) on all sales taxable under the sales tax laws of the State of Oklahoma for a term beginning April 1, 2020, and ending December 31, 2034, with the exception one-half of one percent (1/2%) of the two and one-eighth percent (2.125%) tax will be for an indefinite period; specifying the proposition to be submitted to the voters; providing that the call for the election shall be by Mayoral Proclamation; providing for publication of this Resolution and the Proclamation issued by the Mayor to call the said election; and further providing that the returns thereof shall be canvassed by the County Election Board pursuant to State law and certified to the Mayor and Council. Exhibits: **Resolution 19-115** and Election Proclamation.

22. Consider approving a Resolution relating to the special election called by the Mayor and Council of the City of Lawton for February 11, 2020, for the purpose of submitting to City voters Ordinance No. 2019-____, levying a two and one-eighth percent (2.125%) excise tax for a term beginning April 1, 2020, and ending December 31, 2034, with the exception one-half percent of one percent (1/2%) of the two and one-eighth percent (2.125%) tax will be for an indefinite period; setting forth the facts required by Section 13-102 of Title 26 of the Oklahoma Statutes; directing the City Clerk to submit this Resolution to the Secretary of the Comanche County Election Board before December 12, 2019; further directing the City Clerk to forthwith submit a current, certified copy of the Lawton City Charter to said Election Board as required by law and directing the City Clerk to forthwith provide the Comanche County Election Board with a map designating the municipal limits and ward boundaries of the City of Lawton as required by Section 13-107 of Title 26 of the Oklahoma Statutes. Exhibits: **Resolution 19-116.**

STAFF REPORTS

EXECUTIVE SESSION ITEMS:

23. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Julie Snodgrass filed with the City on November 12, 2019, and the pending Notice of Charge of Discrimination the City received from the U.S. Equal Employment Opportunity Commission on behalf of Julie Snodgrass, and, if necessary, take appropriate action in open session. Exhibits: None.
24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claims of Melissa Clements, Denise Ezell, Kelea Fisher, Kristin Huntley and Megan Loftis, all filed with the City on September 27, 2019, and, if necessary, take appropriate action in open session. Exhibits: None.
25. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss five pending Notices of Charge of Discrimination the City received from the U.S. Equal Employment Opportunity Commission on behalf of the charging parties Melissa Clements, Denise Ezell, Kelea Fisher, Kristin Huntley and Megan Loftis, and, if necessary, take appropriate action in open session. Exhibits: None.
26. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss initiating a public nuisance action involving Latin Mix, LLC also known as “The G Spot,” located at 1714 NW Cache Rd. and take appropriate action in open session. Exhibits: None.
27. Pursuant to Section 307B.4, Title 25 of the Oklahoma Statutes, consider convening in executive session to discuss litigation initiated against the owner(s) of the Lincoln Villa Apartments to collect for unpaid water bills, and to 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."