

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 11, 2012 - 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 OCTOBER 23, 2012.

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: James and Sharon Clower in the amount of \$80.00. Exhibits: Legal Opinion/Recommendation.
2. Consider the following damage claims recommended for denial: Ted Williams Jr. in the amount of \$97.50 and Robert and Arvella Green in the amount of \$791.29. Exhibits: Legal Opinion/Recommendation.
3. Consider approving an Outside Water Sales Contract with Oscar A. Sarinana, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office
4. A Resolution authorizing and directing the City Attorney to finalize a condemnation suit styled *City of Lawton vs. Dennis W. Merrifield, Sr. and Mary Lou Merrifield* in Comanche County District Court Case CJ-2011-198; authorizing payment of the judgment therein for just compensation and damages in the amount of \$40,000.00 and for attorney fees and expert witness fees in the amount of \$23,075.00. Exhibits: **Resolution 12-110.**
5. Consider approving the request from Mr. Kent Waller to exercise his remaining option to renew the Ground Lease and Non-Exclusive Concession Operation agreement between the Lawton Water Authority, Schoolhouse Slough, Inc., and the City of Lawton, Oklahoma. Exhibits: Proposed Amendment No. 4 of lease and Letter of request from Mr. Kent Waller.
6. Consider approving the 2013 Notice of Meeting Schedule for Lawton City Council Meetings and Resolution 12-___ rescheduling the regularly scheduled meetings in November and December 2013. Exhibits: 2013 Notice of Meeting Schedule for Lawton City Council and **Resolution No. 12-111.**

7. Consider accepting a \$25 gift and memorial donation to the library from a library patron to purchase a book in memory of a friend. Exhibits: None.
8. Consider accepting reimbursement of \$2,496.70 from the Fire Management Assistance Grant (FMAG), \$1,388.15 from Zurich American Insurance Co., and \$925.44 from the Stillwater Central Railroad, LLC and approving the deposit of these funds into the City of Lawton's Emergency Reserve Fund. Exhibits: None.
9. Consider approving a Mutual Assistance Agreement for Fire Protection between the Valley View Volunteer Fire Department and the City of Lawton Fire Department. Exhibits: Mutual Aid Agreement between City of Lawton Fire Department and the Valley View Volunteer Fire Department.
10. Consider setting the date of January 22, 2013, to hold a public hearing and consider an ordinance closing the alley in Block 28, McClung Addition located between SW 8th and SW 9th Streets and SW Garfield and SW McKinley Avenues. Exhibits: Application, Location Map and Council Policy 5-1.
11. Consider acknowledging receipt of a permit for the construction of a waterline and appurtenances from the Oklahoma Department of Environmental Quality to serve the Water Infrastructure Improvement Phs 1A (Lee Blvd.) Waterline Project #2006-17, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated October 30, 2012.
12. Consider accepting a permanent easement and a temporary easement from Austin Buckner, Trustee Chairmen for First Baptist Church East Inc. for right of way needed for the Flower Mound Sewer Line Upgrade Project #2012-5, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Documents are on file in the City Clerk's office and Location Map.
13. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures on: Eastbound NW Meadowbrook Drive at the intersection of NW Meadowbrook Drive and NW 40th Street; northbound and southbound SW 27th Street between W Gore Boulevard and SW "G" Avenue. Exhibits: **Resolution No. 12-112** and Traffic Commission Minutes and Traffic Issue Requests.
14. Consider adopting Street Light Resolution No. 479 to authorize the installation of street lights at the locations listed in the Resolution. Exhibits: Street Light Resolution No. 479.
15. Consider awarding a contract for the Rogers Lane Auger Boring Project to Young Contracting LLC of Oklahoma City, Oklahoma in the amount of \$152,610. Exhibits: None.
16. Consider extending contract (CL12-020) Laboratory Services for Toxic Pollutants with Accurate Labs of Stillwater, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.

17. Consider extending contract (CL12-021) Laboratory Services for Ground Water/Storm Water with Test America Laboratories, Inc. of Nashville, TN. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
18. Consider extending contract (RFPCL12-019) Jail-Inmate Telephone System with Legacy Inmate Communications of Cypress, CA. Exhibits: Department Recommendation, Contract Extension Form, Price Bid Sheet.
19. Consider approval of payroll for the periods of November 12 – December 9, 2012.

NEW BUSINESS ITEMS:

20. Receive the semi-annual update of the hotel/motel tax funded activities for FY 2012-2013 from the Lawton-Fort Sill Chamber of Commerce. Exhibits: None.
21. Hold a public hearing and adopt a resolution declaring the structure(s) located at: 108 NW 4th Street (**Res. 12-113**) and 215 NW Arlington Avenue (**STRICKEN**) to be dilapidated, detrimental to the health, safety or welfare of the general public and community, a blighting influence, and a public nuisance; directing the owner(s) to abate the nuisance by obtaining a remodel or demolition permit within thirty (30) days; authorizing summary abatement of the nuisance should the owner(s) fail to abate the nuisance; and alternatively authorizing the City Attorney to commence legal action in district court to abate the nuisance if summary abatement is not economically practical. Exhibits: Resolution No 12__, Resolution No 12__, and Summary documents with supporting photos. Reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services.
22. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Residential/High Density to Commercial and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) and R-4 (High Density Apartment District) to C-5 (General Commercial District) zoning classification located at 6305-6315 NW Oak Avenue. Exhibits: **Resolution No. 12-114, Ordinance No. 12-46** with Site Plan, Location Map, Applications and Draft CPC Minutes.
23. Consider approving an Ordinance pertaining to Temporary Structures and Uses amending Section 7-12-2-1250, Division 7-12-2, Article 7-12, Chapter 7, Business, Lawton City Code, 2005, by amending where temporary holiday sales may be located, providing for severability and declaring an emergency. Exhibits: **Ordinance 12-47**.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

24. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2012-2013 between the Police Union, IUPA Local 24, and the City of Lawton, 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 a pending action involving the City of Lawton, Public Service Company of Oklahoma, and the Oklahoma Department of Environmental Quality regarding the discharge permit for the Wastewater Treatment Plant, and take appropriate action in open session as necessary. Exhibits: None.
26. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the Employment Agreement of Frank V. Jensen as City Attorney, and in open session take action as necessary.
27. Pursuant to Section 307B3, B4 and C10, Title 25, Oklahoma Statutes, consider convening in executive session for the purposes of conferring on matters pertaining to (1) economic development, including the purchase/transfer of property, incentive proposals, and financing in connection with the Lawton Downtown Redevelopment Project and other development projects under consideration in the City, (2) a pending action with AEP/PSO regarding responsibility for electric utility relocation costs in connection with the Lawton Downtown Redevelopment Project, and take appropriate action in open session as necessary. 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."