

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 11, 2018 – 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor

Also Present:

Jerry Ihler, City Manager

Frank Jensen, City Attorney

Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:02 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Deacon Jim Coe, Holy Family Catholic Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bob Morford, Ward One
Keith Jackson, Ward Two
Caleb Davis, Ward Three
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT:

None

AUDIENCE PARTICIPATION:

Andre Wilson, 905 NE Rogers Lane #1, stated he would like to address the safety of the children when crossing the road near Pioneer Park Elementary school zone on Rogers Lane. His wife, Itaichinhamo Wilson, read a letter addressed to the council (on file in the City Clerk's Office). She requested the support of the council to help address the issue of kids walking to school.

Mayor Fitch stated he is familiar with the area and people do go through there very fast. He stated they will address this issue with the appropriate department.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR
MEETING OF NOVEMBER 27, 2018.

MOVED by Burk SECOND by Warren to approve the minutes of November 27, 2018. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

CONSENT AGENDA:

MOVED by Warren SECOND by Burk to approve the consent agenda. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approving the 2019 Notice of Meeting Schedule for Lawton City Council Meetings and Resolution 18-____ rescheduling the regularly scheduled meeting in December 2019. Exhibits: 2019 Notice of Meeting Schedule for Lawton City Council; **Resolution No. 18-88.**
2. Consider approving an agreement and accepting a donation for a basketball court refurbishment located at Lee West Park in Lawton, Oklahoma from the Thunder Community Foundation, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Agreement with Thunder Community Foundation – On file in the City Clerk office.
3. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures on 1210 SW Summit, SW Sheridan Road from SW Tinney Road to SW Lee Blvd and 311 SE 40th Street. Exhibits: **Resolution No. 18-89** and Traffic Commission Minutes and Traffic Issue Requests.
4. Consider awarding a professional services contract to Traffic Engineering Consultants, Inc. for the purpose of providing traffic engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract. Exhibits: Retainer Agreement for Professional Engineering Services.
5. Consider awarding contract (CL19-013) Fluorosilicic Acid to Pencco, Inc. of San Felipe, TX. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
6. Consider extending contract for (RFPCL18-009) Copier Contract to High Tech Office Systems of Lawton, OK for an additional year. Exhibits: Department Recommendation, Contract Extension Form with addendum, Price Sheet.
7. Consider approval of payroll for the periods of November 19 – December 2, 2018.

NEW BUSINESS ITEMS:

8. Provide direction to staff regarding a request from Cornerstone Associates, LLC, to purchase or lease a portion of O.H. Arnold Park, located north of Dr. Louis K. Jones Avenue and east of Albert Johnson Sr. Avenue, to be used for the development of an affordable senior housing project. Exhibits: Location Map.

Richard Rogalski, Community Services Director, stated they were recently approached by Cornerstone Development with a request to see if the City of Lawton was interested in leasing or selling a portion of OH Arnold Park for the development of senior housing. This developer

relies on tax credits to develop these properties and they have relayed that this property scores well and it has a lot of the elements that the state and federal government is looking for for this program. He stated they recommended to the developer that they have some meetings with the neighborhood. He stated this park is used and it was not one that was on the surplus list. It is a 15 acre park and they are interested in 3-4 acres so the development and the park could coexist if possible. Their application is due early January and there is a lot of effort that would have to happen in the next month. He stated this is a question of if it is worth consideration enough that staff would spend time working out the final details.

Morford questioned if this would have to go to a public auction or would it be a direct sale to the company.

Ihler stated the preference of the developer would be a long term lease.

Burk stated he worked with Cornerstone on a parcel on the east side of town and they just didn't get points for the project, but O.H. Arnold Park has a lot of history and it is used during different events throughout the season. He stated the 4 acres is up near the church and he had driven through the neighborhood and there needs to be some revitalization in that area. There are so many houses that are boarded up and he feels that if the neighbors and the church are in agreement to doing this, what a better way than to say that they will reinvest that money and fix up that park so that it can really be a usable park. He believes that those people on Carver can actually benefit from a senior housing development.

Johnson stated they held two community meetings and they had members from the church as well as the community come out and express their concerns. She believes that there is a balance of being able to proceed. The developer is interested in not only developing, but also revitalizing that park. It will add value to that area. There were concerns regarding the drainage issue and that will be on the top of the priority list. She feels it will be tremendous asset to that community.

Bobbie Lucas, President of Cornerstone Associates, stated they have been developing real estate for almost thirty years. They focus primarily on attainable housing for both families and seniors. She has had an interest in bringing this type of development into Lawton for a number of years. They have had trouble with the scoring from the Oklahoma Housing Finance Agency, unfortunately Lawton has never really scored as high as other area. For 2019 the scoring has changed and they have made certain areas of Lawton more attractive and that is how they arrived at the location of O.H. Arnold Park. They did look at the parks that are currently on the surplus list in addition to other parcels of ground that were already zoned multi-family and were for sale, but unfortunately they did not meet all of the criteria that the O.H. Arnold Park does. She feels that this would be in the best interest of both achieving the tax credit and the funding as well as all the services that are available at O.H. Arnold Park. They are targeting residents age 62 and older and 50% and 60% of the area median incomes, so those ranges would be a senior that would make \$17,240 a year to \$29,520. These are not poor people, these are seniors that have worked their entire lives that have a pension and retirement. They can have assets, this is based on earned income. As long as your earned income does not exceed these guidelines, the residents are eligible to live there. She stated they have their own management company who

will oversee this property and she knows everything that goes on at every single one of her properties at any point in time and she can get to any property within a 7-8 hour period. They are proposing a 42-unit, one and two bedroom, three-story development. Five units will be geared towards veterans. She stated they will have an opportunity to do a joint venture with the housing authority so that they would become part owner on the development. They have done this in a number of states. She stated they have projects in Duncan, Ada, Shawnee, Norman, Bartlesville and they will break ground in the spring in Yukon and Oklahoma City. She stated the rents would range from \$576 to \$650 for a one bedroom and \$692 to \$785 for a two bedroom and those do include utilities. The building is similar to a hotel and will have a full time manager with 24-hour maintenance and secure access. She stated they are targeting those that are already renting or are interested in selling their homes and moving into an independent living development.

Davis stated he received some phone calls about this item and those he spoke with misunderstood this project. He needs to state on the record that this is not Section 8 housing, it is not low income house and it is for seniors 62 and older that make \$17,240 a year to \$29,520.

MOVED by Johnson SECOND by Burk to direct staff to move forward with working out details. AYE: Morford, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: Jackson. MOTION CARRIED

9. Consider approving Change Order No.1 to the Wynn Construction Co., Inc., Contract for the Wastewater Treatment Improvements Work Package III Project 2008-11. Exhibits: Change Order No. 1.

Afsaneh Jabbar, Director of Water/Wastewater stated on March 13, 2018 Council awarded a contract to Wynn Construction for the Wastewater Treatment Improvements Work Package III in the amount of \$1,124,409.00. They have been working on the project since May. During the month of October they started working on the bar screens and as they pulled the bar screens out the middle bar screen had more problems than they originally anticipated. The cost of this additional work to repair the middle bar screen is \$80,735.64. The original cost to put it back in service in the channel is in the original contract.

MOVED by Burk SECOND by Morford to approve Change Order No.1 to the Wynn Construction Co., Inc., Contract for the Wastewater Treatment Improvements Work Package III Project 2008-11. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Davis clarified that the vote taken earlier was just to have staff move forward with looking into this project in O.H. Arnold Park. He just needed to state this publicly because of the phone calls he received and he wanted to let those people know that this was not to approve this permanently but just to allow staff to continue looking into this project.

Ihler stated there will be community meetings that are related to the vote on January 8, 2019 as it relates to the 2016 CIP and being able to utilize 2016 funds to address IT improvements that are necessary as well as economic development to create some shovel ready land. The meetings will be held on December 14th at Lawton High School at 6 p.m., December 15th at Eisenhower High School at 6 p.m., December 16th at MacArthur High School at 6 p.m. and December 19th at City Hall at 5:30 p.m.

The Mayor and Council convened in executive session at 6:28 p.m. and reconvened in regular, open session at 7:48 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

10. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the evaluation review of Jerry Ihler, City Manager, and if necessary, take appropriate action in open session. Exhibits: None.

Mayor Fitch read the title of item #10.

MOVED by Tanner SECOND by Burk to receive and accept the retirement request of City Manager Jerry Ihler approving the use of terminal leave per Section 17-1-6-167 of the Lawton City Code utilizing the terminal leave option for his remaining approved vacation leave, historic sick leave and flex leave. Mr. Ihler's last scheduled day will be Friday, January 11, 2019 and his terminal leave will begin on Monday, January 14, 2019. He has agreed to continue to assist city staff and city council in the transformation process with bringing a new city manager on board on an as needed basis at his availability. Any days worked after January 11 will not be charged terminal leave on his time sheet accordingly. AYE: Morford, Jackson, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

11. 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. Exhibits: None.

Mayor Fitch read the title of item #11.

MOVED by Burk SECOND by Davis to approve a contract with a 2.5% salary increase. AYE: Morford, Davis, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: Jackson. MOTION CARRIED.

12. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2018-2019 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #12. No action was taken.

There being no further business to consider, the meeting adjourned at 7:49 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK