

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 13, 2005 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

INTRODUCTION OF 2005-2006 STUDENT CIVIC 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.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL MEETING OF NOVEMBER 8, 2005.

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 and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Ronald Waln in the amount of \$443.05 and Pamela Montgomery in the amount of \$1,359.64. Exhibits: Legal Opinions/Recommendations. Resolution No. 05-____ and Resolution No. 05-____ are on file in City Clerk's Office. Page 1
2. Consider the following damage claims are recommended for denial: Walter & Brenda Baxter in the amount of \$290.00 and Shirley Crumpton & Ronnie Russell in the amount of \$115.00. Exhibits: Legal Opinions/Recommendations. Page 6
3. Consider ratifying the action of the Lawton Water Authority approving advertising for bid to lease the City's oil and gas interests for the tracts of land listed below located in the vicinity of Lake Ellsworth in Comanche/Caddo Counties to the highest and best bidder. Exhibits: Location map and Lease request letter dated November 30, 2005. Page 11
4. Consider canceling the individual outside water sales contracts for the listed property owners for tracts located in Quail Run Estates. Exhibits: None. Page 14
5. Consider canceling the following individual outside water sales contracts for service in areas surrounding the City that have been previously annexed into the city limits. Exhibits: None. Page 15
6. Consider ratifying the action of the City Attorney in filing an appeal in the workers compensation case of Kelly Blake, Workers Compensation Court Case No. 2004-07433A. Exhibits: None. Page 16

7. Consider adopting a resolution ratifying the action of the City Attorney in approving the negotiated Form 14 settlement in the Workers' Compensation case of Larry D. Carr, and filing a foreign judgment in the District Court of Comanche County for purposes of placing said judgment on the tax rolls. Exhibits: Resolution No. 05-____. Page 17
8. Consider adopting a resolution ratifying the action of the City Attorney in approving the negotiated Form 14 settlement in the Workers' Compensation case of Jerry Lynn, and filing a foreign judgment in the District Court of Comanche County for purposes of placing said judgment on the tax rolls. Exhibits: Resolution No. 05-____. Page 19
9. Consider approving a resolution notifying the public of the publication of the Lawton City Code, 2005. Exhibits: Resolution No. 05-____. Page 21
10. Consider approval of the Retainer Agreement for Legal Services between the City of Lawton and Neil West and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Retainer Agreement for Legal Services is on file in the City Clerk's Office. Page 24
11. Consider approving the 2006 Notice of Meeting Schedule for Lawton City Council Meetings. Exhibits: 2006 Notice of Meeting Schedule for Lawton City Council and Resolution No. 05-____. Page 25
12. Consider granting a 50-foot Permanent Road and Utility Easement across City owned property at Lake Lawtonka and authorize the Mayor and City Clerk to execute the Easement upon the receipt of a survey and a legal description acceptable to City staff. Exhibits: Request letter with location map. Proposed Permanent Easement is on file in the City Clerk's office. Page 28
13. Consider approving the construction plans and specifications for water and sewer lines to serve Arvest Bank at NE Flower Mounds Road and East Gore Boulevard. Exhibits: Location Map. Page 31
14. Consider denying requests for the installation of traffic control measures on 1700 block of NW Irwin Avenue, 'I' Avenue at SW 24th Street, Santa Fe Avenue at NW 50th Street, SW 68th Street at Baywood Drive, and SW 68th Street at Anglewood Drive. Exhibits: Traffic Commission Minutes. Page 33
15. Consider adopting a Resolution authorizing the installation of traffic control measures on 17th Street at West Gore Blvd., SW corner of SW 10th Street and 'B' Avenue intersection, Cornell Avenue at SW 25th Street, and Bishop Avenue at SW 52nd Street. Exhibits: Traffic Commission Minutes and Resolution No. 05-____. Page 38
16. Consider adopting a street light resolution to authorize the removal of one (1) street light and installation of five (5) street lights as detailed below. Exhibits: Street Light Resolution No. 439. Page 44

17. Consider approving Change Order Number 1 and accepting the Squaw Creek Sanitary Sewer System Flow Monitoring Project 04-1 SSES performed by Interra Hydro, Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 47
18. Consider acknowledging receipt of permits for the construction of sanitary sewer lines from the Oklahoma State Department of Environmental Quality to serve the SW Arlington Avenue Project, City of Lawton, Comanche County, Oklahoma. Exhibits: None. Page 48
19. Consider approving a recommendation from the City Planning Commission to vary Section 18-5-7-573, the twenty-five foot front yard setback requirement on a tract located in a P-F (Public Facilities) District, owned by the Lawton Public Schools, Independent District 8 and addressed as 5202 West Gore. Exhibits: Letter of request and site plan of proposed building. Page 49
20. Consider approving a recommendation to officially re-name F Avenue from 27th Street to 38th Street to Dr. Elsie Hamm Drive. Exhibits: Letter from Center for Creative Living and Background. Page 53
21. Consider awarding (CL06-009) Rental Equipment to C.L. Boyd Co., Inc., of Oklahoma City, OK (Items 1 & 3; Motor Grader Items 1 & 2); Warren Power & Machinery LP of Oklahoma City, OK (Item 7). Exhibits: Abstract of bids and department recommendation. Page 56
22. Consider awarding (CL06-022) Biomonitoring Testing to Bio-Aquatic Testing, Inc., of Carrollton Texas. Exhibits: Abstract of bids and department recommendation. Page 60
23. Consider approving appointments to boards and commissions. Exhibits: None Page 64
24. Consider approval of payroll for the periods of November 7 – 20, 2005. Exhibits: None.

BUSINESS ITEMS:

25. Hold public hearings and adopt resolutions declaring the structure(s) at: 7 N.W. Dearborn Avenue, 108 N.W. Dearborn Avenue, 2316 S.W. Jefferson Avenue, 1810 S.W. McKinley Avenue, 1812 S.W. McKinley Avenue, 929 S.W. 29th Street and 1812 S.W. “E” Avenue to be dilapidated public nuisances, thus causing a blighting influence on the community and detrimental to the public’s health and safety. Authorize the City Attorney to commence legal action in district court to abate each nuisance. Further authorize Neighborhood Services to solicit bids to raze and remove each dilapidated structure, if necessary. Resolutions No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; No 05-____; Summary documents with supporting photos. Reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 66

26. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Professional Office to Commercial and an ordinance changing the zoning from R-1 (Single-Family Dwelling District) and C-1 (Local Commercial District) to C-5 (General Commercial District) zoning classification located at 1414-1420 NW Sheridan Road. Exhibits: Resolution No. 05-____, Ordinance No. 05-____, Location Map, Site Plan, Applications, Draft CPC Minutes and Petition. Page 89
27. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Professional Office to Commercial and an ordinance changing the zoning from P-O (Professional Office District) to C-1 (Local Commercial District) zoning classification located at 2302 NW 20th Street. Exhibits: Resolution No. 05-____, Ordinance No. 05-____, Location Map, Site Plan, Applications and Draft CPC Minutes. Page 103
28. Hold a public hearing and consider a resolution amending the 2025 Land Use Plan from Industrial to Residential/Low Density and an ordinance changing the zoning from Temporary A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification located on the west side of SW 82nd Street, south of Gore Boulevard. Exhibits: Resolution No. 05-____, Ordinance No. 05-____, Location Map, Applications and Draft CPC Minutes. Page 116
29. Hold a public hearing and consider an ordinance changing the zoning from R-1 (Single-Family Dwelling District) to I-3 (Light Industrial District) zoning classification located at 2025 SW Jefferson Avenue. Exhibits: Ordinance No. 05-____, Location Map, Application and Draft CPC Minutes. Page 126
30. Hold a public hearing and consider an ordinance changing the zoning from R-4 (High Density Apartment District) to I-3 (Light Industrial District) zoning classification located at 2105 and 2107 SW F Avenue. Exhibits: Ordinance No. 05-____, Location Map, Application, Draft CPC Minutes and Information Related to Material Safety Data Sheet. Page 141
31. Hold a public hearing and consider an ordinance amending Section 18-4-1-404.2, Chapter 18, Lawton City Code, 1995, by allowing utility connections across drainage easements. Exhibits: Ordinance No. 05-____ and Draft CPC Minutes. Page 157
32. Consider awarding a contract to Government e-Management Solutions (GEMS) for software, training and ten years of support and maintenance services. Exhibits: List of RFP's received with 5 and 10-year cost and CNS Letter. Page 161
33. Consider adopting an ordinance amending Section 6-1-1-108, Division 6-1-1, Article 6-1, Chapter 6, Lawton City Code, 1995, by changing the conditions under which a permit extension may be obtained, providing for severability and declaring an emergency. Exhibits: Ordinance No. 05-____. Page 166

34. Consider approving an ordinance adopting the Lawton City Code, 2005, and declaring an emergency. Exhibits: Ordinance No. 05-____. Page 170
35. Consider directing staff to prepare a revision of Section 6-1-5-185 of Lawton City Code, requiring the construction of sidewalks along roadways fronted by commercial development projects. Exhibits: None. Page 175
36. Request City Council permission for the Lawton Enhancement Trust Authority to paint a professional landscape sign/scene on the overpass at 52nd Street and Old Cache Road. Exhibits: None. Page 176

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

37. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending tort claim by Jack L. Greer and take action in open session as necessary. Exhibits: None. Page 177
38. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Bobby Benoit, and if necessary, take appropriate action in open session. Exhibits: None. Page 178
39. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Roger Parks, and if necessary, take appropriate action in open session. Exhibits: None. Page 179
40. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending Workers Compensation claim of Gary Bishop, and if necessary, take appropriate action in open session. Exhibits: None. Page 180

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."