

AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 15, 2009 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

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 DECEMBER 1, 2009.

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 the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: William Drewry, dba Wichita Holding Corporation in the amount of \$15,180.89 and Ralph Conerly in the amount of \$80.00. Exhibits: Legal Opinion/Recommendation and Resolution No. _____. Page 1
2. Consider the following damage claims recommended for denial: Southwestern Bell Telephone, dba AT&T Oklahoma in the amount of \$862.17 and Kyong Cha and Stanley Holewa in the amount of \$614.31. Exhibits: Legal Opinions/Recommendations. Page 8
3. Consider approving an Agreement with the Board of Education of Independent School District No. 8 of Comanche County, Oklahoma, for the funding of school building construction and renovation/remodeling and the purchase of school buses, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement and Ordinance No. 09-22. Page 14
4. Consider approving a grant application for an \$8,000.00 grant from the SARKEYS Foundation for the Retired & Senior Volunteer Program (RSVP) for Fiscal Year 2009 – 2010 funding. Exhibits: None. Page 22
5. Consider adopting a Resolution authorizing the installation of traffic control measures on: SE Elmhurst Lane at the intersection of SE 38th Street; SW ‘A’ Avenue between SW 6th Street and SW 7th Street; NW Arlington Avenue between the intersections of NW 17th Street and NW 18th Street; SW 9th Street, SW ‘A’ Avenue and SW ‘B’ Avenue. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and Resolution No. 09-____. Page 23

6. Consider accepting the Landfill Cells 4-5 Project #2008-4 as constructed by M. Hanna Construction Co., Inc. and placing the Maintenance Bond into effect. Exhibits: None. Page 37
7. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, pertaining to Chapter 6, Buildings, Construction & Housing, establishing the statutory surcharge requirement per building permit issued and per building permit renewed and establishing an administrative fee per 59 O.S. 1000.25. Exhibits: Resolution No. 09-____. Page 38
8. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 460 linear feet of 12-inch PVC water line and all appurtenances to serve the Lawton Country Club located at 4601 West Gore Boulevard in the SE/4 of the SW/4 of Section 27, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: None. Page 42
9. Consider adopting a resolution approving Amendment No. 1 to the D6 Urban Renewal Plan adding hotels and convention centers as permitted uses in the Commercial Central land use district. Exhibits: Resolution No. 09-____, Commercial Central language from the D6 Plan and Map of D6 Area. Page 43
10. Consider granting an extension of time for the performance bond for drainage improvements in Scissortail, Part 1. Exhibits: None. Page 58
11. Consider approving the construction plans for a waterline extension to serve Western Hills Christian Church located at 1401 NW 82nd Street. Exhibits: Location Map. Page 59
12. Consider approving the construction plans for a median opening and left turn bay on NW Cache Road to serve Cache Road Square Shopping Center. Exhibits: Location Map. Page 61
13. Consider awarding a Professional Services Contract for Consultant Brokerage services concerning employee benefits to Higginbotham Insurance Agency, Inc, of Fort Worth, TX . Exhibits: Proposed Contract. Page 63
14. Consider extending the contract (CL09-034) Mowing & Littering Contract II , Areas: I , J & K to L.C. Lawn Care of Altus, Oklahoma. Exhibits: Department Recommendation, Proposal Price Sheet, Contract Extension Form. Page 74
15. Consider extending the contract (CL09-034) Mowing & Littering Contract II, Areas: E & D to Teen Challenge of Oklahoma of Cache, Oklahoma. Exhibits: Department Recommendation, Proposal Price Sheet, Contract Extension Form. Page 79
16. Consider approving appointments to boards and commissions. Exhibits: None. Page 83

17. Consider approval of payroll for the period of November 30 – December 13, 2009.

OLD BUSINESS

18. Hold public hearings and adopt a resolution declaring the accessory structure located at 411 SE Larrance 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 the dilapidated structure, if necessary. Exhibits: Resolution No 09-_____. Summary documents with supporting photos, reports from the Inspectors, and case history are available from Neighborhood Services. Page 85

NEW BUSINESS

19. Hold a public hearing and consider adopting a resolution amending the 2030 Land Use Plan from Agriculture to Residential/Low Density and Residential/High Density and an ordinance changing the zoning from Temporary A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) and R-4 (High Density Apartment District) zoning classification located approximately ¼ mile west of SW 52nd Street south of Bishop Road. Exhibits: Resolution No. 09-____, Ordinance No. 09-____ (per request), Ordinance No. 09-____ (per CPC recommendation), Location Map, Site Plan, Applications and CPC Minutes. Page 89
20. Hold public hearings and adopt a resolution declaring the structures located at: 1311 N.W. Cache Road, 1410 N.W. Smith Avenue, 1502 S.W. Tennessee Avenue, 1511 S.W. Texas Avenue, 1801 N.W. Cache Road and 2120 S.W. Monroe Avenue to be dilapidated, detrimental to the health, safety or welfare of the general public and community, a blighting influence and a public nuisance. 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 the dilapidated structure, if necessary. Exhibits: Six Resolutions. Summary documents with supporting photos, reports from the Fire Marshal, Housing Inspectors, and case history are available from Neighborhood Services. Page 108
21. Receive the semi-annual update of the hotel/motel tax funded activities for FY 2009-2010 from the Northside Chamber of Commerce. Exhibits: None. Page 127
22. Receive the semi-annual update of the hotel/motel tax funded activities for FY 2009-2010 from the Lawton Fort Sill Chamber of Commerce. Exhibits: None. Page 128

23. Consider adopting a resolution relating to indebtedness of the Lawton Economic Development Authority in the increased amount of not to exceed \$12,000,000 in aggregate amount outstanding at any one time for the purpose of financing the acquisition of land and other redevelopment activities for Phase IA-Project and other downtown TIF District projects (the “Note”); waiving competitive bidding; approving an Agreement of Support between the City and LEDA; approving a Pledge Agreement from LURA relating to the proceeds of the sale of land acquired with the proceeds of the Note and other documents necessary to close the revised loan. Exhibits: Resolution No. 09-____, Revised Note, Revised LURA Pledge Agreement/Mortgage and Security Agreement, Revised City Agreement of Support, Draft Term Sheet, LEDA, December 1, 2009, LEDA Requisition #38 – November 5, 2009, Current LURA Project Map, LEDA Benchmark letter – September 18, 2009, LEDA Benchmark letter – November 5, 2009, Ruhl & Ruhl Press Release – July 8, 2008 and Downtown Economic Development Project Plan & Budget. Page 129
24. Consider adopting a resolution, amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, establishing fees for structural improvement and maintenance of space adjacent to dock units at Lake Lawtonka and Lake Ellsworth, providing an effective date of January 1, 2010. Exhibits: Proposed Resolution 09 - ____ and Boathouse units with existing approved structures. Page 178
25. An ordinance pertaining to stormwater detention amending Sections 19A-1-2-121 through 19A-1-2-123 and creating Section 19A-1-2-126, Division 19A-1-2, Article 19A-1, Chapter 19A, Lawton City Code, 2005, establishing minimum post-construction stormwater management requirements and controls in compliance with the National Pollution Discharge Elimination System Permit and state and federal regulations, providing for severability, codification, and establishing an effective date. Exhibits: Ordinance No. 09-____. Page 182
26. Consider awarding (RFPCL10-022) 100’ Aerial Platform Fire Apparatus (Quint) to Sutphen Corporation of Addison, Texas. Exhibits: Department recommendation, proposal price bid sheet, exhibit. Page 192

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

ADJOURNMENT

27. Pursuant to Section 307C10, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an economic development prospect to be located within the City of Lawton, and if necessary, take appropriate action in open session. Exhibits: None. Page 208

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."

