

NOTICE AND AGENDA
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 17, 2019 - 6:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF A PROCLAMATION ACKNOWLEDGING THE LAWTON FORT SILL CHAMBER OF COMMERCE FOR ACHIEVING A FIVE STAR ACCREDITATION FROM THE UNITED STATES CHAMBER OF COMMERCE.

EMPLOYEE SPOTLIGHT PRESENTATION TO ROY MCCARLY – SOLID WASTE DIVISION

PRESENTATION FROM THE HEALTHY FOOD RETAIL TASK FORCE

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: Freedom and Jessica Koen in the reduced amount of \$3,000.00 (**Res 19-121**), American Electric Power in the amount of \$10,910.00 (**Res 19-122**), ShaKenna Parham in the amount of \$1,044.26 (**Res 19-123**), Sheryl Jennings in the amount of \$1,378.76 (**Res 19-124**) and Donald McDougale in the reduced amount of \$1,973.11 (**Res 19-125**). Exhibits: Legal Opinions/Recommendations and Resolution 19-____, Resolution 19-____, Resolution 19-____, Resolution 19-____ and Resolution 19-____.
2. Consider the following damage claims recommended for denial: Micah C. Payne in the amount of \$1,545.64, and Green Terrace Townhouse Association in the amount of \$1,184.30. Exhibits: Legal Opinions/Recommendations.
3. Consider approving a request by the Lawton Metropolitan Area Airport Authority for funding assistance in an amount not to exceed \$120,000 from the Hotel Tax Economic Development Reserve Fund, for renovations to Lawton Airport Hanger Number 5 needed by the Department of the Army to occupy the hanger under a memorandum of agreement as an Arrival/Departure Airfield Control Group (A/DACG) to process Fort Sill soldiers arrivals and departures, and authorize the Mayor and City Clerk to execute an agreement with the Authority to account for the funding. Exhibits: Lawton Metropolitan Area Airport Authority Request.
4. Consider awarding a Professional Services Contract for Consultant Brokerage services concerning employee benefits to Higginbotham Insurance Agency. Exhibits: Abstract of Bids. Proposed Contract is on file in the City Clerk's office.

5. Consider approving the third and final option to renew from Steve and Sandra Perry in accordance with the lease and concession agreement for Ralph's Resort between the Lawton Water Authority, and Steve and Sandra Perry. Exhibits: Ralph's Resort Extension Agreement.
6. Consider adopting a Resolution authorizing the installation and/or removal of traffic control measures at SW E Avenue at SW 20th Street and SW Texas and SW Tennessee near SW 13th Street and SW 14th Street. Exhibits: **Resolution No. 19-126**, Traffic Commission Minutes & Requests.
7. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 490 linear feet of 8-inch PVC sanitary sewer line, 1,335 linear feet of 12-inch PVC waterline, and all appurtenances to serve Rogers Lane Commercial Development located at the northwest corner of NE Angus Place and NE Rogers Lane. Exhibits: Permits to Construct are on file in the City Clerk's Office.

UNFINISHED BUSINESS:

8. Consider an ordinance pertaining to Refuse Fees and Charges amending Section 22-1-4-144, Division 22-1-4, Article 22-1, Chapter 22, Lawton City Code 2015, by authorizing a portion of funds generated by the landfill gate fee to be used for the abatement of litter at the landfill and along travel routes to the landfill, providing for severability and establishing an effective date. Exhibits: **Ordinance 19-33**.
9. Consider an ordinance pertaining to Hauling Refuse amending Section 22-4-1-408, Division 22-4-1, Article 22-4, Chapter 22, Lawton City Code 2015, by requiring all refuse being transported on streets, alleys, or public places to be completely covered, providing for severability and establishing an effective date. Exhibits: **Ordinance 19-34**.
10. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, revising the landfill gate fee and the uncovered or unsecured load fees, and establishing an effective date. Exhibits: **Resolution 19-127**.

NEW BUSINESS:

11. Hold a public hearing and adopt a resolution declaring the structures located at 1516 SW "C" Avenue (**Res 19-128**), 2805 SW "I" Avenue, (**Res 19-129**) 303 NW Dearborn Avenue (**Res 19-130**), 1718 NW Smith Avenue (**Res 19-131**) to be dilapidated pursuant to Section 6-5-1 Lawton City Code, ordering the owner to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in District Court to abate the nuisance. Exhibits: Resolution and exhibits for the property.
12. Hold a public hearing and consider a Use Permitted on Review for the operation of a medical marijuana growing and processing facility associated with the medical marijuana dispensary on property zoned C-5 General Commercial District located at 3140 NW Cache Road. Exhibits: Location Map, Site Plan and Application.

13. Consider approving an ordinance amending Section 2-1-1-103, Division 2-1-1, Article 2-1, Chapter 2 Lawton City Code, 1995, pertaining to the annual salary for the Mayor and the City Council, providing for severability and establishing an effective date. Exhibits: Charter Section C-2-3 and **Ordinance 19-35**.
14. Consider approving Ordinance No. 2019-_____ relating to Finance and Purchasing Requirements; amending Sections 10-1-101, 10-1-102 and 10-1-113, Article 10-1 (City Contract and Sales) of Chapter 10 of the Lawton City Code, 2015; by increasing the purchasing and contracting authority of the City Manager for the procurement of budgeted supplies, materials, equipment and services, personnel or any personal property, from fifty thousand dollars (\$50,000) to seventy-five thousand dollars (\$75,000) when the purchases and procurement process does not require compliance with the Oklahoma Public Competitive Bidding Act of 1974; providing for severability; providing an effective date; and providing for publication of the Ordinance as required by Section C-2-15 of the Lawton City Charter. Exhibits: **Ordinance 19-36**
15. Consider an ordinance amending Personnel Policies and Procedures Sections 17-1-4-137 and 17-1-1-102, Chapter 17, Lawton City Code, 2015, by allowing up to a three (3) month extension of the introductory period upon approval of the city manager and amending the definition of “introductory period” or “introductory status” to reflect the same. Exhibits: **Ordinance 19-37**.
16. Consider an ordinance amending Personnel Policies and Procedures Section 17-1-6-161, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, prohibiting new hires from being credited and/or using vacation leave until after successful completion of the introductory period, to include any extension, and clarifying the years of service associated with vacation accruals for regular full-time and part-time employees; providing for severability, and establishing an effective date. Exhibits: **Ordinance 19-38**.
17. Consider an ordinance pertaining to Personnel Policies and Procedures amending Section 17-1-3-124, Division 17-1-3, Article 17-1, Chapter 17, Lawton City Code, 2015, clarifying the City Manager’s authority to move and/or transfer personnel for the good of the service without a formal posting in circumstances such as demotions, disciplinary actions, or other personnel moves; providing for severability, and establishing an effective date. Exhibits: **Ordinance 19-39**.
18. Consider an ordinance pertaining to Personnel Policies and Procedures creating Section 17-1-6-169, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, titling the section Leave Usage, establishing that vacation, sick, historical sick, flex and compensatory leave time must be taken in not less than quarter hour increments; amending Section 17-1-5-152, Division 17-1-5, Article 17-1, Chapter 17, Lawton City Code, 2015, establishing that time worked in excess of forty (40) hours each established work period is to be computed in quarter hour increments; providing for severability, codification, and establishing an effective date. Exhibits: **Ordinance 19-40**.

STAFF REPORTS

EXECUTIVE SESSION:

19. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2020-2021 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.
20. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations regarding for a Collective Bargaining Agreement for FY 2019-2020 between the International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.
21. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the 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, Megan Loftis and Julie Snodgrass, and, if necessary, take appropriate action in open session. Exhibits: None.
22. 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, Megan Loftis and Julie Snodgrass, filed with the City on September 27 and November 12, 2019, and, if necessary, take appropriate action in open session. Exhibits: None.

ADJOURNMENT