

MINUTES  
LAWTON CITY COUNCIL SPECIAL MEETING  
OCTOBER 1, 2018 – 1:00 P.M.  
LAWTON CITY HALL  
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor  
Presiding

Also Present:  
Jerry Ihler, City Manager  
Frank Jensen, City Attorney  
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 1:14 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Officer Gerald Nooner, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:                      Bob Morford, Ward One  
                                    Keith Jackson, Ward Two  
                                    Jay Burk, Ward Four  
                                    Dwight Tanner, Jr., Ward Five  
                                    Sean Fortenbaugh, Ward Six

ABSENT:                      Caleb Davis, Ward Three  
                                    Onreka Johnson, Ward Seven  
                                    Randy Warren, Ward Eight

The Mayor and Council convened in executive session at 1:14 p.m. and reconvened in regular, open session at 1:26 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

1. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss: (1) the pending case in United States District Court of Tony L. Kemp v. City of Lawton, et al, CIV-17-306-F, (2) the pending damage claim of Brandon Hardegree filed January 12, 2018, and (3) the pending damage claim of Tony Kemp filed January 12, 2018; and if necessary, take appropriate action in open session. Exhibits: None.

Mayor Fitch read the title of item #1.

MOVED by Burk SECOND by Morford to accept an offer by Tony Kemp wherein Kemp: (1) agrees to dismiss his pending federal lawsuit against the City and five police officers with prejudice (meaning that his lawsuit cannot ever be refilled), and (2) also agrees to not pursue a subsequent pending claim for a separate incident occurring on January 16, 2017, in exchange for the City agreeing not to seek reimbursement for its costs and attorney fees in the pending federal

lawsuit. AYE: Morford, Jackson, Burk, Tanner, Fortenbaugh. NAY: None. MOTION  
CARRIED

There being no further business to consider, the meeting adjourned at 1:27 p.m. upon motion,  
second and roll call vote.

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FRED L. FITCH, MAYOR

ATTEST:

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TRACI HUSHBECK, CITY CLERK