MINUTES
LAWTON CITY COUNCIL SPECIAL MEETING
OCTOBER 1, 2019 – 5:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
Bob Ross, Interim City Attorney
Traci Hushbeck, City Clerk

Mayor Booker called the meeting to order at 5:18 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Charles Barnett, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:
Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Jay Burk, Ward Four (arrived @ 5:21 p.m.)
Dwight Tanner, Jr., Ward Five (arrived @ 5:19 p.m.)
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven (arrived @ 5:12 p.m.)
Randy Warren, Ward Eight

ABSENT:
Caleb Davis, Ward Three

BUSINESS ITEM:

1. Continue discussion and receive input from citizens regarding the proposed extension of the 2015 and 2016 Sales Tax Capital Improvement/Operational Expenditure Programs (CIPs), as amended, to include completion of incomplete projects/expenditures from the 2015 and 2016 CIPs along with new projects and expenditures, and provide specific direction to City staff on the projects, expenditures and associated dollar amounts as applicable to be included in the extension enabling preparation and timely filing of the legal documents with the Comanche County Election Board necessary to call and hold an election for such purpose. Exhibits: None.

Mayor Booker stated they will now take public comments. He stated citizen comments will be limited to 3 minutes.

Public comments:

Mayor Booker stated they first item will be if the council wishes to allocate $5 million to make sure everything gets done that was delayed.

Warren stated they promised the citizens that is what they would do along with the water treatment plant which is later in this discussion. Those things together are the things they need to do for sure. He is in favor of the $5 million.

Mayor Booker stated this had to do with the library, tearing down the old police station and two road projects. These were delayed in order to start the public safety facility. We are talking about refunding that amount of money.

MOVED by Warren SECOND by Fortenbaugh to allocate $5 million to finish projects in the current CIP that were delayed. AYE: Hankins, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: Jackson. MOTION CARRIED.

Mayor Booker stated next will be move to indefinite which would move half a cent to indefinite and it would fund the extra police and fire personnel that is set to expire in 2025. It would generate $2.684 million a year. It would fund an annual deposit to the emergency reserve of $250,000 a year. It would also fund, at the beginning, about $2.5 million each year for water/sewer infrastructure.

MOVED by Warren SECOND Tanner to include in the final ballot the indefinite, the water and sewer infrastructure and the money for the extra police/fire personnel and the reserve deposit at half a cent. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated on the D&D they sat down and came up with a number, there if 500 houses currently on there. A five-year program would cost $3.7 million and that would be for one temporary employee for this project only. It would tear down those 500 houses plus another 200.

MOVED by Burk SECOND Hankins to include in the final ballot $3.75 million for D&D houses/buildings. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated they have talked a lot about crime and appointed a committee and he is assuming they will come up with some form of a blue ribbon commission which will have experts as members. He stated results would be reported to the council quarterly and anything that is not getting the desired results, we would stop funding.

MOVED by Johnson SECOND Fortenbaugh to include funding for crime prevention. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.
Mayor Booker stated they have talked about parks and recreation and the phase one he was handed was $20 million and it included $8 million for the sports complex. The first thing that would happen would be a parks and recreation master plan.

Warren stated they need to start doing things out of our normal box and try to do some things that are good for the kids.

MOVED by Warren SECOND Burk to include funding $20 million for parks and recreation which includes $8 million for the sports complex. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated they have had some citizens come forward to talk about curb appeal and beauty. He put $2 million in that would be a five-year program that would be up to $400,000 to supplement the mowing. That does not mean that this money is to replace the $355,000 that we have in the budget now for contract mowing. This is designed to supplement that budgeted amount. We need to figure out how to get this in the budget after the five-year program ends.

Burk stated LETA has been working on this for the past 10-12 years and the more they put into beautification the more it costs to maintain it. He feels that this number will grow forever. Now we do not mow often enough and we are weed eating or edging. He stated LETA's job is to invest in enhancement, not to do the maintenance. They spent thousands out of LETA's budget to take care of flowerbeds and different areas. Along the road sides there are weeds that are five feet tall and that is not acceptable. He feels this is an important as anything that is on this list. They city needs to be prepared to absorb the cost of this maintenance, it will not be free.

Cleghorn stated they currently mow 12 cycles a year and they probably need to mow 24 cycles a year. He stated they are doing the best they can with the budget they have.

Hankins questioned where solid waste fits into this because it is a big issue in most wards. What are we going to do about stuff on the curbs? She feels they need to educate the public because citizens need to do their part.

Mayor Booker stated it is disturbing to see piles of trash along the curb. They need to change the rules because if the trash is there, pick it up. He does not know how they do this financially or the numbers involved.

Cleghorn stated he has staff to look at how we can get to collecting the trash that is set to the curb. This does not address the money component of it, that addresses the point where we collect it and can charge for it. To move us to a more rapid collection with boom trucks would be about a $4 million investment in equipment.

Burk stated we are going to have to spend money to make us look better and if we don't have the equipment we are never going to catch up. He would like to see this expanded out with more money. He stated if $4 million is needed for boom equipment, that has to be addressed.

Mayor Booker stated there is no money is in rolling stop and the CIP is the only option for the equipment.

Cleghorn stated this $4 million in equipment is not currently in the REVERB process. There will be some operational costs on top of that.

Tanner stated this has been a big issue to him as to why we just can't pick it up. Legal has told him that we just can't give away services for free. In order to charge someone you have to go through legal notification. By the time this happens it is a month down the line and then neighbors are upset. He stated we just have to pick it up and we need to focus on the bulk trash. The experts need to tell us how to do this and he is not opposed to adding more money to this.

Burk suggested they add $6 million to the total amount of money allocated here and instead of a five-year program they stretch it out to eight years. That gives staff time to plan it out and figure out how we will support it.

Mayor Booker clarified that the total for beauty/curb appeal is $8 million which includes trash pickup and the equipment necessary and it will be an eight-year program.

MOVED by Burk SECOND Tanner to include funding of $8 million for an eight-year beauty/curb appeal program which would include a trash pickup program with the necessary equipment. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated next on the list is streets and sidewalks. He stated there is $5 million for sidewalks. He stated several council members were interested in designating the money from the tax from marijuana sales for sidewalks. If that is the case, then that would be $5 million more to go for roads. We can address that at a later time. If we put this is as street and sidewalks and decide to fund it differently later we can.

Burk stated he was the one who suggested using the medical marijuana tax money for sidewalks. He stated now the tax is up to about $50,000 a month. He stated if it goes in the general fund it will be sucked up in the general fund so he thought it would be a good use for arterial sidewalks. He will bring forth an item in the future to earmark that money. He does not want us to do away with this because there is a huge need to sidewalks around schools and other things.

Mayor Booker clarified that the designated money from the marijuana tax would be in addition to this $5 million.

Burk stated yes. He stated that it is not to say they cannot use some of this money for those roads also.

Mayor Booker stated with this money Lee Boulevard could get done and they are working on an application for an EDA grant which would help us pay for Lee Boulevard from Goodyear Boulevard to I-44 in two phases and each grant would be $3 million. He stated someone suggested they add additional money for each ward.
Burk stated there are many places that need sidewalks.

Warren stated if they do divide it up by wards he would prefer to have city staff decide. He does not know why we would fix a semi bad road when there are two bad roads in another road.

Hankins stated she agrees, they need to look at those roads with consideration to school buses and city buses.

Mayor Booker stated there is a lot of money in here for roads because of a lot of that industrial development money will be used for roads. We have $18 million for roads and $5 million of that is for sidewalks, so that is $13 million for roads. That is not enough to do anything in the wards.

Burks stated a lot of the roads on the current list will get sidewalks when they are reconstructed because that is our policy.

Jackson stated he is not sure where we are on the completion of Rogers Lane from I-44 to Flower Mound Road. Something needs to be done because that will make the entire loop around the city.

Mayor Booker stated he thought that was in the ad valorem.

Hennessee stated the Rogers Lane project is an ODOT project and we do have a commitment for the first mile from I-44 to Garden Village. That is in the environmental study process.

Mayor Booker questioned the next mile from Garden Village to Flower Mound.

Hennessee the next mile has two new bridges on it so it is very expensive and they are looking at how they can fund that project.

Booker stated the money for phase I is in this CIP and we are reobligating that money.

Hennessee stated the first mile ODOT has obligated up to $5.8 million.

Mayor Booker stated they need to find out about the next mile.

Hennessee stated the environmental study they are completing now covers both miles and when they get money for the second mile they will just have to update that study.

Mayor Booker stated he is sure he saw in an email that it was identified as a project in the ad valorem CIP.

Hennessee stated it was discussed, but council did not dedicate it.

Mayor Booker stated they will check into that request to ODOT. He feels they don't have enough money to do all this and catch up on crack seal maintenance. We have ignored it for years and it is $8,500 a lane mile and it extends the life of the road.
Cleghorn stated there are 820 road miles in the city so it would be well over 1,600 lane miles.

Mayor Booker stated that would be about $20 million. He stated they need a number to add to this $18 million.

Tanner stated it would take billions to repair all the roads, but he feels this is a good start. He is open to adding more money, but the citizens will have the final approval.

Mayor Booker stated we are not keeping roads maintained or doing preventative maintenance.

Cleghorn stated if we do not maintain our roads or seal our roads, the longer we go without doing this the more damage occurs to our roads. Roads will last an extremely long time if we seal those cracks and various other things. Maintenance is critical.

Mayor Booker suggested they add $10 million and then send this to staff to get ready and we can still make some changes. This will make the total $28 million and $10 million of that is designated for preventative maintenance.

Johnson stated there are a few business owners on Lee Boulevard that are will to build sidewalks in front of their businesses and he would like to see some money added to offset these projects. This would be from 11th Street to 17th Street.

Warren stated that would be an arterial so it would be a good use of sidewalk money as a matching fund. He stated they could match funds all day long for anyone who is willing to do that.

<u>MOVED by Tanner SECOND Warren</u> to include funding of $28 million for Streets and Sidewalks with $10 million going towards preventative maintenance. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated the next project is to finish City Hall. He stated they have talked about this issue and there is $700,000 that could be used the way it was designated in the CIP for Fire Station #1 and the reason was that it was designated in the CIP as an addition and that addition is no longer needed or possible and they are wanted to remodel and they have grants.

Cleghorn stated it was terminology on expansion versus remodeling that caused legal to have some questions as to whether it could be spent.

Dewayne Burk, Human Resources Director, stated the $700,000 was approved in the 2012 CIP and it was ad valorem funding that was directly connected to the expansion of Central Fire Station. It was determined that it was not feasible to renovate that station and it was subsequently put on the historical register which also preserves some of the aesthetics from the outside. That $700,000 is tied to Central Fire Station specifically and the City Attorney evaluated the utilization of that for renovation purposes and through bond counsel and decided if we were going to utilize that for renovation we would need to go back to the public and get that repurposed. The $700,000 is not enough to do the renovation considering it would have to be brought up to code. They were going to try to find some grants to add to that.

Mayor Booker stated Mr. Burk brought up ad valorem and since they cannot mix the two they are going to table this until we find out whether it is ad valorem or sale tax. He stated they will move on to the City Hall renovation. He stated he never received an estimate on demolition of the annex and he feels that needs to be included.

Warren stated the original purpose was to move all the city offices into one building. He feels it would be a good use of the $700,000 to put fire administration in Central Fire Station.

MOVED by Burk SECOND Tanner to include funding of $6 million to finish City Hall. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated that staff requested funding for McMahon Auditorium. He stated some had wanted to do something with Arts and Humanities and they talked in terms of $2.5 million, but there will be cost overruns so he put in $5 million.

Warren stated they owe it to the McMahon Foundation to take care of this building. He agrees with the funding of Arts and Humanities at $250,000, that is money well spent. That money will be used as seed money for 501.C3 projects and different entities would come and apply for funding and the Arts and Humanities Council would vote on that funding.

MOVED by Burk SECOND Warren to include funding of $5 for McMahon Auditorium and the Arts and Humanities Council. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated they reallocated the money from the water treatment plant for IT and industrial development. He stated the citizens were promised that would be in here and he personally does not feel they should build it until they need to. There is a 2.5% chance that we are going to get to 50% water supply. That is about one years' income, so we are extending the CIP one year for insurance against a drought. The current water treatment plant will not treat well water.

Warren stated we currently have the funding for the wells and the conveyance of that water and it will be 2026-2027 before we have pipes in the ground and have that completed. There is not reason to spend this money right now but we need to have it earmarked and in the bank. Ten years from now when we would actually build it ODEQ rules and regulations will probably change. The longer we can put it off the better, but we do need to have the money.

Fortenbaugh stated we do not know when that drought is going to come and we can earmark that for a water treatment plant if we need it, but if we do not end up needing it why can't they put that money towards more road projects.

Burk stated he feels that you take this money, leave it in a fund and you earmark it for the water treatment plant that the citizens voted for and when we are ready, you build it.

MOVED by Warren SECOND Burk to include funding of $17 for a water treatment plan for well water. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated the airport has requested $2 million to go along with $14 million from the federal government.

MOVED by Burk SECOND Tanner to include funding of $2 for airport renovation. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated they need to designate a separate technology fund. It needs to be separate so we don't run into these challenges. The number he has that we need to put in for future use is $12 million.

Warren stated a lot of this money is for upgrades and maintenance. It does not do any good to purchase software if we are not going to update it every year and have the maintenance. Our staff cannot fix the software that we purchase. We need to have a contract in place so those who wrote the program can fix the program.

MOVED by Tanner SECOND Warren to include funding of $12 million for technology. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated he has a quarter cent earmarked for industrial development. He stated if they do not fund industrial development, we are not going to get jobs. He would like a motion to do this for 11 years or it could be a number as well, $29,025,000, plus what is left in the existing CIP designated for industrial development because we are giving IT its own budget line item.

MOVED by Tanner SECOND Warren to include this $29 million, quarter percent, whichever comes first, and any unspent from the current CIP. AYE: Hankins, Jackson, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Mayor Booker stated this changes the numbers. We have change it $18 million which is going to get us into the next…$114 million will be the total value and we have tabled the $700,000 because we are not even sure it is in the sales tax CIP versus ad valorem. That would put us into the bottom range which shows $118 million. He used pretty conservative numbers, he used last years' income, actually a little bit below that, and he left it from $26 million to $35 million all the way through, he didn't raise it any projecting for inflation or anything. We have gone through the numbers and he needs a motion if the council wants to send this to staff to prepare. This is not the final vote to send it to the people, this is to send it to staff to get it prepared.

Warren stated the push back he has gotten is that there are some citizens that feel like that we are hurrying and in a rush. The council is going to have to sell this and put information out and allow the citizens see the reality of what we are going to have them vote on and that should be a lengthy process. He does not feel it is something they should just throw out there. We have the opportunity to hold the election in April 2020, which would give them another month to provide information to the citizens. He is willing to sell it regardless of how much time they have, but there are citizens who feel they are rushing this.

Mayor Booker stated he gets people saying we are rushing this and he gets people saying they are taking too long.

MOVED by Tanner SECOND Fortenbaugh to send this to city staff to prepare the document necessary to call and hold an election on January 14, 2020 proposing the extension without an increase of tax rate of the 2015 and 2016 sales tax capital improvement operational expenditure programs CIP's as amended to include completion of incomplete projects, expenditures from the 2015 and 2016 CIP's along with new projects and expenditures as set forth in the exhibit specifically listing the proposed projects, expenditures associated dollar amounts as applicable attached to this motion. AYE: Hankins, Burk, Tanner, Fortenbaugh, Johnson, Warren. NAY: Jackson. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 6:41 p.m. upon motion, Second and roll call vote.

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STAN BOOKER, MAYOR

ATTEST:
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TRACI HUSHBECK, CITY CLERK