



City of Lawton

City Council

Minutes

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Monday, June 3, 2024

2:00 PM

Lawton City Hall

Council Chambers/Auditorium

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Kelly Harris, Ward Two (arrived @ 1:29 p.m.)
Linda Chapman, Ward Three
George Gill, Ward Four
Alan Hampton, Ward Five
Bob Weger, Ward Six
Onreka Johnson, Ward Seven (arrived @ 1:31 p.m.)
Randy Warren, Ward Eight

ABSENT:

None

ALSO PRESENT:

Stanley Booker, Mayor
John Ratliff, City Manager
John Andrew, City Attorney
Donalynn Blazek-Scherler, City Clerk

Ratliff introduced Rebecca Johnson as the new Finance Director.

Johnson stated she is available for any questions through the City Manager's Office, and she will work hard to serve the City the best way that she knows how.

BUSINESS ITEMS:

1. Discuss potential redundancies of service between the City Engineering Department and

vendors. Consider whether to fund the Engineering Department at the current projected level and direct staff as necessary.

Joe Painter, Engineering Department, gave a presentation regarding the responsibilities and duties of the Engineering Department and current projects being undertaken. This presentation is available in the City Clerk's Office.

Mayor Booker stated that this agenda item should not be a list of projects being managed, unless Painter is somehow getting to a point where he discusses potential redundancies of services.

Painter stated that he doesn't have any redundancies; that's the point of the mill and overlay. That's why he's trying to update the Council on the work that they actually do.

Mayor Booker asked if Painter was just giving an overview of everything he manages.

Painter stated yes.

Mayor Booker stated that while it is well appreciated, that is not what the agenda item is. The direction given to staff was to bring back a discussion on redundancies within the Engineering Department and with contractors. He asked Painter if that is what he has to present to the Council.

Painter stated that this is what he submitted to the City Manager.

Mayor Booker stated that wasn't his question.

Painter stated this is the PowerPoint they have today.

Mayor Booker asked if this was a PowerPoint of all of Engineering's projects.

Painter stated yes, and what they do. He stated that they don't have redundancies.

Mayor Booker asked if it was correct that he doesn't have what the Council directed.

Ratliff stated he thinks Painter is just going about it in a roundabout way. He's talking about the projects he's working on to show that there's no overlap or duplication of services.

Mayor Booker asked Painter if he was saying there is no redundancy between what his office does and what outside services or contractors do.

Painter stated no, sir.

Mayor Booker stated okay, they are going to stick with redundancies. He asked if anyone had any questions. He then stated he doesn't know how they are going to get where they want to go.

Williams asked Painter if he could go back to the list of completed projects.

Mayor Booker stated he is going to ask that questions be limited to redundancies.

Williams stated her question was not about redundancies.

Hampton stated that he received a call from a constituent about some potholes that were filled, and then the road was overlaid. He noted that Painter had said that wasn't part of the Engineering Department. Hampton stated that all the roadwork going on is great, but the constituent made him think about redundancies. He said there may be coordination or confusion with the road projects. Hampton stated that he had spoken with some of the vendors, Painter, and Cliff Haggenmiller in the Streets Division, and asked if Haggenmiller and Painter worked in the same building.

Painter stated no, Haggenmiller works for Public Works.

Hampton stated that he was in that building for a meeting, and Haggenmiller was there.

Painter stated that Larry Wolcott, Public Works Director, has an office in the same building.

Gill asked if Painter is Wolcott's boss.

Painter stated no.

Gill asked if they are equals. He stated that he knows Wolcott is in charge of Public Works. He mentioned that the organizational chart doesn't cover everything and asked who is responsible for what. He stated that if Painter is the head of Engineering, regardless of the specific duties of Engineering, all of this falls under that umbrella. He noted that some things, like utilities along 38th Street, are done by Engineering, and that certain responsibilities cannot be separated between individuals. Gill emphasized the need for coordination and collaboration and stated that might be where the issue is coming from. He added that coordination must fall under Engineering and referenced traffic control issues discussed in a previous meeting, noting that two different engineering firms were working on it. Gill referred to this as a redundancy and stated that for mill and overlay projects, cooperation is necessary. He expressed concern that the mill and overlay subcontractor was operating independently and asked Painter if his inspector inspects any of this work.

Painter stated that his department is not inspecting mill and overlay projects, as they inspect their own construction projects.

Gill stated that might be where the confusion lies and said they need to look at who is in charge.

Mayor Booker stated that it sounds like Gill is describing a lack of cooperation rather than redundancies.

Gill agreed, stating he is describing a lack of cooperation.

Harris asked if the ad valorem projects had been compared to the "10 Wins for the Citizens" projects.

Painter stated that is a good point. He explained that the list of ad valorem streets was established before he arrived in Lawton. However, he said that his team worked with Public Works to get the IMF contract for a pavement condition index, which they now use jointly. He noted that this data allows them to reevaluate projects and determine which streets can be milled and overlaid versus those that need complete reconstruction. Some projects, however, were already underway before his arrival.

Harris stated that he thought there were a couple of roads on both lists and suggested that the two lists be

compared to eliminate any duplicates.

Painter stated that they do that.

Harris stated that 12th Street is on both lists.

Painter confirmed that he and Haggenmiller had already discussed it, and 12th Street was removed from the ad valorem contract.

Mayor Booker stated that it sounds like the report shows there are no redundancies.

Painter confirmed this, saying no, sir.

Gill asked if the responsibility ultimately falls on Painter, as he is the City Engineer.

Painter stated that within his department, yes. He also noted that he only has the authority given to him when he started.

Gill stated that he believes that is the issue. He said that while Painter coordinates with other engineers, someone needs to lead the projects. He questioned how the Engineering Department can operate without some oversight over major projects, like mill and overlay.

Painter stated that they would love to have more oversight.

Gill asked why they don't have it. He mentioned that there have been documented calls over the past year where Engineering was contacted, but there was no response. He asked why there is no coordination.

Painter stated that this was how the process was set up when he arrived.

Gill said that he was only referring to the past year and told Painter that he can change any policies he wants as long as it goes through the City Manager and is agreed upon. He asked if there has been any issue in the last year that has prevented Painter from reaching out to the contractors working on mill and overlay projects.

Painter stated that his department helped set up the "10 Wins" initiative by preparing construction documents, showing contractors how to advertise and bid, and providing other support to get the process started.

Gill acknowledged this but stated that there are areas where these efforts were not made. He asked Painter why he didn't help the contractor establish a timetable for when and how streets would be done. He also asked if the projects were not being inspected.

Painter confirmed that Engineering has a full inspection staff.

Gill asked if they were inspecting the mill and overlay projects.

Painter stated no, because those projects are not under his department's jurisdiction.

Mayor Booker stated that this issue should be referred to the City Manager for further review and resolution.

2. Receive a report on the status of the CIP Project Dashboard and direct staff as deemed necessary.

Judy Franco, from Information Technology, provided a presentation on the CIP dashboard. Franco demonstrated the online portal, showing that on June 3, 2024, the "Last Updated" date was added. All active projects were included based on confirmations received from Public Utilities, Engineering, and Parks and Rec. Project photos were also added. Franco displayed that the portal now includes information on pictures, funding types, how much was budgeted, how much has been spent, estimated start and end dates, and the current phase of sub-projects.

Mayor Booker mentioned that he thought "Other" was going to be changed to "Partnerships and Grants."

Franco confirmed this but noted that the update had not yet been made.

Mayor Booker asked if the "Last Updated" stamp was applied to each project individually or if it was for the entire site.

Franco explained that it shows the most recent date when financial information was updated for the listed projects.

Mayor Booker inquired whether staff was prepared to hold a CIP Committee meeting using the portal.

Franco stated, "As you can see, yes." However, for future projects, she would need to obtain information from Finance regarding the funding sources.

Mayor Booker asked if there had been good cooperation among all departments to gather the necessary information.

Franco confirmed that there had been.

Mayor Booker then asked if a system had been set up to ensure this process continues moving forward.

Franco confirmed that it had.

Mayor Booker emphasized the importance of the portal, stating that it is about transparency for the citizens. It's not just about seeing the project's status; it's also about showing the process and financial details, which is what the citizens are most interested in.

Weger commended Franco, saying, "Kudos on getting this information out to the citizens. They want to know what is going on, and now they can see the progress. Well done."

Mayor Booker stated that the goal is to keep the portal so up-to-date that a CIP Oversight Committee meeting can be held using the same portal accessible to all citizens.

Hampton asked if more details could be seen by zooming in on the map.

Franco confirmed that zooming in reveals more information.

Hampton then asked if issues reported through the iHelp portal would also be visible on this portal.

Franco clarified that those issues are shown on a different map in another part of the website.

Ratliff stated that, similar to the iHelp portal, the quality of information depends on how frequently it is updated. "We're definitely going to stay on top of that and make sure the information on the CIP portal is the most current, available to both the Council and the citizens."

Mayor Booker commented that the portal looks great, and he is very proud of the work.

Chapman asked how often updates would be made.

Ratliff responded that it would depend on the progress of each project. While there isn't a definitive answer, he noted that they would review the information at least on a monthly basis to ensure there are no updates being missed

3. Consider approving the City of Lawton's proposed budget (with revisions) for FY 2025 by resolution.

Kristin Huntley, Finance Department, stated that at the last Council meeting, Council requested that the CPI be removed. Those changes have been made and are reflected in the budget resolution and the budget revision number two, which are the exhibits provided.

Gill asked if we picked up the money for the lake office.

Huntley stated that is in the CIP.

Mayor Booker stated he thinks this is awesome. He thinks it's awesome that the City Manager suggested that we do not put in the CPI. We have \$10 million in streets materials, which is a first. Last year was a first with \$4.5 million. I think our Parks budget is great. We've made changes to meet the citizens' expectations on cleaning up neighborhoods. I think the City Manager's added funds to take care of that. I think funds are assured to take care of meeting the citizens' expectations on litter control. Those are highlights for me. The whole thing is a highlight. I think we continue to move forward, and I'm excited about this budget. It's a giant step over just a few years ago, and I'm very proud of it.

Warren stated he wanted to thank the manager for not including the CPI. He's thankful that we don't have to raise it. That way, if we do ever have to raise it, the citizens can trust that it's really needed.

Motion by WARREN, Second by GILL, to approve the proposed budget with revisions for Fiscal Year 2025 by resolution. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren, Booker
NAY: None. *MOTION PASSED*.

Ratliff asked Huntley to come back up. He stated Huntley, the Deputy Finance Director, was largely responsible for putting together the budget this year, making sure everything balanced, and making any number of amendments and adjustments that were asked for during this process. She did an excellent job and did so under some very challenging circumstances. He stated he wanted to public thank her and let everyone know how hard she's worked on this. This passage is due in large part to her efforts.

Huntley received a round of applause.

4. Consider approving Ordinance No. 2024-___ relating to taxation; amending the Lawton City Sales Tax Code, Codified as Article 10-2 of Chapter 10 of the Lawton City Code, 2015; by the enactment of an amendment to Paragraph (D) under Section 10-2-205 of the Lawton City Code, 2015; levying and extending an existing excise tax of two and one-eighth percent (2.125%) in addition to all other excise taxes assessed and levied by the City of Lawton, Oklahoma and all other taxing authorities, upon the gross proceeds or gross receipts derived from all sales taxable under the sales tax laws of the State of Oklahoma; providing for extending the term of the existing excise tax from terminating on December 31, 2034, to a new termination date ending December 31, 2040, with the exception of a one percent (1%) existing excise tax which shall be permanent for an indefinite period; providing that the excise tax levied by this amended Paragraph (D) under Section 10-2-205 shall be cumulative to all other excise taxes levied by this Chapter or any other taxing authority; providing for codification; providing an effective date for Sections 1 and 2 of this Ordinance with approval of the Ordinance by City voters required; providing for severability; and requiring the full text to be published.
4. Tim Wilson, City Attorney's Office, stated the item before you is the ordinance that will amend our sales tax code, if approved by the voters, which the Mayor has termed as the "PROPEL 2040 Initiative". It is exactly what the title says; we are going to, if the voters approve, extend the 2 and 1/8 from December 31, 2034 to December 31, 2040. We will also be making a full 1% of part of that tax to be permanent and indefinite.

Mayor Booker stated let's define "indefinite". That means unless the citizens decide to take it off. The citizens are the only ones that can take it off, right?

Wilson stated yes, sir.

Mayor Booker stated he has one question under "Economic Development". There have been moves all across the nation, but particularly in Oklahoma, to develop an entrepreneurial ecosystems as part of economic development programs. He has that in mind in the economic development funds that we work to build an entrepreneur ecosystem. That just means building a system that promotes entrepreneurship as a way to create jobs. I want to make sure that the clause, the way it is written, allows us to address that.

He showed City Attorney, John Andrew, that "Economic Development" is under item "D" and asked that he read through that while the item is being discussed.

Gill asked if we have to return here in 2040.

Wilson stated the part that is not permanent and indefinite will expire in 2040. At that point or at some point prior thereto, if we wanted to ask the voters to extend further the non-indefinite part, we would have to have another vote.

Mayor Booker stated his question is on the resolution, not the ordinance, so he will just delay that

Motion by WARREN, second by WEGER, to approve the ordinance, waive the reading of the ordinance, and read the title only.

Attorney read the title:

ORDINANCE RELATING TO FINANCE AND TAXATION; AMENDING THE LAWTON CITY SALES TAX CODE, CODIFIED AS ARTICLE 10-2 OF CHAPTER 10 OF THE LAWTON CITY CODE, 2015; BY THE ENACTMENT OF AN AMENDMENT TO PARAGRAPH (D) UNDER SECTION 10-2-205; BY ENACTING AN ORDINANCE LEVYING AND EXTENDING AN EXISTING EXCISE TAX OF TWO AND ONE-EIGHTH PERCENT (2.125%) IN ADDITION TO ALL OTHER EXCISE TAXES ASSESSED AND LEVIED BY THE CITY OF LAWTON, OKLAHOMA AND ALL OTHER TAXING AUTHORITIES, UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TAXABLE UNDER THE SALES TAX LAWS OF THE STATE OF OKLAHOMA; PROVIDING FOR EXTENDING THE TERM OF THE EXISTING EXCISE TAX FROM TERMINATING ON DECEMBER 31, 2034, TO A NEW TERMINATION DATE ENDING DECEMBER 31, 2040, WITH THE EXCEPTION OF A ONE PERCENT (1.00%) EXISTING EXCISE TAX WHICH SHALL BE PERMANENT FOR AN INDEFINITE PERIOD; PROVIDING THAT THE EXCISE TAX LEVIED BY THIS AMENDED PARAGRAPH (D) UNDER SECTION 10-2-205 SHALL BE CUMULATIVE TO ALL OTHER EXCISE TAXES LEVIED BY THIS CHAPTER OR ANY OTHER TAXING AUTHORITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE FOR SECTIONS 1 AND 2 OF THIS ORDINANCE WITH APPROVAL OF THE ORDINANCE BY CITY VOTERS REQUIRED; PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE; AND REQUIRING THE FULL TEXT TO BE PUBLISHED.

Vote on Motion: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. *MOTION PASSED.*

5. Consider approving a Resolution repealing and replacing Resolution No. 2024-114 specifying the administrative intent of the Mayor and Council of the City of Lawton, Oklahoma with regard to a proposed extension of the term of the existing excise tax of two and one-eighth percent (2.125%), said extension to be considered by the registered voters of the City of Lawton, Oklahoma at an election held for such purpose on August 27, 2024, such two and one-eighth percent (2.125%) sales tax that combined and replaced the existing seven-eighths of one percent (7/8%) capital improvement/operational expenditure sales tax and the one and one-quarter percent (1.25%) capital improvement sales tax as approved by the registered voters of the City of Lawton, Oklahoma at an election held for such purpose

on February 11, 2020; providing this Resolution shall become effective upon the passage of Ordinance No. 2024-__ at an election to be held on August 27, 2024.

Wilson stated this is a companion item to the ordinance Council just approved, subject to the voters' approval. Essentially, at the last Council meeting, we did an amendment to the Resolution of Intent because we had some inflationary funds. Some additional funds were allocated to the city hall renovation and to parks. That is the resolution that's in the title as "24-114". We are continuing the process, and we are essentially repealing Resolution 24-114, subject to the voters approving the proclamation in August. If that occurs, Resolution 24-114 will be repealed, and this will become the new Resolution of Intent. It now includes a "Section D", the "PROPEL 2040" Section, which includes the projects and items set forth in that new section in PROPEL 2040. I think this is where the Mayor was asking about...

Mayor Booker stated my question is about D-1.

Wilson stated section D-1 talks about industrial development, \$35 million in additional funding, and it mention that it has to be spent in furtherance of industrial development in accordance with the Industrial Development Policy. As long as what you are proposing is in accordance with our Industrial Development Policy, we're good.

Motion by WARREN, second by WILLIAMS, to approve the resolution. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. MOTION PASSED.

Wilson stated this is David Floyd with the law firm of Floyd and Driver. one of our bond counsels. Lynn couldn't be here today.

Mayor Booker stated these are the guys that watch our every move to make sure we do exactly what we told the voters. I appreciate that oversight. Of all the things we are accused of, their job is to keep us from doing things that we get accused of doing.

6. Consider approving a Resolution authorizing the Mayor to issue a Proclamation calling a special election submitting Ordinance No. 2024-__ to the registered voters of the City of Lawton, Oklahoma, for their approval or disapproval, which if approved would amend the City Sales Tax Code by extending and levying an existing excise tax of two and one-eighth percent (2.125%) on all sales taxable under the sales tax laws of the State of Oklahoma; providing for extending the term of the existing excise tax from terminating on December 31, 2034 to a new termination date ending December 31, 2040, with the exception of a one percent (1%) existing excise tax which shall be permanent for an indefinite period, effective October 1, 2024; specifying the proposition to be submitted to the voters; providing that the call for the election shall be by Mayoral Proclamation; providing for publication of this Resolution and the Proclamation issued by the Mayor to call the said election; and further providing that the returns thereof shall be canvassed by the County Election Board pursuant to State law and certified to the Mayor and Council.

Wilson stated this is a companion item to the other items we have on the CIP. Essentially what we have here is a resolution authorizing the issuance of a proclamation that will be voted on. If you look into the item, you will see a copy of the proposition that the voters will be asked to consider on August 27th. It is the exact wording. It has language that says it is known as "PROPEL 2040" and if it is approved, it does not increase the existing sales tax in Lawton. He has some very important language in there. We are

asking Council to approve this so we can get it to the Election Board by June 12th. David plans on taking that over today.

Motion by **CHAPMAN**, second by **HANKINS**, to approve the resolution. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. MOTION PASSED.

7. Consider approving a Resolution relating to the special election called by the Mayor and Council of the City of Lawton for August 27, 2024, for the purpose of submitting to City voters Ordinance No. 2024-____, levying and extending the term of an existing two and one-eighth percent (2.125%) excise tax from terminating on December 31, 2034 to a new termination date of December 31, 2040, with the exception of a one percent (1.00%) existing tax which shall be permanent for an indefinite period; effective October 1, 2024; setting forth the facts required by Section 13-102 of Title 26 of the Oklahoma Statutes; directing the City Clerk to submit this Resolution to the Secretary of the Comanche County Election Board before June 12, 2024; further directing the City Clerk to forthwith submit a current, certified copy of the Lawton City Charter to said Election Board as required by law and directing the City Clerk to forthwith provide the Comanche County Election Board with a map designating the municipal limits and ward boundaries of the City of Lawton as required by Section 13-107 of Title 26 of the Oklahoma Statutes.

Wilson stated this is the final companion item. This is another resolution. This will go to the Election Board to basically give the election secretary directions on when the election will be held, that it is a citywide election, and it also includes the proclamation and, as the Mayor read, a copy of the Charter and a map of the city boundaries.

Motion by **GILL**, second by **HANKINS**, to approve the resolution. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. MOTION PASSED.

Mayor Booker stated you may not realize it, but you just made one of the biggest decisions for the City of Lawton in years. The original PROPEL is transforming the city, and you are seeing it by torn up roads and detours everywhere. I know you appreciate that, and it is so important. It's also important in driving industrial development in our city. This not only extends all the good that PROPEL started, but it adds two things that are over the top. I know we've been taught that there's no such things better than "Some Kind of Wonderful", but this is backflip wonderful. And what it is is a half cent dedicated to streets. I don't know why we didn't do this before, but we didn't. It's going to be transformative for our city. There's also a half a cent dedicated to parks. You can't have a great city if you don't have great parks. This is important, and I think we ought to applaud the whole thing.

The Council and audience applauded.

Motion by **GILL**, Second by **CHAPMAN**, to adjourn the meeting. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, Warren. NAY: None. MOTION PASSED.

There being no further business, the meeting adjourned at 2:52PM.