

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
MAY 25, 2021 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
John Ratliff, City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

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 by Officer Andrew Grubbs, Lawton Police Department, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT:

None

Jay Burk, Ward Four

PRESENTATIONS:

Employee Spotlight Award: Megan Stockton – Library

The City Manager recognized Megan Stockton – Library, for her outstanding performance.

PROCLAMATIONS:

ASIAN AMERICAN PACIFIC ISLANDER HERITAGE MONTH

Mayor Booker proclaimed the month of May 2021 as Asian American Pacific Islander Heritage Month

NATIONAL GUN VIOLENCE AWARENESS DAY

Mayor Booker proclaimed the first Friday in June as National Gun Violence Awareness Day

REPORTS: MAYOR/CITY COUNCIL

Johnson reported that on May 29th from 11a.m. to 1 p.m. the Ranch Oak Association is hosting a Community Day of Remembrance.

COL Taylor reported on the concert held on Fort Sill, the change in the health protection condition level and the first basic combat graduation.

AUDIENCE PARTICIPATION: None

CONSENT AGENDA:

Mayor Booker stated items #3, #9 and #11 will be considered separately.

MOVED by Warren SECOND by Burk to approve the consent agenda with the exception of items #3, #9 and #11. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approval of the minutes of the Lawton City Council meeting of May 11, 2021.
2. Consider the following damage claims recommended for approval: Joseph Coon in the amount of \$3,102.81 (**Res. 21-107**) and Fort Sill Federal Credit Union in the amount of \$5,824.28 (**Res. 21-108**).
3. Consider the following damage claims recommended for denial: Brandon Pedigo in the amount of \$592.09, and Janice Lovelace in the amount of \$5,569.77

Cheyenne Konarik, Assistant City Attorney, reported the facts of the claim of Brandon Pedigo. Staff is recommending denial of the claim.

Brandon Pedigo, 1109 NW 52nd Street, stated that there was notice given. He presented facts in defense of his claim.

MOVED by Warren SECOND by Fortenbaugh to deny the claim of Brandon Pedigo in the amount of \$592.09. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Kelea Fisher, Deputy City Attorney, reported the facts of the claim of Janice Lovelace. Staff is recommending denial of the claim because there is no evidence that the city was negligent.

Janice Lovelace, 2813 NW 25th Street, presented facts in defense of her claim.

Johnson questioned if there is paperwork when they go out and turn the water off and on.

Fisher stated there are work orders. Their practice is that water is not turned on if no one is

home to answer the door. She stated there was no GPS data that an employee was there on the days in question.

Hampton questioned if there was a lock on the meter.

Fisher stated she is not sure.

Fortenbaugh questioned if there was a policy that we don't turn on the water unless we make contact with a resident.

Fisher stated yes.

Fortenbaugh stated the record and time keeping in these division are very impressive.

MOVED by Fortenbaugh SECOND by Warren to deny the claim of Janice Lovelace in the amount of \$5,569.77. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

4. Consider approving the State-Local Disaster Assistance Agreement for Emergency and Major Disasters with the Oklahoma Department of Emergency Management for DR-4587 Severe Winter Storms and authorizing the Mayor to execute the agreement.
5. Consider approving a resolution authorizing and calling for an election in the City of Lawton, State of Oklahoma, for the purpose of setting the dates for the 2021 primary and general municipal elections for the Mayor and designated City Council seats and authorizing the Mayor to issue an election proclamation. **Resolution 21-109**
6. Consider accepting the Assistive Technology Grant of \$500.00 from the Developmental Disabilities Council of Oklahoma for the purpose of purchasing assistive technology for the Lawton Public Library.
7. Consider accepting a \$1,500.00 donation to the Library from the Friends of the Library to be designated for library-related activities.
8. Consider adopting a resolution setting the E-911 fee for the period of July 1, 2021 through June 30, 2022. **Resolution 21-110**
9. Consider accepting a reimbursement grant from the Oklahoma Department of Wildlife Conservation in the amount of \$78,876.00 for the replacement of the boat dock at Collier's Landing.

Mayor Booker state the AIC does not say how much money will be drawn on the CIP. The attached documents do not give much information.

Keith Neitzke, Parks and Grounds Supervisor stated the wrong documentation was attached to the agenda item. He stated the \$78,000 is what we would be reimbursed, which is 75% of the entire project.

Mayor Booker questioned if staff brought the correct documents.

Neitzke state no.

Mayor Booker suggested they table this until the next meeting.

MOVED by Warren SECOND by Hampton to table to June 8th meeting. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

10. Consider ratifying the Mayor's signature on a Memorandum of Understanding between the City of Lawton and Cameron University which provides professional development opportunities for Cameron University engineering students and the City of Lawton Engineering Department.
11. Consider a resolution authorizing the reinstitution and revision of the fee structure for the Lake Lawtonka Recreation Area. Proposal includes the installation of Wi-Fi throughout the park and the installation of remote kiosk units at the northwesternmost gate (Granite Pointe).

Jeff Temple, Parks and Recreation Director, stated this item breaks down into two areas, one to increase fees at the campgrounds and parking fees for the recreation areas in the amount of \$10 per car. This is a user fee reinvestment program. They want to install kiosks, so it is all automated with drop gates at two locations. They want to institute the campground fees as soon as possible and the park fees in late fall. They are in the process of putting WiFi throughout the lake and the park area.

Hankins stated the public needs to know we are moving toward fees at the lakes to make them more independent. She feels they are not ready to vote on this until they have more information on the cost to the city. There needs to be more planning before they move on this.

Mayor Booker questioned the cost associated with this item.

Temple stated funding is coming out of the 2015 CIP and the cost is estimated at \$80,000 to install the two kiosks and the drop gates.

Chapman questioned the cost of the Wi-Fi.

Temple stated the Wi-Fi equipment was paid for out of the CIP at a cost of \$16,000. He does not know the cost for the service. He stated this is only applicable to Lake Lawtonka.

Mayor Booker stated he does not see a resolution with this item. He suggested they table this item.

Hampton questioned if the fee was different for residents and non-residents.

Temple stated since it is automated they cannot really control it, but they may look at some kind of a pass for residents.

Fortenbaugh stated the Lakes and Lands approved this unanimously, but they need to have the resolution approved.

MOVED by Fortenbaugh SECOND by Warren to table to June 8th meeting. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

12. Consider approving the construction plat for Park View Addition, Part subject to the conditions listed.
13. Consider approving the record plat for Lawton Airport Industrial Park, Part 2.
14. Consider approving construction plans for Lawton Airport Industrial Park, Part 2, located at SW 11th Street Frontage Road and SW Rex Madeira Road, subject to conditions.
15. Consider extending the Workers' Compensation Administration Services contract (RFPCL20-025) with United Safety & Claims, Inc. of Tulsa, OK.
16. Consider awarding contract (CL21-020) Installation of Radar Traffic Signal Vehicle Detection Systems (Wavetronix SmartSensor Matrix or approved equal) at four (4) locations to Traffic & Lighting Systems, LLC of Oklahoma City, OK.
17. Consider awarding contract (CL21-025) Mowing & Litter Areas as follows: Items 1 thru 7 and 9 to Teen Challenge of Lawton, OK and Item 8 to Lawn Wizards of Lawton, OK.

BUSINESS ITEMS:

Mayor Booker stated they will need to strike item #18.

18. Receive a presentation from a representative of the Lawton Goodyear Plant and consider accepting the donation of a framed photograph of the Lawton Goodyear Plant.
STRICKEN
19. Receive a briefing from the South-Central Oklahoma Workforce Board (SCOWB) and Oklahoma Works on the nature of their programs and the benefits of participation.

Presentation was made by Jennifer Cowns, Apprenticeship Project Manager from the Oklahoma Office of Workforce Development and Trina Southard, Executive Director of South-Central Oklahoma Workforce Board. (Presentation is on file in the City Clerk's office)

20. Consider entering into an agreement with South-Central Oklahoma Workforce Board to participate in their On-The-Job training program, which will aid in hiring and training recommended candidates for various positions throughout the City of Lawton; and authorize the execution of all documents necessary to implement the program.

Craig Akard, Interim Human Resources Director, this is a six-month program that will be open to people who qualify through the Workforce. With this program the employee is actually an employee with the City of Lawton and they get paid by the City and get the same benefits as a regular city employee. They still go through the 12-month introductory program, but Workforce reimburses up to 50% of the first six months of their employment. The department head will have to have a training plan. To be reimbursed we will submit paychecks to Workforce.

Hankins stated before she retired, she had the opportunity to work with an ASCOG Workforce mentorship program and they had a lot of success in putting people into the workforce. This is very important.

Akard stated this will really help in certain jobs such as labor jobs. He stated part of their criteria is veteran priority.

Johnson stated everyone associated with this program does a wonderful job.

Hampton questioned who will select the individuals.

Akard stated the Workforce identified individuals who would fit the position and then they refer that person to us. Department heads will then interview that person.

MOVED by Hankins SECOND by Chapman to approve an agreement with South-Central Oklahoma Workforce Board to participate in their On-The-Job training program. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

21. Consider entering into an agreement with South-Central Oklahoma Workforce Board to participate in their Work Experience program, which will aid in hiring and training recommended candidates for various positions throughout the City of Lawton; and authorize the execution of all documents necessary to implement the program.

Akard stated the qualifications for this one are the same. The only difference with this program is it is for three months and they are not employees of the City of Lawton and their pay and benefits are through Workforce for those three months. If the employee works out, then the City would hire that person.

MOVED by Chapman SECOND by Hankins to approve an agreement with South-Central Oklahoma Workforce Board to participate in their Work Experience program. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

22. Hold a public hearing to receive input from the citizens of Lawton regarding the City of Lawton's proposed budget for Fiscal Year 2021-2022, and, after due consideration of the City Manager's proposals and citizens' input thereon, provide direction to finalize the budget or take action to approve the budget (with any revisions) by Resolution as deemed appropriate.

Cleghorn presented the fiscal year 21-22 financial plan (on file in the City Clerk's office).

PUBLIC HEARING OPENED. No one appeared to speak, and the public hearing was closed.

Mayor Booker questioned if all the capital outlay in the budget is rolling stock.

Cleghorn stated no, there are general fund and specialty funded items in capital outlay. Capital outlay is designated as anything over \$5,000. He stated they hope that those items not currently funded will be funded through the ARPA act.

Mayor Booker stated the number in the capital outlay line, does that represent capital outlay in the budget other than rolling stock.

Cleghorn stated it represents other items other than the reverb fee as well as reverb.

Mayor Booker stated in FY 21-22 it is 100% from rolling stock.

Cleghorn stated yes, currently it is from the reverb fee and rolling stock with a few specialty funded items.

Mayor Booker stated he is going to assume there is a plan in subsequent years that all of the capital outlay won't be on the rolling stock and that we will get back to a significant amount of money coming from the budget as well for capital outlay.

Cleghorn stated that is correct.

MOVED by Warren SECOND by Hankins to approve **Resolution 21-111** approving the budget for Fiscal Year 2021-2022. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Warren. NAY: Johnson. MOTION CARRIED.

23. Hold a public hearing and adopt a resolution declaring the structure located at 4912 SE Avalon Avenue, 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.

Corey Bowen, Neighborhood Services Supervisor, reported the numerous violations of city code existing on the structure located at 4912 SE Avalon Avenue which is documented on the Property Maintenance Evaluation Sheet. Bowen presented photographs of the property.

Mayor Booker questioned why they were moving so fast on this property.

Bowen stated it has been boarded up three times by the owner and children keep breaking into the building. They are worried about someone getting hurt.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed. MOVED by Jackson SECOND by Hankins, to approve **Resolution 21-112** declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

24. Receive a briefing from Recyclops concerning a potential recycling program for residential and commercial businesses.

Presentation was made by Dennis Wise, Vice President of Sales from Recyclops. (Presentation is on file in the City Clerk's office.)

Chapman questioned what kind of insurance was provided to the driver if property is damaged.

Mr. Wise stated they have a liability umbrella coverage.

Hankins questioned if the drivers can be identified.

Mr. Wise stated they have magnetic placards and they encourage them to wear a Recyclops shirt.

Hankins questioned where they store the recyclables before they are taken to Oklahoma City.

Mr. Wise stated they are stored at a staging yard.

Hampton questioned if the recyclables sit at the curb.

Mr. Wise stated they either have the recyclables on the curb or on their driveway or doorstep. It depends on the municipality.

Cleghorn questioned the cost to participate as well as the number required. He stated this is not a contract with the city, but what is being asked of the council.

Mr. Wise stated it is \$12 per month and they are asking that the City put the information on their social media sites and Next-Door platforms to push out information. It is really about awareness and announcing that they are here.

Cleghorn stated staff did not put a contract on this agenda item and it is up to the council.

Mr. Wise stated it may not be necessary. More places than not they do not have a contract with the city. He stated it takes 100 households to sign up and then they do an outreach to advocacy groups and that is how the word gets spread. They are looking at the middle of July.

Fortenbaugh questioned if Mr. Wise could say, for certain, that nothing will end up in our landfill.

Mr. Wise stated nothing will end up in the landfill.

Mayor Booker stated this is not an action item and he is not sure if they need to go out for an RFP to see what others are doing.

Cleghorn stated that is the prerogative of the council, but this does not need a contract in the traditional sense. This would be a service directly to the customer.

Ratliff stated there is no requirement that we follow the provisions of the competitive bidding act, but the council can always request an RFP to compare them, but there is no requirement to follow the act.

Mayor Booker questioned what the city needs to do.

Cleghorn stated this would be a partnership to help promote the program.

Warren stated he has a problem with the recycling placement on the curb. He would rather it be on the porch. They will end up with something on the curb every day of the week. He does not have a problem with pushing this out, but we do not do that with service line warranties. Would they be responsible for anything we are promoting?

Ratliff stated if it is on our website that would imply some type of endorsement. There are some nuances they need to work through.

Mayor Booker stated since this is not an action item, the council could have a consensus that staff come back in two weeks with something to vote on.

Johnson suggested the look at coordinating this with our trash and bulk pick ups.

25. Receive a briefing from the Cemetery Sexton on operations and maintenance issues at Highland Park Cemetery. This briefing will include a discussion on the status of stone arch repair project. The discussion may result in City Council providing direction to the City Manager or the Municipal Cemetery Board on future or on-going maintenance initiatives.

Keith Neitzke, Superintendent of Parks and Grounds, updated the council on the status of the arch at the Highland Park Cemetery and the options for repair. (Presentation is on file in the City Clerk's office).

Mayor Booker questioned who caused the damage.

Neitzke stated it was a city trash truck. He stated the arch is a ceremonial entrance.

Hampton stated this is a WPA project and he feels that this should be under national guidelines and replace it with what is already there. If you take it apart and rebuild it, it is not the same arch. He referred to the Ron Stephens wall project. There were a lot of issues. He questioned if the Historical Preservation Commission looked at this project.

Neitzke stated they have discussed it with them, not formally. He stated the Cultural Preservation Committee and the Cemetery Board has endorsed the option to disassemble the top so it can be fixed and then moving it back and making it a ceremonial entrance. He stated this option would cost from \$22,000 to \$25,000.

Hampton stated he is concerned about the details. Someone really needs to know what they are doing.

Richard Rogalski, Deputy City Manager, stated it would have to be a stone mason and this would take a unique skill. The top has been displaced and a structural engineer would have to look at it. The \$20,000 estimate is to take the top off, inspect the columns and put the top back on.

Hampton stated they would have to dismantle it.

Rogalski stated option 2 would require disassembling the entire arch. The more you touch it, the less likely you can put it back the way you want it. Touching it as little as possible is the best route.

Cleghorn stated whatever we do, it must be documented.

Neitzke stated until they get the stone off the top, they are not sure what they will find.

Hampton suggested that the Historical Preservation Commission be involved because they will have guidelines and they take care of historical pieces.

Warren stated they can rebuild a historical structure, but they really can't worry about the cost, either you want to do it or not. This is going to cost more than \$20,000. He feels that you must do this because you can't leave it the way it is.

Hampton stated he would like to contact the historic preservation community to discuss the options. They need to set a precedence in taking care of these historic structures.

Chapman stated there is nothing at the south entrance. She questioned what the options are for making this the main entrance.

Neitzke stated they will improve the signage and that is where the office and directory is located.

Chapman stated she would like to see the arch back and for everything to look nice.

MOVED by Hampton SECOND by Warren to direct staff to contact members of the historical preservation community to gather information and develop a plan and come back to council the 2nd meeting in July. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

Council recessed at 4:28 p.m. and reconvened at 4:35 p.m.

26. Consider discussing the merits of paying the back taxes on tracts of property, in which the City of Lawton has a mortgage interest in, to prevent them from going to the June Tax Resale, and directing staff to take necessary action.

Christine James, Community Services Director, briefed the council on three homes that were previous recipients of the HOME program and now have come up on the June tax resale. In order to stay in good standing with HUD, we are to retain these homes as program homes. To protect our investment, staff is recommending that the City pay the back taxes on these homes, foreclose on the homes and then rehab them. She stated the \$1 million we received each year to help low income homeowners is worth the \$6,000 to save these three homes and keep them in the program.

Mayor Booker stated this would come out of the general fund.

James stated yes, but they would use federal funds to rehab them again and start over with a new homeowner.

Fortenbaugh stated it is his understanding that if it goes to a tax sale, the City of Lawton gets nothing.

James stated yes. She stated that if we lost these homes, HUD has the right to come back and ask for the money that was invested.

MOVED by Warren SECOND by Johnson to approve the paying of the minimum due to prevent the properties located at 1312 SW Park Avenue and 1903 SW C Avenue from going to the June Tax Resale, direct staff to start foreclosure actions, and authorize the Mayor and City Clerk to sign any required documents.

Mayor Booker questioned the status of the third property.

James stated the home located at 1115 SW G Avenue is in a flood plain and she would not be able to put any money back into the house because it would not pass the environmental review qualifications. She feels they will have to let that one go.

Warren questioned if he should include that property just in case we want to do something.

James stated they could not use federal funds, but they could use City funds.

Mayor Booker questioned if it was inhabitable.

James stated someone is living in it. It has flooded before.

Warren stated he will amend his motion to include 1115 SW G Avenue.

MOVED by Warren SECOND by Johnson to approve the paying of the minimum due to prevent the properties located at 1312 SW Park Avenue, 1903 SW C Avenue and 1115 SW G Avenue from going to the June Tax Resale, direct staff to start foreclosure actions, and authorize the Mayor and City Clerk to sign any required documents. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

27. Consider approving an ordinance changing the zoning from the A-1 General Agricultural District to the I-1 Restricted Manufacturing and Warehouse District on property located at 8907 NW Cache Road.

Ratliff stated this item was originally on the May 11th council agenda. Council approved the resolution, but staff did not read the title of the ordinance

MOVED by Fortenbaugh SECOND by Warren to adopt **Ordinance 21-12**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 21-12

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM THE EXISTING CLASSIFICATION OF A-1 GENERAL AGRICULTURAL DISTRICT TO I-1 RESTRICTED MANUFACTURING AND WAREHOUSE DISTRICT ON THE TRACT OF LAND WHICH IS HEREINAFTER MORE PARTICULARLY DESCRIBED IN SECTION ONE (1) HEREOF; AUTHORIZING CHANGES TO BE MADE UPON THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THIS ORDINANCE.

28. Consider approving an ordinance pertaining to Administration, amending Section 2-1-1-104, Article 2-1, Chapter 2, Lawton City Code, 2015, by defining with more specificity the dates of the City's primary and general elections for municipal office; providing for severability and providing an effective date.

Ratliff stated the City Clerk recently submitted the resolution to establish the election dates and our current code refers to the state election board schedule. Unless you know what you are looking at you cannot tell when our primary and general election date are, and he feels we owe our citizens better information. He stated in 2016 our charter language was changed to very general election language and there was supposed to be a corresponding ordinance change which listed the months of the primary and general election. This will clean up the code and put specific months in the ordinance.

MOVED by Warren SECOND by Hankins to adopt **Ordinance 21-13**, waive the reading of the ordinance, read the title only and establishing an effective date of thirty days after passage AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 21-13

AN ORDINANCE PERTAINING TO ADMINISTRATION, AMENDING SECTION 2-1-1-104, ARTICLE 2-1, CHAPTER 2, LAWTON CITY CODE, 2015, DEFINING WITH MORE SPECIFICITY THE DATES OF THE CITY'S PRIMARY AND GENERAL ELECTIONS FOR MUNICIPAL OFFICE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

29. Consider directing staff to create a process to settle and close-out the lease-purchase agreements made between the City of Lawton and six private developers for water and sewer infrastructure improvements.

Rogalski stated on May 26, 2005, the City Council approved an ordinance creating the lease-purchase and impact fee process to help fund infrastructure improvements associated with private development. Between 2007 and 2013 the City entered into eight lease-purchase agreements with six private developers for water and sewer infrastructure improvements. All but one of those agreements were associated with single family residential development projects. The basic structure of these agreements was that a private developer would pay all the cost to install a primary water or sewer line and over the next twenty-five years, all of the impact fees collected within a specified area served by said water or sewer main would be reimbursed to the developer, up to the cost of his investment. In June of 2017, in response to a sharp downturn in the housing market, the City Council approved a resolution setting all the impact fee amounts to \$0, effectively ending the process. Since no impact fees would be collected, no payments would be made to the developer. While the economics for residential development seem to be improving, it is staff's understanding that Council would have concern with reinstating the impact fees, as that drives up the cost to develop within our community. Therefore, it would be necessary to find a way to settle and close-out those lease-purchase agreements and delete that section of code. While there were originally approximately \$1.2 million invested in these agreements, about \$360,000 was paid out over the years leaving a balance of approximately \$840,000. However, about \$725,000 remains in the impact fee collection account, and with City Council approval, this funding could be used to settle and close-out any obligation the City has under these agreements.

Mayor Booker stated he feels they have a moral obligation to settle this and all they are doing is giving back their money.

Warren stated wasn't there some issue with the state.

Rogalski stated yes the state changed the statute, and if we wanted to put impact fees back on we would have to drastically rewrite the ordinance.

Warren stated we couldn't fire this up if we wanted to and use this old plan. He feels they need to look at something to use in the future.

MOVED by Hankins SECOND by Warren to direct staff to create a process to settle and close-out the lease-purchase agreements made between the City of Lawton and six private developers for water and sewer infrastructure improvements. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

30. Discuss COL's COVID-19 restrictions in general, then specifically move into a discussion with respect to these protocols in the context of upcoming events like the: Freedom Festival, International Festival, and the Armed Forces Day parade. Provide direction to staff as appropriate.

Cleghorn stated they need to discuss some guidelines for the Armed Forces Parade, Freedom Festival and the International Festival. He stated currently there are no restrictions on outdoor activities other than what is recommended by CDC guidelines.

Mayor Booker stated he was told by the chamber that the City would not allow a grandstand and tent at the Armed Forces Day Parade. He requested staff address the challenges in making changes now. All these events are so important now and this is about doing what we can do. He feels there is time to make some changes. He feels they can have a number of food trucks at the Freedom Festival and that does not seem like a big decision. He feels there is no reason they cannot plan the International Festival as normal. COVID is under control as far as overloading the health care system and we have to shift our attention to the mental health issue and try to get things back to normal.

Cleghorn stated he has asked staff to fully open up every event possible that we have time to plan for. They are moving in the direction of opening things up and making things normal with the planning constraints that we have currently.

It was council consensus that it is so important to open everything up and for citizens to have as many activities as possible and get back to the way these events were handled in the past.

Mayor Booker stated we need to lead and be in the forefront.

Billie Whipp, Arts and Humanities Coordinator stated the International Festival committee is moving forward in scheduling the event. She stated they would be behind in getting a full-blown

vendor activity area for Freedom Festival. She stated they would be able to get food truck participation because they already have a permit.

Mayor Booker stated he appreciates staff making fast changes to meet the needs of our community.

STAFF REPORTS:

Cleghorn presented revenue and expenditure highlights for the period ending April 30, 2021. (On file in the City Clerk's office).

The Mayor and Council convened in executive session at 5:22 p.m. and reconvened in regular, open session at 7:04 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS:

31. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2021-2022 between the International Union of Police Associations (IUPA), Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #31. No action was taken.

32. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations regarding Article 12 "Insurance" of the Collective Bargaining Agreement between the International Association of Fire Fighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session.

Ratliff read the title of item #32.

MOVED by Hampton SECOND by Fortenbaugh to approve and authorize the mayor to execute a memorandum of understanding between the City of Lawton and IAFF Local 1882, said MOU to be effective July 1, 2021 will modify Article 1 of the parties' collective bargaining agreement dealing with employee health insurance by, among other things: (1) adjusting the monthly insurance premium rates the City will pay to the Local's insurance trust account, (2) providing language for the automatic adjustment of rates during the subsequent fiscal years of the agreement, and (3) modifying the language therein dealing with the ability to reopen Article 12 of renegotiation in certain circumstances. AYE: Hankins, Jackson, Chapman, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in Comanche County District Court of Sydney Goodin and Maria Goodin v. City of Lawton, ex rel. Wastewater Department, CJ-2021-157, and if necessary, take appropriate action in open session.

Ratliff read the title of item #33. No action was taken.

34. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Traci L. Hushbeck as City Clerk, and in open session take other action as necessary.

Ratliff read the title of item #34. No action was taken.

There being no further business to consider, the meeting adjourned at 7:07 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK