

**MINUTES
SPECIAL CALLED MEETING
LAKES AND LANDS COMMISSION
MARCH 14TH, 2018**

A Special Called Meeting of the Lakes and Lands Commission was held Wednesday, March 14th, 2018, at the Lawton Public Library, Board Room and was called to order by Chairman, Mark Duncan at 4:15 p.m. Notice of the meeting and agenda were posted on the City Hall bulletin board as required by state law.

ROLL CALL:

MEMBERS PRESENT: Mark Duncan, Bob Dismuke, Mike Slavin, Richard Campbell, Donald Ryans, Sean Fortenbaugh, JC Grayson

MEMBERS ABSENT: None

STAFF PRESENT: Jack Hanna, Parks and Recreation Director; Keith Neitzke, Parks and Grounds Administrator; Jim Bonnarens, Lakes Maintenance Supervisor; Misty Roberts, Lakes Admin Asst. I; Eric Weatherly, Lake Patrol;

OTHERS PRESENT: Ryan Ryswyk, Oklahoma Department of Wildlife; Ms. Jennifer Ellis, Mayor of Medicine Park; Mr. David McCoy, Medicine Park Volunteer Fire Department; John Ferguson, Director of Ft. Sill Bass Anglers

Duncan asked for considerations of the minutes from the Regular Called Meeting January 17th, 2018. There was no discussion and a motion by **Grayson and a second by Ryans to approve the minutes as written. Motion carried unanimously for the approval of the minutes for the January 17th, 2018 meeting.**

AUDIENCE PARTICIPATION: None

New Business:

1. Discuss and take action of RFP for the Sunken Bridge Yacht Club

Hanna states that this item is to inform and that the reason that this item had to go back out for an RFP is because the club has exhausted all of their extensions and amendments. They thought it would be easy and be able to extend another five years but after going back through legal and all the paperwork, a new RFP should have been sent out five years ago. Finance, attorneys and Parks and Rec staff have got together to basically form a new RFP and have sent it out to them. They do not anticipate anyone new coming into the proposal. They are a pretty unique situation and our goal is for them to keep running the Yacht Club and it is all just a matter of formalities. One thing that has changed is that the lease agreement has increased for the Yacht Club. Their lease has not gone up in twenty years and their lease did go up a small percentage. Hanna did not know the exact amount at the time of the meeting.

2. Discuss and take action of RFP for the Lawton Boat Club

Hanna states that this item is the same situation as item 1. The Lawton Boat Club has increased their lease by 10%

Hanna also commented that they are not trying to kick any of the clubs out. It is just the formalities of the practice. Once the RFP's come back they will bring back to the Lakes and Land commission to see if there are any changes and let them vote.

Hanna states that the Lawton Boat Club is also looking into adding another pavilion on site. They are looking to invest some money to upgrade their facilities.

The above two items were just informative discussion. No action was taken.

3. Discuss and take action on Smallmouth Bass Fishing Tournament request

Ferguson is the tournament director for Lawton Fort Sill Bass Club and has been fishing Lake Lawtonka and Lake Ellsworth for 20 plus years. Ferguson states that the Lawton Ft. Sill Bass Club is requesting an exception to the Smallmouth Bass length regulation for the city owned lakes for the purpose of sports fishing. Currently City of Lawton ordinance is 23 inches and length and over and the state of Oklahoma is 14 inches. The club would like to be able to measure and weigh the Smallmouth bass at the tournaments and then they would return them into the water so they can continue to grow and multiply.

Duncan would like Ryan Ryswyk of the Oklahoma Department of Wildlife to address the commission on what the regulations are and why they are those regulations are in place.

Nietzke also would like to know about the condition of the smallmouth population.

Ryswyk states that the State of Oklahoma did change some black bass regulations a few years ago. The 23 inch rule has always been a City of Lawton rule. It has never been a state rule.

When that when into place the City worked with the State and came up with a plan to basically protect small mouth bass.

Nietzke asked what the purpose was.

Ryswyk states it was to produce trophy smallmouth bass fishing and Lake Lawtonka is that. The goal was to produce a state record. It took some time but did happen in 2012. To put that into perspective with the hundreds of lakes on Oklahoma, you have the smallmouth state record right here at Lake Lawtonka. From that stand point the regulations worked. Ryswyk states that this is a City regulation but the State of Oklahoma does support and back the 23 inch minimum regulation. He feels that the State of Oklahoma would not support the exemption just for a select group. If you do then you are basically saying that it is okay for Group A can have fish but not others. Ryswyk states that he knows and understands that the bass clubs are catch and release but exemption would lead to other problems down the line. Ryswyk states that there are the mortality issues and questions what happens when the next club or the next tournament that wants to come in August?

Ferguson states he is not trying to speak on their behalf.

Ryswyk questions on how would you decide on who is exempt and who is not? From the Oklahoma Department of Wildlife, they see that the regulations work and would like the City to continue with their regulation and would find it difficult to do an exemption and be fair across the board.

Nietzke asked if the state has a position on the catch and release of tournament fishing.

Ryswyk stated that they want people to follow the best practices and handle fish appropriately.

Grayson asked Ferguson why they are requesting the inches to be moved down so much.

Ferguson stated that Lake Murray is 12 inches and that there are a lot of other lakes that are smaller. But they want to make it the same as the bass which is 14.

Ryswyk stated that some tournaments are doing photos and instead of pounds they are doing lengths and **asked Ferguson** if they had considered doing that?

Ferguson stated he thought that it would be too hard for their group. The Tuesday night club is sponsored club but is open to anyone who wants to fish with them. So they think it would be too hard for a guy showing up and telling him that he needs to take a picture of a fish. If he brings it, we weigh it and then put it back into the water. They feel it would not work out doing that. It also keeps people from cheating.

Nietzke states that if word got out that the City allowed one club to be exempt that there would be other clubs that would want the same privilege then there would be a possibility that people would spread around that they are now allowed to keep the fish and take them home.

Duncan asked if there could be an explanation as to why there is a certain size limit.

Ryswyk responds that in general they see a few small mouth bass. They are in the lake, they are reproducing and they are small fish. They don't know why but at Lake Lawtonka they do see a drop in the larger fish. Then intermediate size fish, the ones mostly caught are important to keep in the system and keep healthy so that they do continue to grow and reproduce to the 23 inch size. Unless the City wants to change the goal of their regulation, the state recommends it staying the way it is.

Dismuke states he thinks it should stay the way it is and makes a motion to deny the request from Lawton Fort Sill Bass anglers. **Grayson** seconded the motion.

AYES: NONE

NAY: Duncan, Dismuke, Slavin, Campbell, Ryans, Fortenbaugh, Grayson MOTION CARRIED.

4. Discuss and take action on the leasing of City property next to the lakes office from the Medicine Park Volunteer Fire Department.

Ms. Ellis states that the fire chief of Medicine Park would like to build an additional fire station next to the City of Lawton Lakes Division Headquarters. The building if permitted would be at the southeast corner of the property and would be funded by Medicine Park. She states that it would greatly improve the fire departments ability to respond to emergency calls at Lake Lawtonka and the surrounding area.

McCoy states that his fire department responds to most of the calls in the Lake Lawtonka area. Calls which include structure, grass and camp fires, drowning and other various emergency calls on and around the City of Lawton Lake Property. When a call is dispatched and the MPVFD respond to the calls, they have to come up to Highway 49 then back down and to Highway 58 to attend to the call that they received. The MPVFD has several firefighters that live in the area and having a building in this area would improve the response time. McCoy states they have been looking in this area and thought that they had a piece of property but the plan did not work out. McCoy states that they need a space to lease to put a building, a pumper truck and rescue truck and have access to 24/7. McCoy states that when they respond to any of the emergency calls on City Property they do not charge the City of Lawton for their service and would like COL to support MPVFD in exchange.

Bonnarens states that the area they are looking is where we currently put all of our scrap metal and that about a year ago someone did come out to look at this area for the purpose of putting in a building for the fire department.

Hanna states to McCoy that he will need written proposal with all the detailed information, location, and size. When receives the information he will then turn it over to legal to have them look over the detail and once they have approved it will move the proposal to City Council.

Nietzke states that a timeline on the proposal would also be beneficial information.

McCoy states that he would like to move on this as soon as possible and could possibly get the information over to Hanna in about a week's time. They are looking at a timeline to start building over the summer.

Campbell makes a motion to lease the City of Lawton property at the Lakes Headquarters for the building of the Medicine Park Volunteer Fire Department for \$1.00 a year for the next fifty years. **Fortenbaugh** seconds the motion.

AYES: Duncan, Dismuke, Slavin, Campbell, Ryans, Fortenbaugh, Grayson

NAY: None. MOTION CARRIED.

5. Discuss and take action of the feasibility of allowing golf carts on the road to and from Medicine Park and fees associated with it.

Duncan states that he has had multiple people coming to Parks and Recs staff or Commission members asking if there would be a possibility of allowing the golf carts to and from Medicine Park.

Ellis states that she also gets the same request, which is why she requested this item.

Duncan states that there are other cities in Oklahoma that allow people that are staying hotels and in the City to drive 4-wheelers and golf carts to and from the parks if they stay in a certain lane and under a certain mileage per hour. There are different communities around Oklahoma and other parts of the country that allow access with golf carts with varying degrees of rules associated with the operation of golf carts.

Campbell (hands out two forms: Oklahoma Golf Cart & Low Speed Vehicle Laws, and Oklahoma State Statue 47 O.S 2011, Section 11-1116 Self-Propelled or Motor-Driven Cycles – Mini-bikes, Golf Carts, All-Terrain and Utility Vehicles - Prohibitions and Restrictions) states that the first form Oklahoma Golf Cart & Low Speed Vehicle Laws is the true law in Oklahoma about being able to use a golf cart. Page 2 talks about the guidelines of the 20-25 MPH, VIN number, Headlamps, tail lamps. Campbell shows 2 Google maps, one showing the suggested route for golf carts to take which is East Lake Rd (the slough to the dam) and the other that golf carts are currently taking which is up Big Rock. Campbell thinks it would be wonderful if the City with proper signage and low speed regulations would open this road to allow golf carts to get to Medicine Park and back.

Ellis states that they have a lot of request for this item. Medicine Park does currently have a golf cart registration. Anything that does come onto the Park streets would have to be licensed in Medicine Park and they have to and insured. Ellis states that another thing that might benefit the possibility of doing this is putting speed bumps in the sharp turn areas because people tend to fly around those.

Campbell states that if we want to make this a resort town and want the lake to get bigger and make more money, this is how we do it. You would have citizens from Medicine Park coming over to the lake and going fishing and people from Lake Lawtonka going over to Medicine Park to attend various events and go to restaurants. Many people who camp over at Lake Lawtonka would certainly benefit from this.

Duncan asked Ellis what insurance verification do they require? Do you require a home owner's policy that covers your golf cart? Duncan states that he has read on line that other communities require 16 and licensed so that they can verify age and proof of coverage.

Ellis states that she would have to check with Town Hall.

Campbell asked what are our (City of Lawton) permit fees and what do we do to verify insurance?

Hanna states that COL permit fee for the golf cart is \$25.00 and that we do not require insurance.

Duncan states that the age verification has been an ongoing problem.

Fortenbaugh asked Ellis if she minds all the golf carts running around Medicine Park. Ellis stated she did not and that they typically close the streets in Medicine Park for auto traffic except for golf carts in some areas. They are going to allow golf carts to cross the bridge and they have several people that live over in West Lake that want to come over to the festivals and other activities. They cannot bring a car so they would have to walk to golf carts are the alternate transportation.

Hanna asked if anybody knew if this was a city or a state owned road.

Weatherly stated that it was a City owned road.

Dismuke states that with the road being so curvy that he was afraid of there being a serious accident on the road.

Campbell comments that there have been deaths on the road before.

Ellis comments that one way to help prevent accidents is reduce the speed and add speed bumps.

Duncan recommends reducing the speed to 15mph and signage.

Hanna states that this decision would involve a lot more than Parks and Rec. This would have to involve the police department, traffic conditions and City Ordinances would have to change. Duncan asked if it was possible and Hanna stated that it would be possible but there will have to be other factors that will have to be considered first.

Slavin asked how are the laws going to be enforced.

Weatherly stated that there would be no effective way for them to enforce because they drive trucks that are 30 feet long and there is no way they can turn around to go chase someone down that road.

Hanna comments that if we want to go forward on item that we need to bring all entities involved in for a discussion. There will be police, attorneys, traffic commission etc that will have to be involved with this.

Duncan asked Hanna if he would put this all together and bring it to the next meeting. Hanna stated that he would.

Duncan also makes a suggestion to form a committee with Sean Fortenbaugh and Richard Campbell along with the different divisions to see about the possibility of converting this road to a low speed, multi-use road.

Hanna states that in addition we are going to have to figure out how we are going to pay for all the speed bumps and signage.

Campbell makes a motion to form the committee and make the road to and from Medicine Park assessable with golf carts. **Fortenbaugh** seconds the motion.

AYES: Duncan, Dismuke, Slavin, Campbell, Ryans, Fortenbaugh, Grayson

NAY: None. MOTION CARRIED.

6. Discuss and take action of the proposal of at least 50% of all fees generated from the sale of permits, land rentals and fees associated with Lakes and Land go directly to the Lakes Division budget. City is to institute a proper cost accounting technique for the checks and balances so that revenue can be tracked for transparency.

Duncan states that his concern is that there is no way to track how many permits are sold. Misty at the Lakes Division is the only person that can generate a report from her facility. We cannot tell how much money is being generated for Lakes and Lands from permits being sold from other concessionaries.

Bonnarens states that at the end of the year vendors turn in their books to License and Permits and they do not break it down by exact permit sold. L & P can tell you how much revenue was generated but they cannot tell you exact revenue per permit sold. We can find out from L & P on how they can break that down or if they can and somehow give a total.

Duncan states that his concern is that we are coming to Lakes and Land to indorse and increase permit fees when there is no accounting process in place to tell us how much money is generated.

Neitzke states that per the discussion at the last meeting that if you were to raise the fee's a percentage what does that do other than beef up the general fund.

Campbell states that if someone picks up 3 permit books, you don't know if someone returns all of them.

Bonnarens states that when you pick up a book(s) of 50 permits the permit books are actually signed out by book number to the vendor. Bonnarens states he does not know how other vendors track their books but the Lakes Division tracks permit by permit on a spreadsheet.

Duncan said that he had spoke to a ranger at Duncan and that they have a kiosk that people use to buy their permits and prints the permits out. If the officer stops and checking for permits can actually go online and look into the system to verify if that permit was sold. This cannot be done with the City. Duncan asked how we ask the city to come up with a better accounting plan and the software to go along with it.

Bonnarens states that we have asked for it for the past 5 years but it is something that would have to be addressed at budget time.

Duncan stated that we need to ask for that before we raise any permit fees.

Campbell asked who we would go through to get a kiosk.

Nietzke stated that it would be between License and Permit, Revenue Service and Finance.

Duncan asked if there could be a motion made to invite someone from these divisions to explain the assets, accounts receivable and liability for all Lakes and Land activities to include camping, RFP's, boating, skiing, hunting, boathouse fees, etc...someone that could answer all the questions of the process.

Nietzke thinks that bringing in someone from revenue services and finance would be a good idea so that the process could be clear to all of us.

There was continued discussion and no motion was made. The commission would like to invite the other divisions involved in the accounting process to the next meeting to explain the process.

7. Discuss and take action to have the police boathouse on Ellsworth become a priority before a preventable tragedy occurs. *This come under Police budget, not Parks and Recreation*****

Duncan states that at every meeting there is a concern about getting a new police boathouse for the officers at Lake Ellsworth. Duncan states that he has some drawings on one with an approximate cost of about \$80,000.00 to build one that is a 30x40 boathouse. The estimate is without the lifts and those would probably cost about \$6000.00 each. The police still have the same issue and it is getting ready to be summer and there is no way to safely put a boat onto the lake if there is a problem.

Bonnarens asked Sgt. Weatherly if he knew who budgeted for the boathouse at Lake Lawtonka. Weatherly stated that it done before he came out to the Lakes.

Bonnarens stated that he is sure that it came out of the PD budget and a capital outlay item. Budget is currently taking place now and the fiscal year starts in July.

Dismuke asked if they could recommend that the boathouse be included in the budget.

Nietzke asked who was going to take this proposal to the PD and asked Weatherly what the chain of command was.

Weatherly states that it would be Chief Apple that he probably participates in the budget.

Campbell stated that he would talk to Chief Apple.

Dismuke makes a motion that a new boathouse be included in budget for the City of Lawton Lakes Patrol. **Duncan** seconded the motion.

AYES: Duncan, Dismuke, Slavin, Campbell, Ryans, Fortenbaugh, Grayson

NAY: None. MOTION CARRIED.

REPORTS/CORRESPONDENCE:

A. Reports from Parks and Grounds Director, Jack Hanna

No report

B. Reports from Parks and Grounds Administrator, Keith Neitzke

Neitzke reports on how the budget capital outlay process works. Neitzke stated that the P & R Department sat down with the City Manager, Asst. City Manager, and Finance Director and went through the both the operating and capital budgets. The capital items all go forward and put into a larger pool that ultimately ends up being approved by the City Council. Anything over a \$1000.00 is a capital item. Jack put approximately a million and a half on the capital list for Parks and Rec. What we end up getting is what the City can afford. It is prioritized through the overall city, not just the departments. You can see this in the preliminary budgets online.

C. Reports from the Lakes Division Supervisor, Jim Bonnarens

D. Reports from Lake Patrol Staff, Sgt Eric Weatherly

No report

-COMMENTS/DISCUSSION/ADJOURNMENT

There were no other reports, correspondence, or discussion and the meeting adjourned by unanimous decision of the Commission at 5:30 p.m.

RESPECTFULLY SUBMITTED BY THE
LAKES AND LAND COMMISSION
CHAIRMAN, MARK DUNCAN