

MINUTES
LAWTON ENHANCEMENT TRUST AUTHORITY
3rd FLOOR CONFERENCE ROOM CITY HALL
212 SW 9th STREET
JULY 11, 2018

Mary Ann Hankins, Vice-Chairman, called the meeting to order at 3:00 p.m. in the 3rd Floor Conference Room. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL:

PRESENT: Burk, Jay; Ezerski, Barry; Hampton, Allan; Hankins, Mary Ann; Morford, Robert; Peters, Jo; Smith, Addie; Tennis, Michael; Walters, Lynda.

ABSENT: Coody, Joshua; Sweeney, Kerry.

OTHER PRESENT: Richard Rogalski and Charlotte Brown, Planning; Jack Hanna, Parks and Recreation; Brock Greenhill, Neighborhood Services; Kristin Huntley, Financial Services; Denise Ezell, City Clerk's Office.

BUSINESS ITEMS:

1. Reports

Rogalski asked if we could move Business Item G up to go along with Totte's report.

A. Receive report from Dennis Totte and take action if necessary.

G. Discuss giving the second half of a grant for landscaping improvements to the Friends of the Library for the main Library and taking action if necessary.

Herr stated I'm Kristin Herr the Library Director. Last fall LETA graciously gave the Friends of the Library a grant for landscaping. Bedrock redid the front of the library and it looks spiffy. We got rid of the unattractive and unsafe hidey hole. At that time you encouraged us to come back for the second half of the proposal. We have the south side and the back of the library that needs work. I did speak with Totte and the quote from last fall is still good. There is a lot that needs to be done at the library and we are working away on it. We are trying to discourage bad behavior. We have installed lighting and I was shocked on how it detours bad behavior. We installed gravel on the north side, put in new under hanging, installed gates in the back to detour overnight sleeping, and we have capped off the electricity on the brick columns. As you know landscaping goes a long ways with first impressions and the library is a busy page. The building was built in 1973 and the landscaping hasn't been updated since then. We would greatly appreciate finishing the project.

Ezerski asked is this the original quote.

Herr stated yes.

Ezerski asked what has been completed on this quote.

Totte stated the 2 brick planters on the front, the beds near the street, the U shaped bushes, and the existing tree rings.

Herr stated we have not done any of the south side or the east side. LETA paid \$10,000 towards the first half. McMahon gave us a grant for maintenance. We removed all the ivy and crickets on the north side and replaced it with rocks. This request is for the second half of the proposal.

Rogalski asked the total amount to complete the project would be \$10,460.

Ezell stated when Herr came before you the total quote was \$20,460. You gave her a grant of \$10,000 and asked that she come back this fiscal year for the second half.

Ezerski asked did we approve giving the second half this year.

Rogalski stated it wasn't approved but we agreed to look at the second half in this fiscal year.

Ezerski asked did we budget for the \$10,460.

Rogalski stated you have \$80,000 in beautification and \$20,000 in grant awards.

Motion by Ezerski, **Second** by Hampton, to approve \$10,460 to complete the landscaping at the Lawton Public Library. **Aye:** Peters; Ezerski; Hampton; Hankins; Morford; Smith; Tennis; Walters. **Nay:** None. **Motion Passed.**

Herr stated thank you very much.

Totte stated in regards to 2nd Street Rogalski and I meet with a representative from T&G, engineering and the city manager. I gave them an estimate on 69 pots and 12 beds.

Rogalski stated Totte's estimate was \$81,000. It didn't go as I had expected. There is a question of when the responsibility changed between the City of Lawton and T&G. I haven't heard the resolution of this piece. They did agree to pay for the pots.

Burk stated the specs called for the same plantings as were used in the first phase. If you remember LETA redid those pots. Instead of changing the specs for the other 2 phases to match Phase I they left it the same. This is the city's fault. The pots were not potted correctly. They feel they only owe us a couple of thousand. They believe they were responsible for 9 months after completion date and we believe it is until it is accepted by the city.

Rogalski stated when I was complaining to Engineering they were give me an acceptance date by the city.

Burk stated we are looking at a 9 month difference and for those 9 months it wasn't maintained. The city may have to eat some of the cost. Let me explain when I say the city I mean LETA. The City Manager is hoping we have some left from the different CIP's that we might be able to use. My suggestion would be to do something to the pots and to get the weeds down in the beds. The flowerbeds are going to be our biggest expense.

Totte stated the total cost of the pots is \$11,569. We will have to remove all the trash dirt and put in new soil.

Burk stated there was miscommunication as to who was to be responsible and when. It involved the contractor, the engineer and the city.

Totte stated I explained to them when you don't maintain for 2 years your soil is contaminated with different grasses and weeds. There isn't a fix without gutting and excavating the beds and putting in new soil and plantings. That is the reason for the \$81,000.

Burk stated I would suggest we look at doing the pots and when we have more answer go back and do the beds. We just need to get rid of the weeds.

Walters asked why don't we just use Round Up and kill it all out.

Totte stated some of the planting are alive. Doing the pots would make it look better and we could wait until fall before we planted.

Burks asked is it in the maintenance contract for you to maintain those.

Totte stated Hanna says it is. I also brought up in the meeting that I'm expected to maintain something that is unmanageable after their commitment ends.

Hanna stated with the conditions they are in right now it is hard to make Totte be responsible for maintenance on something that isn't maintainable.

Burk stated I'm not saying fix it. Remove everything from the pots and either weed eat the beds or spray them. I would rather we pull everything up than leave it as it is.

Totte stated we will do whatever we need to do.

Burk stated we just need help. I wouldn't spend a lot of time on the beds but I would like for you to weed eat them or spray Round Up. The dead stuff can stay in the beds. We are going to get legal involved and if the city is at fault then we will have to eat it. If not we are going to do whatever needs to be done to get the beds fixed right and hopefully some restitution on the pots. The City Manager and City Attorney has assured me they will do everything they can to make certain we receive some sort of repayment.

Rogalski stated I predict that T&G will make a donation to LETA in some amount. They are arm wrestling now on how much. If we show this can be pursued as a legal matter the number gets higher.

Walters asked going forward what are the expectations and who is responsible.

Rogalski stated at this time we are in limbo on touching the expensive stuff. We want to get an understanding before doing the beds.

Walters asked is that because we have more teeth in the beds than we do the pots?

Rogalski stated yes. It is \$69,000 versus \$11,000. The thought is for \$11,600 we can make it look 100% better and you won't notice the beds as much.

Burk stated the City of Lawton is responsible for maintenance. Once we get this into Totte's hands things will be better.

Totte stated if you remember I brought this issue up over a year ago. You could see the handwriting on the wall. We were told to leave it alone because T&G was responsible and if we did something it would void the maintenance bond. They planted the pots according to the spec. They died because they were not maintained. Anytime we do a job of this nature we have a 1 year contact that we are responsible if anything dies. At the bottom of your specs there is a portion that talks about excavation and soil. They were supposed to do this. The maintenance period and specs were not met.

Hankins stated I don't want LETA to be the target of complaints. We need to make certain we stay on top of things.

Motion by Hampton, **Second** by Ezerski, to approve the estimate from Bedrock for \$11,569 for the pots on the north end of 2nd Street. **Aye:** Ezerski; Hampton; Hankins; Morford; Peters; Smith; Tennis; Walters; Burk. **Nay:** None. **Motion Passed.**

Burk asked will we plant these in the fall.

Totte stated yes. I'll go through all the irrigation to make certain everything is good. Here are some renderings I put together for City Hall and the estimates to go with them.

Hankins asked have we heard anything from McMahon.

Rogalski stated not yet.

Totte stated this is to put 2 beds in front of the walls as you walk into the front of the building with 2 big maple trees in the grassy area. There would be 1 bed on each side in front of the glass. So there would be 4 beds, 2 trees and crape myrtles on all 4 corners and you would need irrigation. I have broken this up into 2 phases and have given you 2 options on irrigation. One is a 1" meter and line. You would have more zones on that system. The other is 2" meter

and 2" valve. The 2" is about \$500 more but you could run 30 zones in a lot less time than 48 zones with the 1".

Burk stated that would really set this building off. Do we know how much we applied with McMahon for?

Hankins stated I don't.

Burk stated the first thing we need to do is put in the sprinkler. If we receive the grant then we can do the landscaping.

Totte stated for the 2" meter and the city providing the meter and tap is \$39,000. To do the front with irrigation and landscaping is around \$19,000.

Burk stated we wanted to get the sprinkler system in because the grass is dead.

Morford stated to most people the south side is the front. I think we need to do both sides.

Hankins stated this building is the building a lot of people see first when they move here.

Burk stated thank you.

B. Receive Treasurer Report and take action if necessary.

Burk stated before we move any further let me introduce our new member. This is Jo Peters and she represents Ward 8. Welcome.

Huntley stated at end of June you had \$152,292.19 in the bank. Your custodial accounts had \$42,333.54. Under liabilities Freedom Festival had a few things in accounts payable. Moving to the next page you see I combined May and June. There was \$1000 donation to the Eye Candy banquet, hotel/motel in the amount of \$17,232.03, interest income was for May only, miscellaneous refunds for \$150 for the deposit on the museum and overpayment to Journey's Production, municipal fines were for February through part of May.

Rogalski asked what about the landfill fee.

Huntley stated I'll have to get with Julie. Under other expenses advertising and promotion is for the billboard for January through June, Eye Candy Banquet is for catering and Bedrock gift card, grants is for the \$10,000 to the Farmers Market, postage for March and April, printing was for February, professional fees is the federal tax return by Hatch & Croke, repairs/maintenance and replanting is sprinkler repairs, splash pad and butterfly garden maintenance, 2nd Street pots and Lee Boulevard tree rings. In the custodial accounts Freedom Festival had \$11,100 collected and expenses of \$3,108.87. Total Net income for May and June was \$15,950.89. On the next page you see the total revenue collected is 98% for the fiscal year and our expenses is almost 75%.

Rogalski stated on your income versus expenses we are not far off. We spent a little more than our income so we didn't have to go into our reserve a lot. This was a very good year.

Motion by Morford, **Second** by Hampton, to accept the treasurer's report. **Aye:** Ezerski; Hampton; Hankins; Morford; Peters; Smith; Tennis; Walters; Burk. **Nay:** None. **Motion Passed.**

C. Consider approving invoices, requisitions, and all other submitted materials for payment.

Huntley stated I have retroactively to Sasseen Realty for \$1400, Bedrock Irrigation \$864.14, Silver Spoon \$4566.25, Bedrock Nursery \$499.95, City of Lawton, \$63.89, Hatch, Crock & Associates \$1,020.38, Bedrock Nursery \$350.

Motion by Ezerski, **Second** by Tennis, to approve invoices, requisitions, and all other submitted materials for payment. **Aye:** Hampton; Hankins; Morford; Peters; Smith; Tennis; Walters; Burk; Ezerski. **Nay:** None. **Motion Passed.**

D. Receive report from Cultural Preservation Committee and take action if necessary.

Hampton stated we will be taking a physical tour through the building to delineate the old existing and what is new.

Rogalski stated they are moving on very well. They are taking it step by step to make sure they don't get the cart before the horse.

E. Receive report from Parks and Recreation, and take action if necessary

Hanna stated we are making headway since we haven't had a lot of rain. We are on target with the mowing cycles. The playground is having lots of visitors since we put up the shade structure. This was a good investment. There is a wood arbor in the park that needs to be replaced and we have found \$27,000 to use towards this project. We are looking at gazebo type structures. Once I have the details I'll bring it back to you for your thoughts.

Morford asked can we light the flag. I know there is a light out there but the flag is not illuminated.

Hanna stated it should be up and running.

Morford stated it doesn't illuminate the flag at all. If you drive by at night you can't see it. What about the old bridge that is blocked off at both ends.

Hanna stated we are going to repair it after the mowing season.

Morford stated didn't we bring it in from Doe Doe Park.

Burk stated yes. There is a lot of history there so I think we want to keep it. When you come off I-44 near Elmer Thomas Park the grass is growing in the street and looks really bad. It would make me happy if we started taking care of the curb line on the west side. I would like to take care of both sides but I'll be happy with the west side. The parking lot at the armory has weeds that are out of control.

Hanna stated we met this morning about several parking lots. They have plans on going to all the parking lots within the next 2 weeks to spray.

Morford stated the concrete median between City National and the post office has high weeds growing.

Hanna stated this is a street issue. I'm not trying to push work off on anyone but they are the department that handles medians.

Burk stated I'll make contact with them.

Morford stated when you are spraying the parking lots it would be nice to spray that medians.

Rogalski stated in regards to the flag it is my understanding if it is not light at night then you have to take it down.

Burk stated the light is on it just needs to be readjusted. It doesn't shine high enough. If the flag is not illuminated then it has to be taken down.

Hanna stated some of the distortion may be the tower lights that ODOT put in.

Rogalski stated we have received complaints on this issue. We live in a military town and people know the rules.

Burk stated is there anything else.

Hanna stated we have the potential for a national softball tournament to be held here next month. The wall on Field #3 has 2 joints that come to a 90° angle and there is some separation. We got an estimate from CDBL and the cost to fix it was around \$49,000.

Rogalski asked where are we on getting the softball statue in.

Hanna stated we are waiting on Bennett.

Rogalski asked what are you waiting on.

Hanna stated he was going to get with someone and get a drawing.

Burk stated drawings aren't necessary.

Rogalski stated we will figure it out.

Burk stated there are a couple of dead trees on 38th Street. Would you have Totte get us an estimate.

Tenis asked what about the tree that was leaning in Elmer Thomas Park.

Hanna stated it has been removed.

Burk stated thank you.

F. Receive report from Public Relations Committee and take action if necessary.

Ezerski stated Vrska and I are going to sit down and come up with a yearly plan. We would like to get a consist schedule. We hope to have that together by the next meeting.

Burk stated I just hired a company by the name of Main Street Hub. This is one of the best things I have ever done for my Facebook, Twitter and Instagram accounts. They do all the postings. I have gone from 1500 followers to 3000 in just a month. We might want to look into doing this.

H. Receive report from Website and Facebook Committee and take action if necessary.

Hampton stated on Facebook we have 11,000 followers, 10,099 like, and 179 post. We are doing very well.

Hankins stated we missed Ward updates.

G. Receive Monthly Ward Update and take action if necessary.

Hankins stated I have seen a lot of stuff on the curbs in Ward 1 and it appears it has been there a while. Who should we be calling?

Burk stated Neighborhood Services. We have been told that IT is going to have Click It, Send It, Fix it within the next 30 days. With this program you will be able to take a picture and send it to the appropriate department.

Hampton stated I read an article that Albert Johnson is starting Lawton Blooms downtown.

Rogalski stated it will be Ware Lawton Blooms and they are moving forward very well. They are working on the cost and they do have commitments to help pay for some of these. It will probably be another 30 to 60 days before they roll it out.

Burk stated there isn't supposed to be any expense for LETA. They are going to maintain them. The businesses on C want to see this happen. We have also talked about streaming lights in the downtown area. They will bring it back to LETA for your final approval.

I. Receive report from Neighborhood Services.

Greenhill stated I haven't been here since Trash Off. It was very successful as far as people bringing stuff to McMahon parking lot. There wasn't a lot that actually went out and cleaned up the different areas. We have gotten with Councilwoman Johnson and are working with her on the Bag It Up program. We have resources for trash bags.

Rogalski stated one of the problems is Trash Off has become southwest Oklahoma's free dump day. We need to try and do thing differently.

Burk stated if they don't have proof of being a city resident they will have to pay a fee.

Greenhill stated we did turn away some commercial trash.

Ezerski stated it needs to be publicized early that this event is for Lawton residents only.

Greenhill stated we also had some traffic issues on Ferris. There will have to be some traffic control.

Burk stated next year we will get streets involved. We need to find a way to get back to walking the different areas in town that needs to be cleaned. We need to keep this event to Lawton residents.

Walters stated or charge a fee.

Burk stated Trash Off is a good program and I don't want to lose it. We need to fix the problems. We need some help at Sheridan and Rogers Lane. The grass is high in all the cracks and Stripes has a lot of tall grass. The building has been boarded up for the past 15 years with nothing done to it. There is also a business that has a dumpster out by the street. It needs to go behind the building. What about the house on the corner of 18th and Smith. I believe it is on the D & D list.

Greenhill stated it sold at the county resale so we have to start the process all over. A young lady and her councilperson came into the office asking for more time. She wants to turn it into a restaurant. I gave her a month and it is on my agenda for a follow up.

Burk stated thanks.

J. Receive a report from the Planning Division regarding ongoing LETA projects and take action if necessary.

Rogalski stated we were contacted about the trees in the interchange on I-44. They have never been trimmed from the ground up. Bennett went out and took inventory and there are over 100 trees that need trimmed. This is an ODOT responsibly but it is not on their list of things to do. We did get some quotes. Branch Out was \$13,300, Sullivan was \$7,650 and Lawn Wizards was \$7,500.

Burk stated these quotes are to get the canopy up so they can mow under them. I believe we should go with the lowest estimate.

Motion by Smith, Second by Tennis, to approve awarding Lawn Wizards the contract to trim the trees in the I-44 interchange in the amount of \$7,500. **Aye:** Hankins; Morford; Peters; Smith; Tennis; Walters; Burk; Ezerski; Hampton. **Nay:** None. **Motion Passed.**

2. Old Business

A. Discuss the proposal from Bill Tennis to maintain and building the LETA Website and take action if necessary.

Burk stated I believe we need a sub-committee to look into this. I would like to have 3 or 4 volunteers for a Website Committee. If you could bring some recommendations back within the next 60 to 90 days then maybe we will be able to make a decision.

Committee Members: Alan Hampton
Mary Ann Hankins
Jo Peters
Kerry Sweeney
Richard Rogalski
Tiffany Vrska

Rogalski stated this item has 2 issues. One is to approve the agreement and the other to approve the contents. Are you delaying the agreement?

Burk stated yes. I don't see how we approve a contract if we don't know what we want. We want it done right.

3. New Business

A. Approve minutes of April 11, 2018 and May 8, 2018.

Motion by Tennis, Second by Morford, to approve the minutes of April 11, 2018 and May 8, 2018. **Aye:** Morford; Peters; Smith; Tennis; Walters; Burk; Ezerski; Hampton; Hankins. **Nay:** None. **Motion Passed.**

B. Consider allowing a Rock Garden to be placed in Elmer Thomas Park by Emmanuel Alfaro.

Alfaro wasn't in attendance.

Motion by Morford, **Second** by Hampton, to table until the next meeting. **Aye:** Peters; Smith; Tennis; Walters; Burk; Ezerski; Hampton; Hankins; Morford. **Nay:** None. **Motion Passed.**

C. Nominate a yard of the month for June and take action if necessary.

Burk stated the following homes were nominated for yard of the month.

2403 NW Ozmun
1912 NW Elm
1711 NW Elm
802 NW Seanton Place
7912 NW Folkstone
7805 NW Brady Way
NW Lincoln

All agreed on 2403 NW Ozmun

D. Receive presentation on "Bag It Up" and take action if necessary. (Onreka Johnson)

Johnson wasn't in attendance

E. Approve a Letter of Engagement with Hatch, Croke & Associates, P.C. for preparing Form 990 for the tax year ending June 30, 2018 and take action if necessary.

Burk stated this is our annual letter of engagement for them to prepare our income tax papers.

Ezerski asked what is the cost.

Ezell stated \$1000.

Motion by Morford, **Second** by Ezerski, to approve the Letter of Engagement with Hatch, Croke & Associates. **Aye:** Smith; Tennis; Walters; Burk; Ezerski; Hampton; Hankins; Morford; Peters. **Nay:** None. **Motion Passed.**

F. Approve the Limited Services Agreement between the City of Lawton and the Lawton Enhancement Trust Authority.

Burk stated this is our annual agreement with the City of Lawton to receive our hotel/motel funding.

Motion by Morford, **Second** by Tennis, to approve the Limited Services Agreement between the City of Lawton and the Lawton Enhancement Trust Authority. **Aye:** Tennis; Walters; Burk; Ezerski; Hampton; Hankins; Morford; Peters; Smith. **Nay:** None. **Motion Passed.**

4. Announcements

5. Adjournment

There being no further business the meeting adjourned at 5:00 p.m.

Motion by Morford, **Second** by Tennis, to approve the Limited Services Agreement between the City of Lawton and the Lawton Enhancement Trust Authority. **Aye:** Tennis; Walters; Burk; Ezerski; Hampton; Hankins; Morford; Peters; Smith. **Nay:** None. **Motion Passed.**