



Lawton City Council Meeting Summary

February 13, 2024

CONSENT AGENDA:

1. **APPROVED DENYING** the following damage claims recommended for denial: Jennifer Fasolino in the amount of \$75.00, and Freddy L. Ivery in the amount of \$928.55.
2. **APPROVED** a resolution **(RES 24-20)** approving the joint petition settlement in the amount of \$23,328.00 and making payment in the workers' compensation claim of Robert Kizarr.
3. **APPROVED** a First Amendment to the Settlement Agreement and Mutual Release between the City of Lawton and Alfred Espinoza d/b/a A.E. Construction Co. and authorizing the Mayor and City Clerk to execute the Amendment.
4. **APPROVED** extending contract (CL23-009) Liquid Ammonium Sulfate with Brenntag Southwest, Inc. First renewal of contract awarded in 2023.
5. **APPROVED** Amendment No. 1 to the Industrial Water Main Phase I Project PU2306 contract with Garver, LLC, for Phase II-a design to include a 12" water loop from the industrial site up 112th Steet and east along Lee Blvd to Goodyear Blvd. and design a lift station and force main to connect the West Industrial Site to the City's sanitary sewer system for the development of Westwin Element's refinery in the not to exceed amount of \$677,150.00.
6. **APPROVED** an agreement for professional services between the City of Lawton and Doerner, Saunders, Daniel & Anderson, LLP for their expertise with immigration law relating to employment visas for select City of Lawton employees and authorize the Mayor and City Clerk to execute the Agreement.
7. **DISAPPROVED** a professional services contract to CEC Corporation for the purpose of providing full engineering services for the City of Lawton and authorize the Mayor and City Clerk to execute the contract.
8. **APPROVED** a professional services contract in the amount of \$48,700.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2308 Elmer Thomas Park Amphitheater and Lake Helen Boardwalk.
9. **APPROVED** Amendment Number 5 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount of \$150,000.00 for professional engineering services to perform the preliminary designs design report for the rehabilitation of Gondola Lake Dam that is required for completion of funding documents and full design of the rehabilitation.

10. APPROVED extending contract (CL23-012) Litter & Debris Abatement with T&M Solutions, LLC of Duncan, OK.

11. APPROVED a 3 Year Renewal Agreement with Environmental Systems Research Institute (ESRI), which is required for continued use of our current GIS software.

12. APPROVED a resolution **(RES. 24-21)** approving certain new and revised pages in the form of a book entitled Volumes I and II to the City of Lawton Municipal Code, 2015, printed and designated as the 2015-2016 Biennial Supplement, known as Supplements No. 1 and 2 to the Lawton City Code, 2015, and authorizing distribution.

13. APPROVED a resolution **(RES. 24-22)** directing the City Clerk to notify the public of the publication of the 2015-2016 Biennial Supplement, known as Supplements No. 1 and 2 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 1 and 2 to the Lawton City Code, 2015 with designated governmental entities as required.

14. APPROVED a Resolution **(RES. 24-23)** that amends Appendix A. Schedule of Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 6, Building Construction and Housing, by Amending Article A-6-1, Building Code, Article A-6-2, Plumbing Code and Regulations, Article A-6-3, Electrical Code and Article A-6-4, Mechanical Code and Regulations.

15. APPROVED a resolution **(RES 24-24)** allowing the external use of the City of Lawton bison logo for the purposes of the Live2Lead event scheduled February 14, 2024.

16. APPROVED the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,419 feet (86 rods) of fiber optic cable within the right of way to serve 1420 SW Lee Blvd.

17. APPROVED the application and issuing a Revocable Communications Cable Permit to Chickasaw Telecommunications Services Inc. to install approximately 1,353 feet (82 rods) of fiber optic cable within the right of way to serve 511 SW A Ave.

18. APPROVED Council Policy 0-03, "STEM Strategic Plan", including any floor amendments, and take action as deemed necessary.

19. APPROVED a Basic Term Sheet for the Fisher59 Project located within the Airport Industrial Park and authorize staff to proceed with drafting and reviewing a Redevelopment Agreement in accordance therewith.

20. APPROVED appointments to boards and commissions.

BUSINESS ITEMS:

21. APPROVED a funding agreement in the amount of \$9,600,000.00 between the Oklahoma Development Finance Authority, City of Lawton, and FISTA relating to the Oklahoma Development Finance Authority Community Economic Development Pooled Finance Act Oklahoma Business Expansion Incentive Program for City of Lawton and FISTA Infrastructure P3 Project and take action as deemed necessary.

22. Receive a report from Trane HVAC Services and direct staff as deemed necessary. **NO ACTION.**

23. APPROVED proposed revisions to Council Policy 9-03 titled Vacancy Selection Process for Lakes Recreational Areas by broadening the policy's focus to include renaming the policy, and incorporating language that reflects the Council's commitment to fostering self-sufficiency within the lake's recreational areas.

24. APPROVED an ordinance (**ORD. 24-008**) pertaining to Utilities renaming Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1, Article 22-1; amending Sections 22-1-1-104 and 22-1-1-105, Division 22-1-1; Section 22-1-2-115, Division 22-1-2; and Section 22-1-4-144, Division 22-1-4, all of Article 22-1, Chapter 22, Lawton City Code, 2015 by clarifying that landfill charges accounts are allowed and will have the same rules and regulations as utility bills and further clarifies that residential landfill customers have the option to apply landfill fees to their utility account; allowing for floor amendments, providing for severability; and **APPROVED** declaring an emergency.

25. APPROVED a resolution (**RES 24-25**) amending Appendix A, Chapter A-22, Article A-22-1, Schedule Fees and Charges, Lawton City Code, 2015, by adding a late fee for past due landfill bills, charge account deposits, dishonored checks and stating that unpaid landfill bills may be turned over to a collection service; and authorizing the Mayor and City Clerk to execute the resolution.

26. APPROVED granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public right of way located at the southwest corner of SW Rolling Hills Drive and SW 38th St.

27. APPROVED granting a revocable permit to D.R. Horton, allowing the construction of an 8'X8' sign in the public easement located at the southwest corner of SW Lee Blvd and SW 38th St.

28. Receive a report from Lawton Police Department regarding the escalating issue of copper thefts within the City of Lawton, discuss possible solutions to the problem, and take action as deemed necessary. **DIRECTED STAFF TO BRING BACK ORDINANCE TO NEXT MEETING TO ADDRESS COPPER THEFT.**

29. Consider adopting a program to place signs regarding panhandling in areas where such signage is allowable by City Code, discuss a funding source for a panhandling sign program, discuss changing City Code to allow for panhandling signs to be placed at intersections, and take action as deemed necessary. **DIRECTED STAFF TO PUT TOGETHER A PROGRAM.**

UNFINISHED BUSINESS:

30. Consider adopting resolutions declaring the structures located at 1303 NW Laird Avenue (**APPROVED RES 24-26**) and 1762 SW 13th Street (REINITIATE THE NOTICE PROCESS) 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.

31. **APPROVED** an ordinance (**ORD 24-009**) pertaining to Animals, amending Section 5-1-121, Article 5-1, Chapter 5, Lawton City Code 2015, by retitling the Section, specifying terms of relinquishment, providing for severability and establishing an effective date.

32. **APPROVED** a resolution (**RES 24-27**) amending Appendix A, Chapter A-5, Article A-5-1, Schedule of Fees and Charges, Lawton City Code, 2015 by increasing fees for resident and non-resident release of animals to the Animal Shelter, and authorizing the Mayor and City Clerk to execute the resolution.

33. Receive a report from staff regarding neighborhood watch programs and take action as deemed necessary. **CREATE AN INFORMAL COUNCIL GROUP (WEGER, WARREN, HARRIS, CHAPMAN) TO COME UP WITH A PLAN.**

34. Provide City Council with an update on the FY 2022 & FY 2023 Audit Process **NO ACTION.**

35. Provide City Council with a presentation on the preliminary report from C.H. Guernsey on Project PR2402-Museum of the Great Plains Infiltration and Mitigation. **NO ACTION.**

36. Receive a report from Neighborhood Services, in regards to “Doing More in 24” with dangerous and dilapidated properties and direct staff as necessary. **DIRECTED STAFF TO BRING 16 D&D’S TO COUNCIL EACH MONTH.**

37. Receive report from staff regarding criminal trespass activities at vacant properties and possible measures to mitigate the issue and take action as deemed necessary. **NO ACTION.**

EXECUTIVE SESSION ITEMS:

38. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Mark Long, and if necessary, take appropriate action in open session. **NO ACTION.**

39. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the Comanche County District Court titled Christopher Hartley vs. City of Lawton, et al, Case number CJ-2023-572, and if necessary, take appropriate action in open session. **AUTHORIZED THE LAW FIRM OF COLLINS, ZORN, & WAGNER TO REPRESENT RICHARD FRANZ, NICHOLAS FLORES, PATRICK BELLAMY, AND BRANDON BECKER. APPROVED A CONTRACT WITH COLLINS, ZORN, & WAGNER TO PROVIDE REPRESENTATION RETROACTIVE TO JANUARY 29, 2024. APPROVED SUPERSEDING AND REPLACING THE CONSULTANT AGREEMENT WITH COLLINS, ZORN, & WAGNER AND THE CITY ON JANUARY 9, 2024.**

40. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending litigation of Rashawn Wilson, specifically, the pending litigation in Rashawn Wilson, as a (party of one) and, on behalf of individuals who are similarly situated, v. The City of Lawton et al, CIV-23-1165-R, and, if necessary, take appropriate action in open session. **AUTHORIZED THE LAW FIRM OF COLLINS, ZORN, & WAGNER TO REPRESENT RICHARD FRANZ, NICHOLAS FLORES, PATRICK BELLAMY, AND BRANDON BECKER. APPROVED A CONTRACT WITH COLLINS, ZORN, & WAGNER TO PROVIDE REPRESENTATION RETROACTIVE TO JANUARY 29, 2024. APPROVED SUPERSEDING AND REPLACING THE CONSULTANT AGREEMENT WITH COLLINS, ZORN, & WAGNER AND THE CITY ON JANUARY 9, 2024.**

AUTHORIZED THE LAW FIRM OF MCAFEE & TAFT TO REPRESENT THE CITY, RATLIFF, AND WILSON RETROACTIVE TO DECEMBER 21, 2023 AND PER THE TERMS OF THE CITY'S CURRENT FISCAL YEAR 2023-2024 PROFESSIONAL SERVICES AGREEMENT WITH MCAFEE & TAFT.

41. Pursuant to section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city attorney, and, if necessary, take appropriate action in open session. **NO ACTION.**

42. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John Ratliff as City Manager, and in open session take other action as necessary. **NO ACTION.**

Meeting adjourned at 8:17 p.m.