



City of Lawton

City Council

MINUTES

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

Tuesday, November 14, 2023

2:00 PM

**Lawton City Hall
Council Chambers/Auditorium**

"Official action can be taken only on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Council may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Council may refer the matter to the City Manager or the City Attorney. The Council may also refer items to standing committees of the Council or a board, commission, or authority for additional study. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

**MEETING CALLED TO ORDER WITH INVOCATION BY PASTOR BOB WEGER,
FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

ROLL CALL

PRESENT:

- Mary Ann Hankins, Ward 1
- Kelly Harris, Ward 2
- Linda Chapman, Ward 3
- George Gill, Ward 4
- Allan Hampton, Ward 5
- Bob Weger, Ward 6
- Onreka Johnson, Ward 7
- Randy Warren, Ward 8

ALSO PRESENT:

- Stanley Booker, Mayor
- John Ratliff, City Manager
- Tim Wilson, Interim City Attorney
- Donalynn Blazek-Scherler, City Clerk
- COL James Peay, Fort Sill Liaison

PROCLAMATION:

Citizen of the Month: Sweet Temptationz

Mayoral Citation: Adonis Butler

PRESENTATION:

Report on Holiday in the Park by Chamber of Commerce President, John Michael Montgomery.

REPORTS: MAYOR/CITY COUNCIL

Mayor Booker remarked on the pride he feels in being part of team Lawton/Fort Sill.

COL Peay noted the Thanksgiving feeding at Fort Sill. He also reiterated Mayor Booker's appreciation of team Lawton/Fort Sill.

Johnson reminded citizens of the suicide prevention hotline for anyone struggling during the holidays.

Hampton promoted the Farmer's Market. He also spoke about the unmanned counter-UAS conference at FISTA.

Harris thanked the police department, fire department, and neighborhood services for dealing with squatters in a house in his ward.

Hankins spoke on her opportunity to attend the Soldier's Wish Gala.

AUDIENCE PARTICIPATION: Anyone having an item of business to present to the City Council that does not appear on the agenda please come forward at this time.

Nolan Berry, 1116 SW C Avenue, spoke on growing concerns of the Lawton Fire Department regarding available resources. He will be providing a letter regarding future negotiations with the Fire Union.

Lauren Atkinson, 909 NW Dearborn Avenue, spoke about ongoing lawsuits about carcinogens in the gear used by the fire department. She believes the city's response has been inadequate. She also spoke about what she believes is inadequate pay for the firefighters. She noted that general employees were provided a raise based on a comparison of peer cities, but the firefighters were not.

Mayor Booker advised Atkinson that she had ten seconds left to speak. Atkinson requested to take three minutes of someone else's time and Mayor Booker denied.

Hortensia Hall, 735 SW Sully Drive, spoke on Fort Sill utilities rates and raises for the fire department.

Atkinson began to speak again, and Mayor Booker requested that she stop.

Hall went on to speak about the sacrifices that firefighters make and that they deserve a competitive wage.

Warren stated he forgot to mention during reports that he would like to welcome R-4 to the community.

CONSENT AGENDA:

The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

1. Consider and take action in awarding a contract to construct the Meadowbrook Waterline Project PU2204 and 67th St Waterline Project PU2213 to Southwest Water Works, LLC of Oklahoma City, OK, to construct and rehabilitate approximately 16,500 feet of waterline. 23-937
Attachments: [Recommendation of Award Meadowbrook and 67th Bid Tab Meadowbrook 67th St SWWW Signed Contract](#)
2. Consider approving an employment agreement between the City of Lawton and John Ratliff for the position of City Manager, to include any floor amendments, and authorize the Mayor and City Clerk to execute the agreement. 23-994
Attachments: [Employment Agreement](#)
3. Consider accepting temporary construction easements and permanent utility and access easements from Richard Properties, LLC, M2 Real Estate, LLC, Snell & Faustner, LLC, and Powers Family Properties, LLC, for the Cache Road water main and sidewalk project, authorizing the Mayor and City Clerk to execute the documents, and payments for the same. 23-999
Attachments: [Richard Properties Easement](#)
[M2 Real Estate Easement](#)
[Snell & Faustner Easement](#)
[Powers Family Easement](#)
4. Consider awarding CL24-007 Manhole Coating Product to Ace Pipe Cleaning, INC of Kansas City, MO. 23-1001
Attachments: [Department Recommendation](#)
[Abstract.docx](#)
[CL24-007 Bid Results](#)
5. Consider approving the Final Amendment and accepting the 2017 Ad Valorem Street and Roads Program (Residential), Phase I-C - SE 47th Street, Bedford Circle, & SW C Ave - Project No. EN1707P1C and placing the Maintenance Bond into effect. 23-1005
Attachments: [2017 Ad Valorem Streets & Roads_Rider.pdf](#)
[2017 Ad Valorem Streets & Roads Closeout Affidavits.pdf](#)
[Subcontractor's Release.pdf](#)
[Proejct I-C - Final Amendment Contractor SIGNED](#)
6. Consider and take action in approving the plans, specifications and authorize advertisement for construction of the Lake Ellsworth Spillway Project PU2312. 23-1006

7. Consider and take action extending contract RFPCL22-006 Electrical Instrumentation and Control Services to Worth Hydrochem of Norman, OK. **23-1008**
8. Consider approving professional services contract in the amount of \$76,600.00 with C.H. Guernsey & Company for the initial services schematic design report phase of the Project PR2309 Elmer Thomas Park Aquatics Center. This is in accordance with the True North Culture Statement by providing a more efficient service to the citizens of Lawton. **23-1013**
Attachments: [Final Lawton Aquatics Interview Presentation-Guernsey ADC.pptx](#)
9. Consider directing staff to issue an RFP for public adjuster services to evaluate recent insurance claims, payments, and/or evaluations. **23-1035**
10. Consider adopting a resolution for the selection of a consulting engineer to conduct the bi-annual inspections required by the National Bridge Inspection Standards (NBIS) Program. **23-1007**
Attachments: [Resolution No. 2023-xx.pdf](#)
11. Consider award of construction contract to Ellsworth Construction OKC, LLC Dba A-Tech Paving for the City Wide Pavement Rehabilitation Project, City Project No. PW2301 **23-1024**
Attachments: [Ellsworth Construction Contract PW2301 Recommendation Letter, Bid Tabs, Engineers Estimate Legistar.pdf](#)

Joe Painter, Engineering, stated that Ellsworth was the low bidder for the 10 Wins for the Citizens project.

Chris Serrano, EST, stated that is correct and this contract is on target and ahead of schedule.

Gill stated this is a great initiative that Mayor Booker started. He hopes the construction company can start in the next few days. By the first of the year, there will be forty streets under construction. He is very proud of this project.

Mayor Booker stated Painter and Serrano have worked together to defy typical municipal timetables. This project started forty days ago. He is very proud of the coordination that has taken place.

Motion by GILL, Second by CHAPMAN, to award a construction contract to Ellsworth Construction OKC, LLC Dba A-Tech Paving for the City Wide Pavement Rehabilitation Project, City Project No. PW2301.

Warren asked if striping was a part of the contract or if the city will take care of striping after construction is completed.

Serrano stated there is a section in the contract that says if striping already exists, it will be replaced.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren.

NAY: None. *Motion Passed.*

Motion by WARREN, Second by GILL, to approve the consent agenda as presented with the exception of pulling item number eleven. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

BUSINESS ITEMS:

- 12.** Hold a public hearing to consider approving an Ordinance for a change of zoning from the R-3 Multiple-Family Dwelling District and R-2 Two-Family Dwelling District to C-5 General Commercial District zoning classification for the property located at 58 NW Sheridan Road, Lawton, OK 73505. **23-1010**

Attachments: [Location Map](#)
[Ordinance No. 23- with Site Plan](#)
[Application](#)
[Analysis](#)
[CPC Mailing Notice](#)
[CPC Newspaper Notice](#)
[Council Mailing Notice](#)
[Newspaper CC Notice Rezone \(58 NW Sheriedan Rd\) 2023-1023](#)
[CPC Minutes 10-12-2023](#)

Cameron Good, Planning, presented the proposed rezoning. This presentation is available in the City Clerk's Office.

PUBLIC HEARING OPENED.

No one appeared to speak.

PUBLIC HEARING CLOSED.

Chad Rogers, property owner, thanked City staff for making the process of applying for the change of zoning easy.

Motion by HARRIS, Second by GILL, to approve ordinance 23-45 for a change of zoning from the R-3 Multiple-Family Dwelling District and R-2 Two-Family Dwelling District to C-5 General Commercial District zoning classification for the property located at 58 NW Sheridan Road, Lawton, OK 73505 waive the reading of the ordinance, and read the title only.

CITY ATTORNEY READ THE TITLE:

AN ORDINANCE CHANGING THE EXISTING ZONING CLASSIFICATION FROM THE R-2 TWO-FAMILY DWELLING DISTRICT AND R-3 MULTIPLE-FAMILY DWELLING DISTRICT

TO C-5 GENERAL COMMERCIAL DISTRICT ZONING CLASSIFICATION ON THE TRACT OF LAND WHICH IS HEREINAFTER MORE PARTICULARLY DESCRIBED IN SECTION ONE (1) HEREOF; APPROVING THE SITE PLAN ATTACHED AS EXHIBIT A; AND AUTHORIZING CHANGES TO BE MADE UPON THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THIS ORDINANCE.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren.
NAY: None. *Motion Passed.*

- 13.** Hold a public hearing and consider approving an Ordinance pertaining to planning and zoning by amending section 18-8-1-805, Division 18-8-1, Article 18-8, Chapter 18, Lawton City Code, 2015, relating to amounts of space required by designating the required number of parking spaces required for stadiums, sports fields, and arenas, providing for severability, allowing for floor amendments, and establishing an effective date. **23-1011**

Attachments: [Ordinance 23-](#)
[CPC & Council Notice](#)
[CPC Minutes 06-15-23](#)
[CPC Minutes 06-29-23](#)
[CPC Minutes 09-28-23](#)
[CPC Minutes 10.26.2023](#)

Cameron Good, Planning, presented the proposed ordinance. He noted that this came up because of a request by Lawton Public Schools. This was discussed by the City Planning Commission, and staff recommends approval.

Motion by WARREN, Second by GILL, to approve Ordinance 23-46 pertaining to planning and zoning by amending section 18-8-1-805, Division 18-8-1, Article 18-8, Chapter 18, Lawton City Code, 2015, relating to amounts of space required by designating the required number of parking spaces required for stadiums, sports fields, and arenas, providing for severability, allowing for floor amendments, and establishing an effective date.

CITY ATTORNEY READ THIS TITLE:

AN ORDINANCE PERTAINING TO PLANNING AND ZONING AMENDING SECTION 18-8-1-805, DIVISION 18-8-1, ARTICLE 18-8, CHAPTER 18, LAWTON CITY CODE, 2015, RELATING TO AMOUNTS OF SPACE REQUIRED BY DESIGNATING THE REQUIRED NUMBER OF PARKING SPACES REQUIRED FOR STADIUMS, SPORTS FIELDS AND ARENAS, PROVIDING FOR SEVERABILITY, ALLOWING FLOOR AMENDMENTS AND ESTABLISHING AN EFFECTIVE DATE.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren.
NAY: None. *Motion Passed.*

- 14.** Receive a report from staff and Garver Engineering regarding the implementation of the CIP Portal for citizens and take action as deemed **23-1021**

necessary.

Mary Elizabeth Mach, Garver Engineering, presented on the CIP Portal. This presentation is available in the City Clerk's Office.

Mayor Booker asked if the public portal is complete.

Mach stated Garver's deliverable is completed.

Mayor Booker asked why the portal isn't available on the City's website.

Mach stated it is her understanding that the ball is now in the City's court.

Judy Franco, Information Technology, stated the portal doesn't show all of the products. She is currently trying to match it to the information found in the Tyler System. She has postponed posting the portal to avoid putting out misinformation.

Mayor Booker stated we've been working on this for three years and asked when the estimated completion date is.

Franco reiterated that she is just trying to match up the projects in the portal with the projects in the Tyler System.

Mayor Booker asked if Garver's portion is complete.

Mach stated Garver has provided all the deliverables in their scope of work, but they will continue to assist as needed. She has worked quite a bit with Franco's team.

Mayor Booker stated he still hasn't heard a timeframe.

Franco stated she doesn't know where all the funding comes from for each project, so she needs to get with Finance to sort through that.

Mayor Booker asked how many different departments are involved in getting the information needed. He stated it sounds like Finance, IT, Engineering, Public Works, and any other departments with projects.

Franco stated she's not sure if Parks and Rec is on that list also.

Mayor Booker asked if Franco is having difficulties getting information from departments.

Franco explained how projects are listed in Tyler and that they need to split out the funding to match it to each project.

Mayor Booker stated he is tempted to ask for a motion to get the City Manager involved because this should be done already, but he doesn't want to pull Finance off of taking care of the audit.

Franco stated they have a possible solution and requested time to test it out. She would like to bring this back.

Gill asked how long it has been since Garver finished and gave the deliverable to the City.

Mach stated the public portal was provided on February 28, 2023.

Gill stated this seems like an internal issue, then.

Franco stated GIS has been working on the information since the portal was delivered.

Gill asked if this is something that is worked on every day.

Franco stated yes, she has a dedicated analyst working on it. There is some programming involved.

Gill questioned with Franco needs another forty-five days.

Franco stated she just doesn't want to promise a date and then not be able to deliver.

Gill stated he's not looking for a commitment; he just wants to know if the water is cold, warm, or hot.

Franco stated it's warm.

Mach stated her GIS experts have made a lot of progress with Franco's team.

Mayor Booker stated he doesn't believe a motion is needed. He is just going to ask the City Manager to bring back a schedule to the second meeting in December. The schedule should include a go live date for the citizens.

15. Consider approving an ordinance pertaining to Animals, amending Section 5-1-101, 5-1-104, 5-1-105.1, 5-1-106, 5-1-111, 5-1-118, and 5-1-120, Article 5-1, Chapter 5, Lawton City Code 2015 and amending Section 5-5-501 and 5-5-508, Article 5-5, Chapter 5, Lawton City Code 2015 by defining redemption period and service animal; establishing City Manager approval for euthanizations within the redemption period; clarifying that large reptiles may be unlawful; allowing for redemption periods to be extended; expanding on service animal allowances; correcting grammatical errors; renumbering as needed; providing for severability; allowing for floor amendments; and establishing an effective date.

23-1026

Attachments: [AW ORD](#)

Roy Roderick, Animal Welfare, presented the proposed changes to Chapter Five of City Code.

Hampton asked if there were issues that prompted such a detailed change to code.

Roderick stated it was just a review of code and clean up was needed. This brings some things up to standard. He has personally responded to calls with very large reptiles, and it is dangerous.

Hampton asked about the section dealing with service animals.

Roderick stated the ADA has updated to include miniature horses as a service animal.

Hampton questioned the small animals, such as chinchillas, and asked again if there are any issues within the City of Lawton.

Roderick stated there have been no issues with small animals. He proceeded to list the small animals listed as service animals in the ordinance.

Mayor Booker questioned the addition of miniature horses.

Roderick stated that miniature horses are federally protected as service animals.

Wilson stated this ordinance has gone through some revisions, but the title includes revisions to Section 5-1-105.1, which is not included in the ordinance. The ordinance also amends Section 5-1-117, but that is not included in the title. We can talk about the proposed ordinance, but the item should be tabled and brought back to the next meeting with a corrected title.

Ratliff stated the agenda item does allow for floor amendments. He recommends considering that before making a decision to table the item.

Wilson stated that would be amending the title, which was the notice to the public. That would be problematic.

Mayor Booker stated he would rather be safe than sorry. He will allow discussion on the item, but he will not call for a motion. This item should be brought back at the next Council meeting.

Johnson asked if information is available for someone who wants to get a service animal or train a service animal.

Roderick stated service animal regulations are very limited. Typically, we like for the animals to go to a trainer to be a service animal, but right now, it is hard to prove given the limited questions that are allowed to be asked of an individual with disabilities about their service animal. It is hard to be able to prove that an animal is a service animal.

Johnson stated her question was do we have information on how to certify an animal to be a service animal.

Roderick stated yes, that information is available at the animal shelter.

Ratliff stated the main driving force behind this change was that OML recently sent out a model animal code, and we compared our code to the model code. OML's model code included all of the recent updates regarding service animals.

Hampton asked if there is a feral cat program.

Roderick stated no, but he is working on a trap and release program.

Mayor Booker asked that the ADA guidelines be attached to the agenda item when this ordinance is brought back to Council.

NO ACTION TAKEN.

- 16.** Consider approving an ordinance pertaining to Animals, amending Section **23-1037** 5-1-120, Article 5-1, Chapter 5, Lawton City Code 2015, by establishing that dogs are not to be left outdoors and unattended for a period exceeding one-half hour when the temperature is below 32 degrees Fahrenheit, providing for severability, establishing an effective date, and allowing for floor amendments.

Attachments: [AW ORD](#)

Warren stated we have had dogs freeze to death because they are left outside. This basically just says dogs can't be left outside for more than thirty minutes when it is below freezing. He would like to offer an amendment that at least leaves some discretion to the animal welfare officer for Nordic animals.

Wilson stated he would recommend leaving it alone. It is ultimately up to the prosecutor to decide if a citation makes sense.

Ratliff stated he checked Norman's code, and they have a similar ordinance. The Norman ordinance provides for a lower limit of 35 degrees Fahrenheit and an upper limit of 85 degrees Fahrenheit. This item does allow for a floor amendment to add an upper limit.

Chapman stated she also questioned how this applies to animals that are bred to live in the cold weather. That was a concern brought up by citizens.

Wilson stated a floor amendment to add an exception for animals bred for cold weather would be okay.

Motion by WARREN, Second by GILL, to approve Ordinance 23- pertaining to Animals, amending Section 5-1-120, Article 5-1, Chapter 5, Lawton City Code 2015, by establishing that dogs are not to be left outdoors and unattended for a period exceeding one-half hour when the temperature is below 32 degrees Fahrenheit, providing for severability, establishing an effective date, including a floor amendment to provide an exception for Nordic dogs, waive the reading of the ordinance, and read the title only.

CITY ATTORNEY READ THE TITLE:

AN ORDINANCE PERTAINING TO ANIMALS, SECTION 5-1-120, ARTICLE 5-1, CHAPTER 5, LAWTON CITY CODE 2015, BY ESTABLISHING THAT DOGS ARE NOT TO BE LEFT OUTDOORS AND UNATTENDED FOR A PERIOD EXCEEDING ONE-HALF HOUR WHEN THE TEMPERATURE IS BELOW 32 DEGREES FAHRENHEIT, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE WITH A FLOOR AMENDMENT TO ADD AN EXCEPTION FOR NORDIC ANIMALS.

VOTE ON MOTION: Hankins, Harris, Chapman, Gill, Hampton, Johnson, Warren. NAY: Weger.
Motion Passed.

- 17.** Receive a detailed report on how the \$3 million added to the Streets materials account in the 23/24 budget has been spent and/or obligated thus far and give any direction deemed necessary. **23-1018**

Cliff Haggenmiller, Streets Division, provided a report on the 10 Wins Project. This report is available in the City Clerk's Office.

Mayor Booker if anything had been allocated for panel replacement.

Haggenmiller stated panel replacement is allocated out of a different fund.

Mayor Booker stated it looks like we have another \$800,000.00 that can be used out of this fund before we start borrowing any money to continue.

Haggenmiller stated that is correct, a few more segments can be added. He recommends holding some back as a safety net since this is a new project.

Joe Painter, Engineering, stated ten percent should be held back to cover any issues.

Gill stated even though we have some money left, we will wait to go out to bid on more projects. It is

best to bid these in groups of at least ten to encourage better bids.

Warren asked what is the cost to build one lane mile of concrete.

No one was able to provide an estimate.

- 18.** Consider directing staff to initiate Request for Proposals for the operation and management of the Lake Lawtonka School House Slough convenient store to include the fuel pumps. **23-1017**

Attachments: [SHS Operations RFP Convenient Store](#)

Dewayne Burk, Deputy City Manager, stated that staff is requesting to move forward with an RFP specifically for the operation and maintenance of School House Slough Convenience Store to include the fuel pumps.

Mayor Booker stated the last time we went out for proposals we had very specific requirements for experience. He believes that should be weeded out at the end instead of at the beginning.

Burk stated the RFP was modified to make those preferences instead of requirements.

Motion by WARREN, Second by HANKINS, to direct staff to initiate Request for Proposals for the operation and management of the Lake Lawtonka School House Slough convenient store to include the fuel pumps. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None.
Motion Passed.

- 19.** Consider directing staff to bring a resolution to raise the rental rates for full-time campers, trailers, boathouses, dry stalls, and wet stalls located at Lake Lawtonka's recreation areas for calendar year 2024 by an amount not to exceed 25% excluding the five boathouses formerly managed by the School House Slough concessionaire with said rate increases to take effect on January 1, 2024 and direct staff to evaluate the feasibility of a two-tiered fee structure for Lake Lawtonka's recreation areas, differentiating between Lawton residents and non-residents. **23-1016**

Attachments: [Halff Fee Recommendations](#)
[Schoolhouse Slough Proposed Fees](#)
[Lakes-Pricing-Amenities](#)
[Lakes Annual Budget 23-24](#)

Burk stated this is the second year that there has not been a concessionaire for the School House Slough, so staff has evaluated the fees associated with the recreation areas. The Lakes Master Plan provided a recommendation on what the lake fees should look like for the advancement and improvements of the lakes. The plan projected the minimum RV fees should be around \$4,200.00 a year minimum and the boathouse fees should be \$3,500.00 minimum. Staff evaluated thirteen different RV parks within the common area of the School House Slough; Five of the areas have an average annual fee of \$6,000.00.

The average of all thirteen is approximately \$5,000.00 per year. In comparison, we currently charge \$1,035.00 a year for our boathouses. The campsites range up to \$2,800.00 depending on the location. In an effort to come up with a plan forward to establish a fair market value, it was our suggestion to come back with incremental increases. Even a 50% increase does not put us in the ballpark of where it should be. 50% is a very big increase, so our approach would be to do it in increments. It is important to note that we spend approximately \$300,000.00 a year patrolling and monitoring the lake for security purposes. We also increased our budget this year in anticipation of managing the School House Slough. We recommended to Council a 25% increase with the exception of the five boathouses that were previously under the operation of the previous concessionaire because they were already well above what our rates were. Even with a 25% increase, we are still about \$1,000.00 below the lowest comparable RV park. This was presented to the Lakes and Land Commission and was not received well. Nobody wants to see fees go up, but their chief complaint was that they want an assurance that the money would go back into the lakes. This is addressed in the companion items to follow this one.

Mark Scott, Chairman of the Lakes and Land Commission, stated the RFP for the store and fuel pumps is supported by the Commission. It was explained to us that the rate increase was due to fairness to the citizenry and rent comps, which I agree with. The feedback received was that you really get what you pay for. Folks aren't paying much and aren't getting much either. We're okay with paying more, but we want to see that coming back to improvements at the lake. We ultimately voted to not proceed with the price increase. We believe this should be discussed at our regular quarterly meeting to allow for more input. We also want to look at different ways to capture the revenue at the lake and reinvest it back into the lake. Without this, the money just goes back into the general fund. Without a plan for infrastructure improvements, it is also difficult for the public to get behind this increase. The Commission is tasked with providing a recommendation to Council, and we will discuss a plan to present at our January meeting. He believes the commission would be in favor of a price increase if 1) water and sewer were brought up to a better standard, 2) an itemized and prioritized improvement list was vetted by the commission, 3) if revenues from the lake were somehow escrowed and put back into improvements at the lake, and 4) a trust commission was created or the authority to oversee the funds was granted to the Lakes and Land Commission.

Mayor Booker stated we all want the same thing: nice amenities at the lake. It brings up the question of do we build it first, or do we collect the money first. He also noted that 40% of the renters at the lake are Lawton Citizens, which equals less than 1% of the total Lawton population. It's not right for us to take from the 99% of the citizens that don't rent at the lake to supplement what's out there. At the same time, he agrees with the commission and has been crunching the numbers. He stated we can put together a plan for \$3 million that includes the amenities requested and the income will pay for it over a period of time. We can do this all at the same time. We can go with the staff's recommended 25% increase and put together a plan for the improvements. By ordinance, the Lakes and Land Commission would be involved with that plan. I would suggest we approve this and direct staff to put together a plan for \$3 million of improvements at the lake.

Chapman asked if the increase is a yearly increase.

Burk stated it is staff's recommendation to do the increase over three years. We would continue to increase each year until we meet the minimum recommended price in the master plan.

Weger asked if there is any earmarking for the funds received from the lake.

Burk stated no.

Weger stated the citizens are providing feedback to him that they understand the need for the increase, but are questioning why 25%. He would like to see the money brought in by the lake reinvested back in the lake instead of going into the general fund.

Mayor Booker stated that is what would happen with his plan, but he seriously doubts the income is even \$600,000.00.

Burk stated he is not certain, but believes it was around \$50,000.00 with the previous concessionaire.

Mayor Booker stated we were spending \$600,000.00 and have increased that to \$1.2 million. The \$50,000.00 doesn't include the boathouse fees that came directly to us. What does that amount to?

Weger asked if we could earmark the revenue going back from January to present for lake improvements.

Mayor Booker stated if we do that, we don't have the money to repay the \$3 million we borrowed to buy Kent Waller out. The point is, they haven't come up with \$200,000.00 in revenue at the lake. The city is putting in \$1.2 million and needs to put in even more money. The proposed plan forces the City to put the revenue back into the lake to repay money that is borrowed. That more than earmarks it.

Scott reviewed the money available in the budget.

Mayor Booker stated the \$3 million is about eight years of income, not including interest.

Scott stated he would like to see a ten-year lease arranged and managed by a trust authority.

Mayor Booker stated he is interested in a trust authority, but Council needs to see a plan on how that is going to work.

Harris questioned if the lease would pay off the wanted improvements.

Mayor Booker stated that the lease money we receive today will pay for what we inherited over a ten-year period. There will be some cushion in there. The revenue increases that the staff is recommending would pay off a \$3 million note somewhere over eight years. It's a big dedication that the city is making.

Motion by WARREN, Second by GILL, to direct staff to bring back a resolution according to the recommended plan to raise the rates over the next three years, and bring back a plan for \$3 million worth of improvements in the recreation area.

Burk asked if that includes differentiating rates between residents and non-residents.

Warren stated he doesn't mind having that option brought back.

Mayor Booker stated his calculation is with everyone paying the same rate.

VOTE ON MOTION: AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren.
NAY: None. *Motion Passed.*

- 20.** In conjunction with the proposed increases to the lease rates at the Lake Lawtonka recreation areas, consider directing staff to initiate a Request for Proposals for the installation of WiFi services at the Lake Lawtonka School House Slough recreational area. **23-1034**

Burk stated this item and the next would be part of the plan that would be brought back. This was an informal recommendation by the Lakes and Land Commission.

Warren asked if this could be packaged with WiFi in City parks.

Wilson stated no.

Mayor Booker stated he believes WiFi in the parks is already being addressed separately through another RFP. He also stated this item and the next will be addressed in the plan and there is no need to take double action on these items.

- 21.** In conjunction with the proposed increases to the lease rates at the Lake Lawtonka recreation areas, consider directing staff to initiate a Request for Proposals for the repair and upgrades to the waterline system serving the Lake Lawtonka recreation areas. **23-1038**

Mayor Booker stated no action is needed as this will be a part of the plan brought back. He also asked what the issue with the water is.

Burk described an issue with pipes freezing and busting.

Mayor Booker stated that can be addressed quickly prior to the plan being presented.

Scott stated the first item was specific to the School House Slough, but items 20 and 21 just say recreational areas. He asked if those are two separate things.

Mayor Booker stated he believes both cover the East side of the lake. It does not include the windy road going up to the dam.

Scott asked if the \$3 million covers the entire recreational area.

Mayor Booker stated that will be left up to the staff to figure out.

- 22.** Direct staff to evaluate equipment in all City of Lawton parks, come up with a plan to invest \$1 million in repairs and upgrades to equipment, provide a **23-1022**

proposed budget number for repairs and upgrades that are needed above the \$1 million, and bring back a plan and budget to the 1st meeting in January. Concurrently, review the existing plan provided by staff and offer direction as necessary.

Attachments: [Park Improvement Proposal](#)

Larry Parks, Parks and Recreation presented a plan for Park Improvements. This presentation is available in the City Clerk's Office.

Mayor Booker asked if the ground covering and fences in the pictures are included in the plan.

Parks stated yes.

Warren noted that the picture titled "Country Club West" is "Eva McNally Park".

Gill asked if adequate staff is available to maintain the new equipment.

Parks stated yes, adequate staff is available for maintenance. Training will be provided on the maintenance.

Harris stated Kidzone was not included. He asked if plans were being made.

Police Chief Smith stated that Kidzone is a part of AMBUCS and would need to be addressed with them.

Warren asked where the money comes from.

Mayor Booker stated we have to pick one of the two options presented, and then direct staff to bring back a budget resolution to access PROPEL CIP funds.

Hampton asked that money be set aside for a maintenance plan.

Parks stated that maintenance has been discussed and will be addressed.

Johnson asked if signs are also being replaced.

Parks stated yes.

Johnson asked how long that will take because the sign for George M. Lee Park is actually George N. Lee Park.

Parks stated the signs were initially part of the package, but the sign correction can be placed at the front. Each park will take four to six weeks with five to eight weeks of lead time.

Motion by GILL, Second by WARREN, to direct staff to bring back a budget resolution for \$1,525,350.00 at the next Council meeting for the proposed park improvements and further direct staff to bring back more plans for park improvements in increments of \$1 million. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson Warren. NAY: None. *Motion Passed.*

STAFF REPORTS:

- 23.** Provide City Council with an update on the FY 2022 & FY 2023 Audit Process. **23-992**

Joe Don Dunham presented on the status of the audits, specifically that the pension audit is ready to send to Finley and Cook, he has been unable to get in contact with Chuck Dean, the actuarial for the pension trust, and that all accounts are reconciled except the general fund.

In summary, Dunham stated we are on track to have this approved in the next few months.

EXECUTIVE SESSION ITEMS:

Motion by WARREN, Second by HAMPTON, to enter into executive session. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

Council remained in executive session from 4:56PM to 5:58PM. No action was taken in executive session.

Motion by GILL, Second by HARRIS, to return from executive session. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

- 24.** Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim/action for breach of contract in relation to Ad Valorem Phase I-A contract EN1707P1A (24th and 40th Street) by the City of Lawton against Alfred Espinoza d/b/a A.E Construction Co. ("AEC"), and if necessary, take appropriate action in open session. **23-998**

Motion by CHAPMAN, Second by GILL, to waive the City's claim on liquidated damages and further direct the staff to provide a comparison of what other cities charge for liquidated damages. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson NAY: Warren. *Motion Passed.*

- 25.** Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in the United District Court **23-1012**

for the Western District of Oklahoma titled Kent Jackson, as personal representative of the Estate of Israel Williams vs. City of Lawton, et al, CIV-23-284-G, and if necessary, take appropriate action in open session.

Motion by HANKINS, Second by GILL, to approve a second amendment to the contract for professional services with Collins, Zorn, and Wagner, PLLC for this case adding the following paragraph to section 3 of the agreement: In addition to the amounts to be paid under paragraph one, two, and four of this section, CZW is, subject to prior written approval from the city attorney, permitted to retain professionals to review evidence and, if requested, provide reports and potentially serve as expert witnesses. City shall reimburse CZW for this expense. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

- 26.** Pursuant to Section 307B.4, Title 25, Oklahoma statutes, consider convening **23-1014** in Executive Session to discuss the pending claim from the Department of Housing and Urban Development regarding the Blocked HOME Activities #2315, #2317 letter dated October 25, 2023, and present options for compliance and take appropriate action in open session.

Motion by Harris, Second by GILL, to authorize the City to respond the Department of Housing Urban Development's letter of October 25, 2023 and to authorize the payment of \$162,546.00 to the Department of Housing and Urban Development from the Council Contingency Account within 60 days. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

ADJOURNMENT

Motion by GILL, Second by HARRIS, to adjourn the meeting of November 14, 2023. AYE: Hankins, Harris, Chapman, Gill, Hampton, Weger, Johnson, Warren. NAY: None. *Motion Passed.*

There being no further business, the meeting adjourned at 6:03PM.

The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."