



City of Lawton

City Council

Meeting Minutes

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

Tuesday, March 12, 2024

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 AND PLEDGE OF ALLEGIANCE

Invocation was led by Pastor Allan Hampton, followed by the Pledge of Allegiance.

ROLL CALL

Present: Council Member Mary Ann Hankins
Council Member Kelly Harris
Council Member Linda Chapman
Council Member George Gill
Council Member Allan Hampton
Council Member Bob Weger
Council Member Sherene Williams
Council Member Randy Warren

ALSO PRESENT:

John Ratliff, City Manager
Tim Wilson, Acting City Attorney
Donalynn Blazek-Scherler, City Clerk

PRESENTATION:**True North Award**

John Ratliff presented the True North Award to Crystal John for her outstanding work in the field of Open Records.

PROCLAMATION:**Developmental Disabilities Month****Citizen of the Month: Red Cross**

Citizen of the Month to the Red Cross was stricken.

Mayor Pro Tem Warren presented the proclamation for Development Disabilities Awareness Month to Darien's Voice Foundation.

REPORTS: MAYOR/CITY COUNCIL

Councilman Harris mentioned the upcoming Trash Off event scheduled for next month, designed to facilitate the disposal of items not suitable for regular trash receptacles or bulk pick-up services. Residents were encouraged to participate by bringing such items to the McMahan Auditorium parking lot for collection and disposal.

Councilman Hampton shared news about the availability of fresh fruits and vegetables at the Farmer's Market, along with discussions on the ongoing need for street maintenance. He highlighted efforts to address issues like those experienced on Gore Blvd in Ward 5, emphasizing the commitment to establishing a robust maintenance program for city streets.

Councilwoman Williams informed the community about upcoming events, including a grand opening celebration for new duplexes on March 15th and a constituent meeting for Ward 7 on April 18th at the Leslie Powell Gallery, with refreshments provided.

Ratliff reiterated the details of the Trash Off event, confirming its date and location as April 6th at the McMahan Auditorium parking lot.

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. The Mayor and Council will receive comments from audience members. Council may recommend to the individual or group as to what action they should take, i.e., refer the situation to a particular department or person at the city offices. Each speaker will have a 3-minute time limit, each topic will have a 9-minute time limit, and Audience Participation will be limited to 30-minutes in total.

No comments were made.

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.

Approval of the Consent Agenda

MOTION by Gill, SECOND by Hampton, to approve the Consent Agenda. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

1. Consider approving the minutes of the February 27, 2024 meeting. [24-1344](#)
Attachments: [02.27.24 Minutes](#)
2. Consider adopting a resolution ratifying the action of the Deputy City Attorney and the City Manager in making payment on the judgment in the amount of \$51,624.47, in the Workers' Compensation case of Itaska Rountree in the Oklahoma Workers' Compensation Commission, Case No. CM3-2019-06859A. [24-1313](#)
Attachments: [Rountree, Itaska, Resolution](#)
Enactment No: RES 24-058
3. Consider approving a resolution amending the City of Lawton FY 23-24 budget, as amended, by appropriating Seven Million Nine Hundred Eighty-Six Thousand Eight Hundred Two and 00/100 Dollars (\$7,986,802.00) to General, Drainage Maintenance, Capital Improvement and Capital Improvement/propel 2019 Funds. [24-1315](#)
Attachments: [Budget Appropriation Amendment Resolution.pdf](#)
Enactment No: RES 24-051
4. Consider adopting a resolution 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 2017-2018 Biennial Supplement, known as Supplements No. 3 and 4 to the Lawton City Code, 2015, and authorizing distribution. [24-1294](#)
Attachments: [3 and 4 Approving Res](#)
Enactment No: RES 24-052
5. Consider approving a resolution directing the City Clerk to notify the public of the publication of the 2017-2018 Biennial Supplement, known as Supplements No. 3 and 4 to the Lawton City Code, 2015 and further directing the City Clerk to file certified copies of this resolution and copies of Supplements No. 3 and 4 to the Lawton City Code, 2015 with designated governmental entities as required. [24-1295](#)
Attachments: [3 and 4 Directing Res](#)
Enactment No: RES 24-053
6. Consider approving a resolution to allow for the transfer of revenue the City receives by leasing space from the City operated lakes recreational areas to a Special Revenue Fund account for the Parks and Recreation Lakes Recreational Area. Currently, all revenues received are deposited in the General Fund. The funds will be carried over from year to year. [24-1331](#)
Attachments: [Resolution No. 24-](#)
Enactment No: RES 24-054

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7. Consider approving a resolution amending the City of Lawton FY 23-24 budget as amended, by increasing estimated revenues by Six Million Sixty Thousand Eight Hundred Thirty-one and 00/100 Dollars (\$6,060,831.00). [24-1342](#)
- Attachments:** [Budget Revenue Amendment Resolution.pdf](#)
Enactment No: RES 24-055
8. Consider awarding a contract in the amount of \$14,177,260.00 to TIMCO Blastings & Coatings, INC, for the construction of Map 09 Waterlines Project PU2308 to replace approximately 37,000 linear feet of high maintenance waterlines. [24-1296](#)
- Attachments:** [Rec of Award Map 09 Rev1](#)
[Bid Tab - Map 09](#)
[PU2308 Contract](#)
9. Consider extending contract (CL23-015) Liquid Oxygen with Matheson Tri-Gas, Inc. [24-1337](#)
- Attachments:** [Extend Dept. Recommendation CL23-015](#)
[Signed Vendor Ext. Form - Matheson](#)
[CL23-015 Liquid Oxygen Original Contract](#)
10. Consider and approve agreement for professional services between the City of Lawton and Garver, LLC for the purpose of developing Phase I the 2050 Land Use Plan for the City of Lawton in amount not to exceed of \$156,336 and Phase II of the 2050 Land Use Plan in the amount not to exceed \$250,434 in July if the funding is available. [24-1332](#)
- Attachments:** [Professional Services Agreement with Garver](#)
11. Consider approving a professional services agreement with Ray Demeritt, National Public Adjusting LLC, for professional adjusting services regarding all applicable claims caused by severe weather on June 15, 2023. [24-1351](#)
- Attachments:** [Oklahoma PA Agreement](#)
12. Consider approving Amendment No. 4 to the Master Services Agreement with Garver, LLC, in an amount not to exceed \$687,825.00 for Professional Engineering Services for the Numu Creek Drainage Improvement Project to widen and stabilize the banks of the channel. [24-1297](#)
- Attachments:** [Amendment No. 4 Final](#)
[Exhibit B-2](#)
[Exhibit B-3](#)
13. Consider and take action rejecting all bids received for the Lake Ellsworth Spillway Project PU2312 and authorizing staff to re-advertise the contract for award. Only one bid was received, and the cost was 155% over the Engineers Estimate. [24-1307](#)
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Attachments: [Bid Tab - Ellsworth Spillway](#)
[Rec to Reject](#)
[PU2312 Lawton Ellsworth Spillway Rehabilitation Rejection Letter](#)
[February2024_Rev1](#)

14. Consider and take action in awarding a contract in the amount of [24-1308](#)
 \$242,150.00 to Integrity Construction Services, LLC, for the construction of
 2021 CDBG Sewer Project PU2104 to replace approximately 1,800 feet of
 sewer line.

Attachments: [Rec to Award](#)
[Bid Tab - CDBG](#)
[CDBG Contract](#)

15. Consider and take action in approving Amendment No. 2 to the Wastewater
 Treatment Plant Improvements Project Phase I Contract with Garver, LLC in
 an amount not to exceed \$89,500.00 for Engineering Services to design the
 replacement of existing non-functioning blowers needed for plant operations
 and compliance. [24-1323](#)

Attachments: [Amendment No. 2_WWTP - executed](#)
[Appendix A](#)

16. Consider accepting a Public Works Safety Equipment (PWSE) grant from
 Oklahoma Municipal Assurance Group (OMAG) in the amount of \$2,000 for
 the purchase of traffic control devices, and authorize the execution of any
 documents necessary to accept the grant. [24-1311](#)

Attachments: [OMAG PSWE Grant Award Letter](#)

17. Consider accepting the Oklahoma Heritage Preservation grant of \$20,000.00
 from the Oklahoma Historical Society to digitize newspaper records and
 authorizing the Mayor to sign the contract. [24-1316](#)

18. Consider accepting a donation of rocks and dirt with an approximate
 monetary value of \$15,000.00 from John and Krista Ratliff for use in City
 parks. [24-1324](#)

19. Consider approving a request allowing Lawton Police Department to submit
 an application for the Vested Interest in K9's Vest Recipient Program; and if
 awarded, approve the acceptance of said vests for K9 use. [24-1329](#)

Attachments: [K9 Vest Recipient Application](#)

20. Consider accepting permanent easements from Lawton Economic
 Development Authority and Comanche County Industrial Development
 Authority for right-of-way and utility relocation along the east side of SW
 112th Street, between Lee Boulevard and Bishop Road, and authorizing the
 Mayor and City Clerk to execute the documents. [24-1334](#)

Attachments: [LEDA - PU & ROW](#)
[CCIDA - PU & ROW](#)

Wilson stated we do not have the actual easements signed by CCIDA. We do

expect to have them today. It is fine for Council to conditionally approve it, provided we get those easements. There is no issue; CCIDA just hasn't met yet.

21. Consider accepting a permanent easement from Michael Gene Goodin and Tammy Goodin for property located adjacent to 7702 SW 11th Street required for the Wolf Creek Bridge Project # EN2204 along SW 11th Street, authorizing the Mayor and City Clerk to execute the document and payment for the same. [24-1336](#)

Attachments: [Goodin Easement](#)

22. Consider approving appointments to boards and commissions. [24-1343](#)

Attachments: [Board Appointments- 03.12.24](#)

BUSINESS ITEMS:

23. Consideration and action upon Resolution of the City of Lawton, Oklahoma (the "City") authorizing and approving the incurring of indebtedness by the trustees of the Lawton Industrial Development Authority (herein the "Authority") to be accomplished by the issuance of its Sales Tax Revenue Note, Series 2024 or other evidences of indebtedness in one or more series designations on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed Thirty Million Dollars (\$30,000,000) (herein the "Note") for the purpose of financing all or a portion of the cost of the acquisition, construction, equipping, renovating, and improving of certain public infrastructure and capital improvement projects to be located within the City; and pay costs of issuance related thereto; providing that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of said Note; approving the award of the sale of said Note on a negotiated basis, approving the waiver of competitive bidding with respect to the sale of said Note; and approving the proceedings of the Authority pertaining to the sale of said Note; approving and authorizing a Sales Tax Agreement (the "Sales Tax Agreement") by and between the City and the Authority pertaining to the year-to-year pledge of certain sales tax revenues; and all matters related thereto, including execution of all related documents thereto. [24-1349](#)

Attachments: [Resolution No. 23-152.pdf](#)
[City Council Resolution Authorizing Indebtedness](#)

Joe Don Dunham, Finance Director, outlined the allocation of funds for several projects in this note, including the renovation of McMahon Auditorium, the construction of landfill cells 6 and 7, and road construction on Gore Blvd from 67th Street to 82nd Street, and Goodyear Blvd from Lee Blvd to Cache Road.

Wilson stated LIDA convened earlier today at 1:00 PM and voted to approve the note. The Council's subsequent resolution would serve to affirm this decision. The resolution specifically authorizes the incurred indebtedness, and due to the waiver of competitive bidding, it necessitates a 3/4 majority vote.

MOTION by Gill, SECOND by Hampton, to approve Resolution 24-056. The motion carried by the following vote:

Enactment No: RES 24-056

The acting City Attorney read the Title. (Resolution 24-056)

AN INDUCEMENT RESOLUTION OF THE CITY OF LAWTON, OKLAHOMA (THE "CITY"), DECLARING ITS OFFICIAL INTENT TO APPROVE THE INCURRING OF INDEBTEDNESS BY ONE OR MORE OF THE PUBLIC TRUSTS OF WHICH THE CITY IS THE BENEFICIARY IN ONE OR MORE SERIES OF BONDS, NOTES, OR OTHER EVIDENCES OF INDEBTEDNESS TO FINANCE ALL OR A PORTION OF THE COST OF THE ACQUISITION, CONSTRUCTION, EQUIPPING, RENOVATING, AND IMPROVING OF CERTAIN CAPITAL IMPROVEMENT PROJECTS TO BE LOCATED WITHIN THE CITY AS DEEMED NECESSARY; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: RES 24-056

24. Hold a public hearing and consider a resolution for a rezoning request for the property located at 1201 SW C Ave, Lawton, OK 73501, amending the 2030 Land Use Plan from Residential/ High Density to Commercial and take appropriate action as deemed necessary. [24-1251](#)

Attachments: [Resolution No. 24-Location Map \(1201 SW C Ave\) 2023 1214](#)
[ALUP Application \(1201 SW C\) 1211 2023](#)
[Site Plan \(1201 SW C\) 1211 2023](#)
[Analysis \(1201 SW C Ave\) 2023-1229](#)
[Notice Newspaper CPC & Council Rezone\(1201 SW C Ave\) 2024-0206](#)
[Notice Mailing CPC & CC Rezone\(1201 SW C Ave\) 2024-0206](#)
[CPC Minutes 1-11-2024](#)
[CPC Minutes 2-29-2024](#)

Kameron Good from the Planning Division presented details concerning a rezoning request for the property located at 1201 SW C Avenue. Situated at the Northwest corner of C Avenue and 12th Street, the property comprises lots 20 through 24 and is currently vacant. The proposed use for the property is a daycare facility, with plans for two curb cuts onto 12th Street. Presently, the land is designated as Residential High Density, surrounded by similar zoning to the North, South, and West, while Commercial zoning lies to the East. The proposal aims to rezone the property for commercial purposes.

Good further stated that notices were sent to 24 property owners within 300 feet of the location on February 7th and published in the Lawton Constitution on February 9th. There were no received phone calls either in favor or against the proposal.

Additionally, Good explained that the matter was presented to the City Planning Commission on January 11th, but due to an error in the initial newspaper notice referencing the wrong section of the City Code, the proposal was re-noticed and brought back to the Commission. Subsequently, on February 29th, the City Planning Commission recommended approval of the rezoning request.

The public hearing was opened and closed with no comments.

MOTION by Gill, SECOND by Williams, to approve Resolution 24-057. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: RES 24-057

25. Hold a public hearing and consider an ordinance for a rezoning request for the property located at 1201 SW C Ave, Lawton, OK 73501, changing the zoning from the R-4 High-Density Apartment District to C-1 Local Commercial District zoning classification and take appropriate action as deemed necessary.

[24-1250](#)

Attachments:

[Ordinance No. 24-](#)

[Location Map \(1201 SW C Ave\) 2023 1214](#)

[Application \(1201 SW C\) 1211 2023](#)

[Site Plan \(1201 SW C\) 1211 2023](#)

[Analysis \(1201 SW C Ave\) 2023-1229](#)

[Notice Mailing CPC & CC Rezone\(1201 SW C Ave\) 2024-0206](#)

[Notice Newspaper CPC & Council Rezone\(1201 SW C Ave\)](#)

[2024-0206](#)

[CPC Minutes 1-11-2024](#)

[CPC Minutes 2-29-2024](#)

Kameron Good, Planning Division, presented an ordinance pertaining to zoning changes following the previous alterations in the Land Use Plan. Currently, the zoning designation for the area is R-4, with R-4 zoning to the North, West, and South, and C-5 zoning to the East. The proposed zoning change is to C-1, which permits the operation of a daycare facility as a permitted use.

Good further stated that notices were sent to 24 property owners within 300 feet of the area on February 7th and published in the Lawton Constitution on February 9th. The matter was brought before the City Planning Commission (CPC) on February 11th, although a notice issue prompted it to be revisited on February 29th. Subsequently, the CPC made a recommendation to approve the zoning request.

The public hearing was opened and closed with no comments.

MOTION by Harris, SECOND by Williams, to Approve the ordinance, waived the reading of the ordinance, and read the title only this agenda item.

Enactment No: ORD 24-016

The City Attorney read the Title (Ord 24-016)

AN ORDINANCE CHANGING THE EXISTING ZONING CLASSIFICATION FROM THE R-4 HIGH-DENSITY APARTMENT DISTRICT TO THE C-1 LOCAL 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.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-016

26. Consider approving Amendment No. 1 to the agreement between the City of Lawton and SCS Engineers for professional engineering services in the amount of \$368,020.00, for the continuation of the subject scope of services for Project PW2101, dated September 12, 2022 and includes construction quality assurance (CQA) services for Cells 6 and 7 liner construction and groundwater services at the City of Lawton Landfill. [24-1325](#)

Joe Painter, Engineering Department, provided information regarding the need for specialized inspection services required for the construction of new cells at the landfill. He mentioned that the Oklahoma Department of Environmental Quality (ODEQ) mandates specific certifications and requirements for such projects. To fulfill these obligations, SCS is the chosen company to assist with the design of the landfills, as well as to provide specialized inspectors who meet ODEQ standards.

MOTION by Gill, SECOND by Hampton, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No:

27. Consider approving plans and specifications for Engineering Project EN2002B Phase I, Goodyear Blvd Reconstruction from the Railroad Crossing to Cache Rd. and authorizing staff to advertise for bids. [24-1326](#)

Joe Painter, Engineering Department, explained that the project in question had been awaiting approval for the note that was previously approved at this meeting. This project entails two phases, involving the complete renovation of Goodyear Blvd from Lee Blvd to Cache Road. The urgency of commencing the first phase is to ensure the continuous flow of traffic in the area. Phase 2 will follow once the initial section of the road has been completed.

MOTION by Gill, SECOND by Hampton, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No:

28. Consider approving plans and specifications for Project PW2101 - Landfill Cells 6 & 7 and authorizing staff to advertise for bids. [24-13225](#)

Joe Painter, Engineering Department, stated this is the advertising for the construction of the landfills.

MOTION by Gill, SECOND by Hampton, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No:

29. Consider accepting the temporary construction easements and permanent utility and access easements from William A. Williams and Georgia J. Williams Real Estate Trust and The Chausry Group, Inc, for the Cache Road water main and sidewalk project, authorizing the Mayor and City Clerk to execute the documents, and payment for the same. [24-1322](#)

Attachments: [Williams - Copy of Easements and Offer Letter](#)
[Chausry Group - Copy of Easements and Offer Letter](#)

Wilson informed the attendees that the item had initially been included on the consent agenda but was subsequently moved to New Business due to a potential conflict of interest indicated by Blazek-Scherler. He encouraged anyone who might have a conflict with the item to disclose it and abstain from voting accordingly.

MOTION by Hampton, SECOND by Harris, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Hampton, Weger, Williams, and Warren

Nay:

Abstain: Gill

Enactment No:

Gill stated he abstained due to an invested interest in the property.

Enactment No:

30. Consider approving an Ordinance pertaining to businesses by amending Sections 7-12-1-1201, 7-12-1-1202, 7-12-1-1203, 7-12-1-1205, 7-12-1-1209, 7-12-1-1210, and 7-12-1-1217, Division 7-12-1, Article 7-12, Chapter 7, Lawton City Code, 2015, by adding language to clarify the definition of storefront, clarifying that all persons who want to go door-to-door within Lawton shall have a permit, setting the fee as a per person instead of per business, setting forth the hearing process if a door-to-door permit is revoked, requiring a background check for all individuals going door-to-door except [24-1314](#)

minors, clarifying the times that door-to-door vendors are permitted to operate, and setting an exception for the placement for handbills or leaflets on automobiles in public parking lots not be considered a door-to-door or itinerant vendor activity, providing for severability and establishing an effective date.

Attachments: [Ordinance No. 24-](#)

Charlotte Brown, Community Services, clarified that the ordinance in question had been approved in June with some floor amendments. However, due to missing the publication deadline, it is being revisited. The current version of the ordinance being presented today includes the previously approved floor amendments.

During the discussion, Harris noted the removal of "religious" from the descriptions in the ordinance and inquired about the rationale behind this change.

Brown explained that the removal of "religious" was a floor amendment proposed by Councilman Weger and subsequently approved by the Council in June.

Harris then raised concerns about the abundance of signs related to construction and roofing businesses and questioned whether such businesses require a door-to-door license.

Brown clarified that businesses only require a license if they are engaged in door-to-door activities.

Harris further inquired about regulations concerning advertising businesses on City right-of-ways.

Brown confirmed that the current code prohibits advertising on right-of-ways. She pledged to instruct Neighborhood Services to remove such signs, noting instances she had observed herself, particularly on Rogers Lane.

Hankins added that it is her understanding that some roofing companies offer benefits to homeowners for displaying their signs, which could contribute to the issue. She suggested that while it's reasonable to have signs up during ongoing work, they should be taken down once the work is completed.

MOTION by Hankins, SECOND by Harris to approve the ordinance, waived the reading of the ordinance, and read the title only

Enactment No: ORD 24-017

The acting City Attorney read the title (Ord 24-017)

AN ORDINANCE PERTAINING TO BUSINESSES BY AMENDING SECTIONS 7-12-1-1201, 7-12-1-1202, 7-12-1-1203, 7-12-1-1205, 7-12-1-1209, 7-12-1-1210, AND

7-12-1-1217, DIVISION 7-12-1, ARTICLE 7-12, CHAPTER 7, LAWTON CITY CODE, 2015; BY ADDING LANGUAGE TO CLARIFY THE DEFINITION OF STORE FRONT, CLARIFYING THAT ALL PERSONS WHO WANT TO GO DOOR-TO-DOOR WITHIN LAWTON SHALL HAVE A PERMIT, SETTING THE FEE AS A PER PERSON INSTEAD OF PER BUSINESS, SETTING FORTH THE HEARING PROCESS IF A DOOR-TO-DOOR PERMIT IS REVOKED, REQUIRING A BACKGROUND CHECK FOR ALL INDIVIDUALS GOING DOOR-TO-DOOR EXCEPT MINORS, CLARIFYING THE TIMES THAT THE DOOR-TO-DOOR VENDORS ARE PERMITTED TO OPERATE, AND SETTING AN EXCEPTION FOR THE PLACEMENT OF HANDBILLS OR LEAFLETS ON AUTOMOBILES IN PUBLIC PARKING LOTS NOT TO BE CONSIDERED A DOOR-TO-DOOR OR ITINERANT VENDOR ACTIVITY, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-017

- 31.** Consider an ordinance amending Personnel Policies and Procedures Section [24-1319](#) 17-1-6-161, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, by automatically paying regular full-time general employees and regular part-time general employees, who have completed five (5) years of service, all unused vacation hours above two hundred-eighty (280) for regular full-time general employees and one hundred-forty (140) for regular part-time employees at a reduced rate of seventy-five percent (75%) of the employees regular hourly rate of pay; establishing month of payment to be in January; providing for severability and establishing an effective date.

Attachments: [HR - Vacation Use Lose March 2024 Ordinance](#)
[HR - Vacation Use Lose March 2024 Brief Gist](#)

Craig Akard, Human Resources, explained that in August 2021, the Council passed an ordinance allowing employees with over 10 years of service and more than 280 hours of vacation time to cash out the excess hours, up to 100 hours, at 75% of their hourly pay rate. However, many employees with 5 to 10 years of service were losing accrued vacation time exceeding 280 hours if not used by the first pay period in January. The proposed amendment aims to address this issue by lowering the eligibility requirement to 5 years of service and making the cash-out process automatic, eliminating the need for employees to notify HR and sign up.

Akard further noted that in January of the current year, employees across the City lost a total of 706 hours of vacation time because they didn't meet the 10-year service requirement or failed to sign up for cash-out.

Gill sought clarification on whether this applied to accrued, paid vacation leave, to which Akard confirmed.

Wilson mentioned that as this amendment falls under Chapter 17, it must be reviewed by the Employee Advisory Committee, but Akard had not provided their position.

Akard clarified that the amendment had been presented to the Employee Advisory Committee on March 7th, and they had approved it.

Weger inquired about the limit on cash-out hours, to which Akard explained that the previous limit of 100 hours had been removed in this version, and now employees would automatically receive payment for any accrued hours over 280. MOTION by Harris, SECOND by Williams to approve the ordinance, waived the reading of the ordinance, and read the title only

Enactment No: ORD 24-018

The acting City Attorney read the title. (Ord. 24-018)

AN ORDINANCE AMENDING PERSONNEL POLICIES AND PROCEDURES SECTION 17-1-6-161, DIVISION 17-1-6, ARTICLE 17-1, CHAPTER 17, LAWTON CITY CODE, 2015, BY AUTOMATICALLY PAYING REGULAR FULL-TIME GENERAL AND REGULAR PART-TIME GENERAL EMPLOYEES, WHO HAVE COMPLETED FIVE (5) YEARS OF SERVICE. ALL UNUSED VACATION HOURS ABOVE TWO HUNDRED-EIGHTY (280) FOR REGULAR FULL-TIME GENERAL EMPLOYEES AND ONE HUNDRED-FORTY (140) FOR REGULAR PART-TIME GENERAL EMPLOYEES AT A REDUCED RATE OF SEVENTY-FIVE PERCENT (75%) OF THE EMPLOYEES REGULAR HOURLY RATE OF PAY; ESTABLISHING MONTH OF PAYMENT TO BE IN JANUARY; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-018

- 32.** Consider an Ordinance, including any floor amendments, amending Personnel Policies and Procedures Section 17-1-6-162, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015, by granting employees holidays off based partially on the federal holiday schedule, plus the day after Thanksgiving and Christmas Eve; modifying paragraph D of the Section dealing with flexible holidays; providing for severability and establishing an effective date. **24-1320**

Attachments: HR - Holiday Leave March 2024 Ordinance
HR - Holiday Leave March 2024 Brief Gist
Holiday Peer 6 Compare

STRICKEN

- 33.** Consider an Ordinance pertaining to Personnel Policies and Procedures amending Section 17-1-6-167, Division 17-1-6, Article 17-1, Chapter 17, **24-1321**

Lawton City Code, 2015, by requiring the request for terminal leave to be made not less than ninety (90) days from the date terminal leave is to begin for regular full-time employees not in the executive pay plan and to not less than one hundred-twenty (120) days from the date terminal leave is to begin for regular full time employees in the executive pay plan; requiring notification to be to the employee's department director or city manager (whichever is applicable); allowing for floor amendments; providing for severability and establishing an effective date.

Attachments: [1. Terminal Leave](#)

Craig Akard, Human Resources, explained the current provision in the City Code requiring employees to give 30 days notice to their director or the City Manager if they intend to take terminal leave before retiring. He highlighted the challenge arising from the short notice period, particularly concerning hiring and training, especially for supervisory roles. The proposed amendment seeks to extend the notice period to 90 days for general employees and 120 days for executive-level positions.

Akard further mentioned that the proposed amendment was reviewed by the Employee Advisory Committee (EAC) on March 7th. The EAC recommended adding an amendment to Section 167.a, granting the City Manager the authority to make exceptions for good cause on a case-by-case basis. This provision would accommodate unforeseen circumstances, such as medical issues preventing an employee from returning to work, where a shorter notice period may be necessary.

Ratliff expressed agreement with Akard's proposal, particularly emphasizing the inadequacy of a 30-day notice period, especially for executive positions. He supported the initiative, noting that extending the notice period to 120 days would facilitate better vacancy advertisement and filling procedures.

MOTION by Hampton, SECOND by Gill to approve the ordinance with a floor amendment to allow the City Manager the right to grant an exception for good cause on a case-by-case basis, waive the reading of the ordinance, and read the title only

Enactment No: ORD 24-019

The acting City Attorney read the title. (Ord. 24-019)

AN ORDINANCE AMENDING PERSONNEL POLICIES AND PROCEDURES SECTION 17-1-6-167, DIVISION 17-1-6, ARTICLE 17-1, CHAPTER 17, LAWTON CITY CODE, 2015, BY REQUIRING THE REQUEST FOR TERMINAL LEAVE TO BE MADE: (1) NOT LESS THAN NINETY (90) DAYS PRIOR TO THE TERMINAL LEAVE BEGINNING FOR ELIGIBLE EMPLOYEES NOT IN THE EXECUTIVE PAY PLAN, AND (2) NOT LESS THAN ONE HUNDRED-TWENTY (120) DAYS PRIOR TO TERMINAL LEAVE BEGINNING FOR ELIGIBLE EMPLOYEES IN THE EXECUTIVE PAY PLAN; REQUIRING NOTIFICATION TO EITHER THE EMPLOYEE'S DEPARTMENT DIRECTOR OR THE CITY MANAGER (AS APPLICABLE); PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Wilson also stated that the motion includes a floor amendment allowing the City Manager to have the right to grant an exception for good cause on a case-by-case basis.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-019

- 34.** Consider approving an ordinance pertaining to Administration, creating Section 2-3-19-403 and Division 2-3-19 in Article 2-3, Chapter 2, Lawton City Code 2015, relating to Boards, Commissions and Committees by establishing the Homeless Action Committee, setting forth membership, duties and purpose; providing for codification; providing for severability and establishing an effective date. [24-1338](#)

Attachments: [Homeless Action Committee Ord](#)

Ratliff mentioned that the ordinance was developed in response to the Council's directive to codify the Homeless Action Committee and formalize its purpose. This ordinance also outlines term limits and criteria for the Mayor's nomination of committee members. The aim is to establish an umbrella organization to coordinate various homeless initiatives in the community, fostering unity of purpose.

Warren expressed agreement with the approach, suggesting that consolidating efforts into a single direction could potentially yield tangible results.

MOTION by Harris, SECOND by Williams to approve the ordinance, waived the reading of the ordinance, and read the title only

Enactment No: ORD 24-020

The acting City Attorney read the title. (Ord. 24-020)

AN ORDINANCE PERTAINING TO ADMINISTRATION, CREATING SECTION 2-3-19-403 AND DIVISION 2-3-19 IN ARTICLE 2-3, CHAPTER 2, LAWTON CITY CODE, 2015, RELATING TO BOARDS, COMMISSIONS AND COMMITTEES BY ESTABLISHING THE HOMELESS ACTION COMMITTEE, SETTING FORTH MEMBERSHIP, PURPOSE AND DUTIES; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-020

35. Consider approving an ordinance pertaining to Recreation, creating Section [24-1340](#) 19-7-714 in Article 19-7, Chapter 19, Lawton City Code, 2015, by establishing a provision prohibiting metal detecting and digging in City owned parks; providing for severability and establishing an effective date.

Attachments: [Metal Detecting Digging](#)

Warren stated he asked that this item be put on the agenda, citing concerns raised by constituents regarding safety issues in city parks. He noted instances of people stepping into holes dug by individuals searching for treasure, posing a hazard. Additionally, there is concern about the presence of buried electrical lines in city parks.

Ratliff added to the discussion, highlighting the presence of fiber optic cables for high speed internet, which are also buried in city parks.

Warren further emphasized the growing complexity of the situation, mentioning the planned addition of cameras in parks, which will entail further installations of buried lines.

MOTION by Warren, SECOND by Gill to approve the ordinance, waived the reading of the ordinance, and read the title only

Enactment No: ORD 24-021

The acting City Attorney read the title. (ORD 24-021)

AN ORDINANCE PERTAINING TO RECREATION, CREATING SECTION 19-7-714 IN ARTICLE 19-7, CHAPTER 19, LAWTON CITY CODE, 2015, BY ESTABLISHING A PROVISION PROHIBITING METAL DETECTING AND DIGGING IN CITY PARKS; PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

Enactment No: ORD 24-021

36. Consider approving a supplemental agreement for additional funding [24-1306](#) between the City of Lawton and the Department of Transportation of the State of Oklahoma Project Number JP19144(04), State Job Number STP-116B(059) MS, City's Project Number EN1208 Gore Blvd between 67th to 82nd St.

Attachments: [Supplemental JP19144\(04\) Comanche Co. - Gore Boulevard funding agreement.pdf](#)
[1914404-2 Invoice.pdf](#)

Joe Painter, Engineering Department, provided an update on the Gore Blvd project spanning from 67th to 82nd Street. He explained that the Oklahoma Department of Transportation (ODOT) is overseeing the project as they have contributed to its funding and are leading its execution. However, there has been a budget overrun of approximately \$2.2 million. Painter disclosed that he had advocated for the city with ODOT, resulting in an agreement for an 80/20 split on the excess costs. The current document seeks to revise the agreement to reflect these new financial terms.

Warren inquired about the timeline for the project's commencement if the agreement is approved.

Painter responded that while there may sometimes be a delayed start, the contractor is eager to begin work promptly. He mentioned discussions with the ODOT project manager, indicating hopes for a kick-off by the end of March or the beginning of April.

MOTION by Gill, SECOND by Hampton, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

37. Per the recommendation of the Streets and Bridges Committee, consider approving T&G Construction, Inc as the designated vendor for Project No. PW2303- Citywide Pavement Rehabilitation Project "A", commonly known as the "On Target, On Time" Street Project and direct staff to initiate the drafting of a contract to formalize the terms and conditions of the engagement. **24-1353**

Attachments: 2024 Citywide Pavement Rehabilitation Project A (PW 2303) Bid Results

STRICKEN

38. Per the recommendation of the Streets and Bridges Committee, consider approving T&G Construction, Inc as the designated vendor for Project No. PW2304- Citywide Pavement Rehabilitation Project "B", commonly known as the "On Target, On Time" Street Project and direct staff to initiate the drafting of a contract to formalize the terms and conditions of the engagement. **24-1358**

Attachments: [2024 Citywide Pavement Rehabilitation Project B \(PW 2304\) Bid Results](#)

Chris Serrano, representing EST, announced that the City of Lawton had opened bids for Phase 2 of the Ten Wins for the Citizen Project. The lowest bid received amounted to \$5,102,219.01, which is approximately 28% lower than the engineer's estimate. Consequently, 15 roadway segments are slated for construction as part

of this phase.

Gill provided context, noting that this project was initiated by Mayor Booker approximately a year ago and involves milling and overlaying roads. He highlighted that the 15 roads in consideration received bids under the estimated cost. The Streets and Bridges Committee unanimously voted to proceed with these streets.

MOTION by Gill, SECOND by Hampton, to approve this agenda item. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

- 39.** Receive a report from Bryce Mosley regarding an Eagle Scout Project proposal to repair the dog park. **24-1362**

Bryce Mosley, a Life Scout with Troop 4173, presented his proposed project titled "Paws on the Ground," which is available for review in the City Clerk's Office.

Mosley outlined his plan to enhance the McMahon Dog Park, including tasks such as debris removal, leveling the ground with dirt, and replacing fencing. Additionally, he intends to install a pergola for shade, relocate the gate to the small dog area to the entrance, add benches for seating, and improve drainage around the water spigot. The projected budget for the project is just under \$20,000. Mosley aims to commence work as early as March 22nd, with minimal disruption to the dog park's operation.

Harris commended Mosley on the initiative and inquired about his fundraising efforts.

Mosley explained that he is collaborating with the Humane Society, which will manage the funds. He plans to solicit monetary and material donations from local businesses and pursue a grant from the McMahon Foundation.

Ratliff praised Mosley's efforts but noted that the Council could not take immediate action on the proposal. He clarified that the earliest start date for the project would be March 26th.

receive and file

STAFF REPORTS:

- 40.** Provide City Council with an update on the FY 2022 & FY 2023 Audit Process [23-991](#)

Attachments: [Progress Report - 2024.01.09.pdf](#)
[Progress Report - 2024.01.17.pdf](#)
[Progress Report - 2024.02.09.pdf](#)
[Progress Report - 2024.02.25.pdf](#)
[Audit Progress Report - 2024.03.05.pdf](#)

Joe Don Dunham from the Finance Department provided an update on the audit

progress. He mentioned that the draft audit for 2022 was received last week, and he anticipates having the final audit ready before the April 9th Council meeting.

Regarding the 2023 audit, Dunham noted that efforts are underway to reconcile the main bank account and grants. The aim is to complete internal work by April 30th and present the finished audit to the City Council during the first meeting in July. Additionally, the goal is to finalize the 2024 audit by December 2024.

Weger asked if Dunham's intention is to have all the internal work on the 2024 audit completed by December 2024.

Dunham clarified that the objective is to present the completed 2024 audit to the Council by December 31st, which aligns with the statutory deadline.

EXECUTIVE SESSION ITEMS:

MOTION by Gill, SECOND by Hampton, to enter into executive session. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

The Lawton City Council remained in executive session from 3:32PM to 4:33PM. Roll call showed all members were present. One item was discussed, and no action was taken in executive session.

MOTION by Hampton, SECOND by Harris, to exit executive session and return to open session. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

41. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening [24-1335](#) in executive session to discuss the pending action in the United States District Court for the Western District of Oklahoma titled Felisha Parker and Laresha Parker as next of kin to Isacc D'Wayne Parker, deceased v. City of Lawton, et al, Case number CIV-24-178-JD, and if necessary, take appropriate action in open session.

MOTION by Harris, SECOND by Chapman, to approve the following:

Upon individually named defendants having made a request for representation, and upon a finding by the City Council that these individuals were acting in good faith and in the course of their employment, APPROVED to waive the contracting/purchasing requirements in city code and council policy and direct the acting city attorney to contract on behalf of the City with one or more outside law firms to represent the above named individuals, as well as the City in the litigation of this matter with any such contract to be retroactive to February 23, 2024, said motion to exclude Defendants Stetson Horne and

Terry Sellers who have not yet made a request for representation.. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

ADJOURNMENT

There being no further business, the meeting adjourned at 4:35PM.

MOVED by Gill, SECOND by Hampton, to adjourn the meeting of March 12, 2023. The motion carried by the following vote:

Aye: Hankins, Harris, Chapman, Gill, Hampton, Weger, Williams, and Warren

Nay:

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."