



City of Lawton

City Council

MINUTES

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

Tuesday, April 23, 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

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward 1
Kelly Harris, Ward 2 (arrived at 3:40 P.M.)
Linda Chapman, Ward 3
Allan Hampton, Ward 5
Bob Weger, Ward 6
Sherene L. Williams, Ward 7
Randy Warren, Ward 8

ABSENT:

George Gill, Ward 4

ALSO PRESENT:

Stanley Booker, Mayor
John Ratliff, City Manager
Tim Wilson, Interim City Attorney
Donalynn Blazek-Scherler, City Clerk

PRESENTATION:

Employee Spotlight Award: Brent Tilley, Public Works

PROCLAMATION:

December Citizen of the Month to Choctaw Honor Guard

MAYORAL NEW YEAR 2024 ADDRESS

REPORTS: MAYOR/CITY COUNCIL

COL Peay reminded the Council and the community that as May approaches, Fort Sill will host two significant events: the annual Fires Symposium and the inaugural Best Redleg Competition.

Williams expressed her pride in the MacArthur cadets and shared her gratitude for the opportunity to hold three community meetings. She noted that these meetings provided valuable information to the constituents of Ward 7.

Hampton highlighted the Farmer's Market and informed the community about the cancellation of Open Streets due to rain. However, the event has been rescheduled for June 8th at 9:00 AM.

Chapman urged citizens to drive cautiously and remain vigilant for road workers while traveling around town.

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.

Delores Raphael, residing at 329 SW 71st St, addressed the Council regarding agenda item #11. She identified herself as a member of the Lawton Fort Sill Juneteenth Committee.

Mayor Booker interrupted and informed her that she would need to return and speak during the discussion of agenda item #11.

Kaysa Whitley, residing at 7902 NW Echo Rd, introduced herself as the Coalition Coordinator for Westwin Resistance. She expressed concerns about the ongoing issues in Westwin, particularly the lack of effective solutions for the mental health crisis. Additionally, she called for Councilman Harris to resign.

Jenna Hadley addressed the racial comments made by Councilman Harris toward the Native community, expressing that no meaningful solutions have been implemented. She stated that his apology was insufficient and called for his removal from the Council.

Mayor Booker clarified that only the voters who elected an official or the courts have the authority to remove them from office. He emphasized that no member of the Council has the power to remove an elected official.

Robert Radcliff shared his concerns about the cobalt refinery and expressed a desire for more information on various matters, particularly regarding future water and air testing solutions.

Mayor Booker reminded the audience that, according to the rules, there were only two minutes remaining for speaking on the topic of Westwin Elements.

A citizen spoke about the dangers of Westwin Elements, describing them as experimental. She referenced information from the CDC to support her concerns.

Jaqueline Shelton acknowledged that the gathering was taking place on stolen Indigenous land and addressed the racist comments made by Councilman Harris. She called for the Lawton City Council to defer further activity on Westwin.

Pewewardy, residing at 719 NW Kinyon Ave, spoke out about Councilman Harris' actions against the Native American community.

Leann Enderly, residing at 316 NW 32nd St, stated that she has been attending Council meetings for the past 4-5 months, observing the proceedings. She expressed her frustration with how some individuals have been behaving during audience participation and took the opportunity to point out the rules governing that part of the meeting.

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.

Mayor Booker announced that item #9 will be pulled from the consent and considered separately.

MOVED by Warren SECOND by Hampton to approve the consent agenda as presented with exception of pulling item #9 to speak on separately. AYE: Hankins, Chapman, Hampton, Weger, Williams, Warren. NAY: None. MOTION CARRIED.

1. Consider the following two (2) damage claims recommended for approval and resolutions authorizing payments for Lu and Amanda Hales in the amount of \$189.00, and Kelly Price in the amount of \$4,031.31. Consider the following damage claim recommended for denial: Austin Brooks in the amount of \$1,311.41.
2. Consider the following damage claims recommended for denial: Sandra Roberts in the amount of \$220.00, and Southwestern Bell Telephone Company, dba AT&T Oklahoma in

the amount of \$2,185.84.

3. Consider and take action on awarding contract (CL24-015) Electro Fusion Polyethylene Pipe Fittings needed to continue repair, maintenance, and construction of the sewer system, to the lowest responsive and responsible bidder, Core & Main, LP.
4. Consider and approve extension of contract (CL23-021) Sulfuric Acid with Univar Solutions of Dover, Florida.
5. Consider extending contract RFPCL22-026 City Wide Hardware Software Contract to The Jasper Group International of Delray Beach, Florida for an additional year.
6. Consider extending contract RFPCL23-032 Temporary Employment Services to Express Employment Professional of Edmond, OK for an additional year.
7. Consider extending contract RFPCL23-031 Workers' Compensation Administrative Services to United Safety and Claims, Inc. of Tulsa, OK for an additional year.
8. Consider and take action approving Change Order 1 increasing the contract by \$769,740.00 and increasing the project length by 45 days for 2023 CIPP Liner Project PU2307 as constructed by SAK Construction, LLC, to add approximately 2,600 linear feet to the project, with a final contract amount of \$9,249,784.00.
9. Consider approving a Limited Event Support Agreement with Lawton Fort Sill City-Wide Juneteenth Inc. to support a public, family-friendly Juneteenth Celebration.

Larry Parks, Parks and Recreation Director, addressed the Council to request approval for Hotel-Motel funds to support the City-sanctioned Juneteenth event. He explained that the Lawton Fort-Sill Juneteenth Committee has been working hard to sponsor the event, which they hope will continue to grow. Parks emphasized that this year's event is planned to span three days, with the goal of making it the premier Juneteenth event in the state. Although they missed the original funding request for the 2023-2024 period, they have since submitted a request for the 2024-2025 budget.

Mayor Booker clarified if they are requesting \$25,000 from Hotel-Motel Tourism.

Parks stated yes.

Mayor Booker asked if there are still working on the barbeque contest.

Parks stated yes, we have a lot of great events scheduled for this years festival.

Jason Poudrier, Arts & Humanities, stated that the original permit with this committee was submitted back in February and they have been meeting with them in order to get this planned and they are looking forward to a wonderful event.

Delores Raphael stated that she was more interested in speaking on item #11 on the agenda opposed to item #9.

Mayor Booker insisted that she go ahead and speak since that item has already been passed and would require a motion for reconsideration if a Councilmember desires that.

Raphael shared that she is part of the original Juneteenth Committee, which has been operating since it was incorporated in July 2012. She has been involved with the committee since 2008, when it was established by Mr. Albert Johnson as a perpetual organization. Raphael mentioned that she had made several calls to the Council regarding this matter. She noted that she submitted an application on April 5, 2024, along with a budget and funding request for the Juneteenth 2024 event, which is scheduled for June 8th at City Hall. She expressed concern that while agenda item #11 discusses amending the budget, her submitted budget is not being considered nor listed on the agenda. Raphael pointed out that the corporation listed on the agenda was formed on January 24, 2023, rather than in July 2012. As a joint owner of the Juneteenth Committee and its financials, she stated that the original committee has received significant support and is requesting that the Council give consideration to the original Juneteenth Committee.

Mayor Booker clarified that, as he understands it, Raphael's request would require a separate submission. He noted that the current request before the Council is for \$25,000 to support the organization they have worked with in the past, if he is not mistaken. He then inquired with the City Manager if Mrs. Raphael's request had been received.

Ratliff confirmed that he had received a request to use a city facility, specifically a pavilion at Elmer Thomas Park. However, since the pavilion was unavailable at that time, they instead offered the Banquet Hall within City Hall free of charge.

Mayor Booker asked if the request was limited to the use of the Banquet Hall at City Hall, seeking clarification from Ratliff on whether that was the extent of Mrs. Raphael's request.

Ratliff confirmed that, to his knowledge, the request he had seen was limited to the use of the Banquet Hall at City Hall.

Mayor Booker stated that it seems the City Manager has already accommodated Mrs. Raphael's request by offering the free use of the Banquet Hall. He expressed uncertainty about what further Mrs. Raphael is asking, noting that it appears her request has already been fulfilled.

Raphael clarified that she submitted a budget on April 5th to the Finance Department for support of non-consumable items, as she had been directed to do.

Mayor Booker stated that it appears to him that Mrs. Raphael's request is separate from the agenda item in question. He then directed her to the City Manager to determine the necessary steps to move her request forward.

Raphael asked how her request would affect agenda item #11, seeking clarification on how her budget request might impact or be related to the current agenda discussion.

Mayor Booker explained that item #11 is related to a budget amendment, which would only incorporate the item into the budget. He pointed out that item #9, which involves the approval of the item, is the key

action in question. According to the Mayor, the amendment doesn't approve anything directly but simply includes it in the budget, while item #9 would actually approve the transaction.

The Council continued to discuss the matter in further detail, exploring the specifics of Mrs. Raphael's request, the budget amendment process, and how it relates to the approval of the funding.

Raphael mentioned that she has a check from 2022 that bears the Mayor's signature, likely referencing a prior agreement or transaction related to the Juneteenth event.

Kristen Huntley from the Finance Department clarified that last year, neither Juneteenth Committee submitted a request for Hotel-Motel funds. She explained that, to her department's understanding, the request received on April 5th was for next year's Hotel-Motel funds, and the deadline for Fiscal Year 2024 requests had passed in April 2023. The request submitted this month is for Fiscal Year 2025 funds.

Raphael emphasized that the Council is amending the 2023-2024 budget to accommodate the request, which is the main point she was trying to convey.

John Dunaway, residing at 802 NW 53rd St, addressed the check Mrs. Raphael referred to from 2022, clarifying that it does not correspond to the current request being presented. He explained that, in the past, the City of Lawton had assisted the Juneteenth effort by reimbursing the committee for funds they had expended, and that the check in question was part of that reimbursement process. Dunaway further explained that when he joined the Juneteenth Committee in 2010, at the request of Mr. Johnson, the committee received annual reimbursements for certain expenses, starting with \$7,000. The finance officer at the time, Mrs. Raphael, would submit the reimbursement requests to the City. Dunaway mentioned that he was the one who picked up the check in question, which had been submitted to Mrs. Raphael, as she was the finance officer. He also noted that in 2015, he was asked to take over as the committee's chairperson and has several documents to support this. He then provided further details about the committee's structure.

Mayor Booker asked Mr. Dunaway if, within the last five years, his committee has been involved in and running the Juneteenth program at the Patterson Center.

Dunaway confirmed that, yes, his committee has been involved in and running the Juneteenth program at the Patterson Center within the last five years.

Mayor Booker asked Mrs. Raphael if her committee is separate from Mr. Dunaway's, seeking clarification on whether the two committees are distinct entities.

Raphael confirmed, yes, indicating that her committee is separate from Mr. Dunaway's.

Mayor Booker asked Mrs. Raphael if she has been involved in the Juneteenth program at the Patterson Center within the last five years.

Raphael confirmed that, yes, she has been involved in the Juneteenth program at the Patterson Center within the last five years.

Mayor Booker asked how both Mrs. Raphael and Mr. Dunaway are involved, as it doesn't appear that they are working together on the Juneteenth program.

Raphael presented the incorporation paperwork from when Mr. Dunaway had the committee incorporated, as well as the paperwork from when Mr. Johnson had it incorporated, likely to clarify the history and structure of the two committees.

Mayor Booker asked the Council how they would like to proceed with this item, seeking their input on how to address the situation.

The Council discussed their perspectives on the matter, sharing their thoughts on how to address the situation regarding the Juneteenth committees and the funding request.

MOVED by Hankins SECOND by Hampton to approve the a Limited Event Support Agreement with Lawton Fort Sill City Wide Juneteenth Inc. to support a public, family friendly Juneteenth Celebration. AYE: Hankins, Chapman, Hampton, Weger, Williams, Warren. NAY: None. MOTION CARRIED.

Mayor Booker directed Mrs. Raphael to meet with the City Manager to determine the next steps for proceeding with her request.

10. Considering approving a 3-year agreement with Fidelity Communications to provide dedicated high speed internet to specific City of Lawton locations.
11. Considering approving a resolution amending the City of Lawton FY 2023-2024 budget, as amended, by appropriating \$388,000.00 to the Hotel/Motel Fund for payments to Lawton Lodging LLC, Lawton Economic Development Authority, and Lawton-Fort Sill City-Wide Juneteenth Inc.
12. Consider approving the closure of the Lawton Public Library on Saturday, May 25, 2024, and Saturday, August 31, 2024, in conjunction with the City's observed holidays of Memorial Day and Labor Day.
13. Consider approving a revocable permit for parking and maneuvering and the installation of a fence in the right-of-way along NW Cache Road for Lawton Public Schools at 900 NW Cache Road, and authorize the Mayor and City Clerk to execute the permit.
14. Consider ratifying an unwavering support letter signed by the Mayor for Lawton Area Transit System and Proposed Enhancements.
15. Consider accepting and acknowledging an agreement between the Lawton Water Authority (for the benefit of the City of Lawton), and Schoolhouse Slough Convenience Store, LLC for the management and operation of the Schoolhouse Slough Convenience Store and Fuel System, contingent upon the Lawton Water Authority approving the agreement.
16. Consider approving a letter to the Secretary of Transportation that, subject to appropriations in the FYE 2025 budget, commits the City of Lawton to the 20% match for the 2024 FTA Section 5339(b) Grants for Bus and Bus Facilities and Low-No Program and authorize the Mayor to sign.

17. Consider approving appointments to boards and commissions.

*Item #25 was moved up on the agenda to accommodate a presentation from out-of-town speakers.

25. Discuss plans and specifications for Engineering Project PR2310 - East Side and Lee West Park Improvements, Phase II and provide direction to staff. **DIRECTED STAFF TO BRING BACK CONCEPTS FOR LOW COST SPLASH PADS**

Joe Painter, the City Engineer, introduced Daniel Smith, the architect working on the splash pad projects. Painter explained that it had come to his attention that his department might have a different vision for the splash pads than what the Council had initially intended. He stated that they would like to receive input from the Council on their thoughts regarding the splash pads and mentioned that Smith would be available to answer any questions if needed.

Mayor Booker asked if work had already been done on proposals for the splash pads, or just simply seeking general guidance from the Council at this stage.

Painter stated that they are far on these projects, they were right at construction plans for the splash pads.

Warren shared his insights and thoughts on the splash pads, emphasizing that the best option for the City would be to build as much as possible for the least amount of money. He suggested focusing on cost-effective designs and features that would maximize value for the community.

The Council continued their discussion, considering various size options for the splash pads and evaluating the potential benefits and drawbacks of different scale designs. They also discussed additional factors such as fencing, parking, restrooms, and other extras that might be necessary for the successful implementation of the splash pads.

Painter suggested that the most appropriate approach would be to revisit the project and prepare a concept plan to present to the Council for feedback before moving forward with the design plans.

UNFINISHED BUSINESS:

18. Consider adopting a resolution declaring the structures located at 1406 NW Williams Avenue, 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.

Joshua White, the Neighborhood Services Supervisor, stated that this item is a follow-up from last month. He presented the findings on the property in question, outlining the reasons for declaring it dilapidated. He also mentioned that the presentation is on file at the City Clerk's Office for reference.

Wilson asked for clarification on whether the public hearing for this item had already taken place.

Charlotte Brown, the Community Services Director, confirmed that the public hearing had already been held and closed at the last Council meeting. She explained that the item had been tabled at that time because the property owner was unable to attend due to health reasons.

White continued with the presentation, providing further details regarding the findings and the process for declaring the property dilapidated.

Mayor Booker invited the property owner to come forward and speak, giving them the opportunity to address the Council regarding the property in question.

Myra Chavez stated that their goal is to salvage the property and attract investors to help rebuild it, citing the sentimental value the property holds for them. She requested approval to continue moving forward with their plans for the property.

Mayor Booker asked for clarification on why this item was delayed, seeking to understand the reasoning behind the decision to table it at the previous meeting.

White explained that the item was delayed because the property owner was unable to be present at the last meeting due to health reasons.

Mayor Booker expressed that, although he dislikes the idea of tearing down something that is part of a probate process, it is considered a public nuisance. He then asked if there was an assigned executor responsible for handling actions related to the property during the probate period.

Chavez explained that both parties involved have lawyers working on the matter, and the lawyers can speak on their behalf. She also mentioned that they are based out of Dallas and were unaware of the fire until they received the letter in late March.

Ratliff asked Myra Chavez if her ex-husband had a will at the time of his passing.

Chavez stated that her ex-husband did not have a will. She mentioned that they have multiple witnesses, and the agreement was to repair the property due to the sentimental value it holds.

Ratliff stated that, due to the absence of a will, there should be an administrator rather than an executor handling the probate process.

Wilson asked if there is a probate action currently on file with a court.

Chavez confirmed that, yes, there is a probate action on file with a court.

Wilson asked Chavez who the administrator of the probate would be.

Chavez stated that she was unaware of who the administrator of the probate is.

Wilson stated that he did not want to engage in a legal discussion but took the opportunity to explain the probate process. He clarified that as long as the notice was properly issued and directed to the owner of record in the County Treasurer's Office, the decision on how to proceed would ultimately be at the discretion of the Council.

Mayor Booker stated that it is most likely the Council will decide to place the property on the Demolition and Derelict (D&D) list. He explained the process of what that entails.

Warren expressed his opinion on the matter, likely offering his thoughts.

Mayor Booker stated that the legal department has recommended tabling the matter for 30 days to ensure clarity on the legalities involved before proceeding further.

MOVED by Hankins SECOND by Hampton to table this until the 2nd meeting in May. AYE: Hankins, Harris, Chapman, Hampton, Weger, Williams, Warren. NAY: None. MOTION CARRIED.

BUSINESS ITEMS:

19. Consider approving a site license agreement with Tyler Technologies to allow mobile licensing for all First Responder agencies within Comanche County that will enable them to use the same application Lawton Fire Department and Lawton Police Department currently uses. **STRICKEN**

20. Consider approving a Redevelopment Agreement by and among the City of Lawton, the Lawton Economic Development Authority, the Lawton/Fort Sill Economic Development Corporation, and Fisher59 Properties, LLC, for the development of a distribution center within the Airport Industrial Park.

Richard Rogalski from LEDA stated that a term sheet for this item was approved on February 13th. He explained that while the agreement took some time to finalize, it is now ready for review. Rogalski discussed the details of the agreement and term sheet further. Both are available for review at the City Clerk's Office upon request.

Wilson commended Rogalski for his excellent explanation of the agreement and added a few additional details to further clarify the matter.

MOVED by Williams SECOND by Warren to approve the redevelopment Agreement by and among the City of Lawton, the Lawton Economic Development Authority, the Lawton/Fort Sill Economic Development Corporation, and Fisher59 Properties, LLC, for the development of a distribution center within the Airport Industrial Park using the CIP Funds. AYE: Hankins, Harris, Chapman, Hampton, Weger, Williams, Warren. NAY: None. MOTION CARRIED.

21. Hold a public hearing and adopt a resolution declaring the structures located at 106 SW 18th Street, 110 NE Arlington Drive, 201 NW 3rd Street, 215 NW Arlington Avenue, 307 SW Washington Avenue, 401 SW Summit Avenue, 504 NW Bell Avenue, 510 NE Patterson Avenue, 1209 SW 23rd Place, 1816 NW Arlington Avenue, 1901 SW N H Jones Avenue, 2110 SW N H Jones Avenue, 2322 NW 38th Place, 2410 SW G Avenue, 2417 SW J Avenue, 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.

106 SW 18th Street

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code present on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs of the property to illustrate the issues. White also noted that utilities have been inactive since 2021 and that there are no active permits for the property.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Weger, to approve Resolution 24-088 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

110 NE Arlington Drive **STRICKEN** for address discrepancy.

201 NW 3rd Street

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that there was no active water account and no permits associated with the property.

PUBLIC HEARING OPENED.

Dennis Keplinger, who can be reached at (260) 450-8185, stated that he purchased the property two years ago and also owns a duplex right next to it. He was unaware of the issues but mentioned that he plans to tear the property down.

PUBLIC HEARING CLOSED.

MOVED by Hampton SECOND by Williams, to approve Resolution 24-089 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

215 NW Arlington Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2019.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Williams, to approve Resolution 24-090 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

307 SW Washington Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2023.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Williams SECOND by Warren, to approve Resolution 24-091 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

401 SW Summit Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2022.

PUBLIC HEARING OPENED.

Jeremy Ryhmes, of 1702 NW Oaks Ave, stated that he has proof of sale with a contract obtained from the county. He mentioned that they have brought electricity to the property and added a fence.

Mayor Booker asked Ryhmes to clarify that he has a contract for sale and inquired about the closing date for the property.

Ryhmes stated that they are waiting for the lawyer to complete the title before proceeding further.

Mayor Booker asked about a recently passed policy regarding properties that are under contract, seeking clarification on how it might apply to this situation.

Ratliff confirmed that a policy was considered regarding properties under contract, but it was never formally brought forward for approval.

Mayor Booker asked if the policy regarding properties under contract had been brought to the Council and if it was rejected.

Charlotte Brown stated that the policy was still being discussed internally. She mentioned that Wilson had reviewed it but ultimately decided that he was not comfortable bringing it to the Council.

Mayor Booker requested that the City Manager review the contract to ensure that it is legitimate.

PUBLIC HEARING CLOSED.

Ratliff requested a moment to review the contract before a motion is made.

Wilson stated that after reviewing the contract, it appears that there is indeed a valid contract with a closing date of June 15th. Based on this, he recommended tabling the item until the second meeting in June.

MOVED by Hampton SECOND by Williams, to table until the 2nd meeting in June. AYE: Hankins,

Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

504 NW Bell Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that no water account is active.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Williams, to approve Resolution 24-092 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

510 NE Patterson Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2013.

PUBLIC HEARING OPENED.

Nelson Hendrix, of 509 NE Patterson Ave, stated that he spoke with the owner of the property, Mr. Walls, who lives in Texas. Hendrix mentioned that the owner expressed a desire to keep the property.

Mayor Booker assumed that the Council would place the property on the D&D list and asked Mr. Hendrix to inform the property owner, Mr. Walls, that he has 6 weeks to obtain a remodel permit and work directly with the Neighborhood Services Department.

PUBLIC HEARING CLOSED.

MOVED by Williams SECOND by Weger, to approve Resolution 24-093 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

1209 SW 23rd Place

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2021.

PUBLIC HEARING OPENED.

Romildo, of 1504 Taylor Ave, stated that although he lives in Dallas, he was able to remodel the property at 1504 Taylor, which is currently for sale. He mentioned that he recently completed a quick deed for the property and is requesting an extension. He added that he has found a buyer for the property and is working on finalizing the quick deed.

Mayor Booker asked Romildo if there is an active contract for the property.

Romildo confirmed that there is an active contract but mentioned that he left the document in his car.

Mayor Booker stated that he would hold the public hearing in recess to allow Mr. Romildo to retrieve the contract from his vehicle.

PUBLIC HEARING RECESSED.

PUBLIC HEARING RE-OPENED.

Romildo presented the contract to Wilson for review, as requested by the Mayor, to verify the details and ensure everything was in order before proceeding.

Shannon Copher, 1207 SW 23rd Pl, shared that a fire had occurred at the property, resulting in the tragic death of a gentleman. As a result, the property had remained vacant and inactive for an extended period. She expressed her frustration with the property becoming a nuisance and causing problems for her own residence nearby.

Mayor Booker acknowledged Ms. Copher's frustration and asked if she believed that the property in question should be classified as a public nuisance.

Copher firmly stated absolutely, agreeing that the property is a public nuisance.

Romildo explained that when he initially purchased the property, he fully intended to repair it. However, he ran out of funds, which is why he has since found a buyer for the property.

PUBLIC HEARING CLOSED.

MOVED by Hampton SECOND by Williams, to table until the 28th meeting in May.

SUBSTITUE MOTION by Warren SECOND by Chapman to approve a Resolution declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Chapman, Warren, Hankins. NAY: Harris, Hampton, Weger, Williams, MOTION FAILED.

MOVED by Hampton SECOND by Williams, to table until the 28th meeting in May.

AYE: Hankins, Harris, Chapman, Hampton, Weger. NAY: Warren. None. MOTION CARRIED.

1816 NW Arlington Avenue

Joshua White, the Neighborhood Services Supervisor, reported that the property in question is a secondary structure with several violations of city code, as documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities on the main structure have been inactive since 2021.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Williams, to approve Resolution 24-094 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

1901 SW N H Jones Avenue

Joshua White, the Neighborhood Services Supervisor, reported several violations of city code on the property, which are documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities have been inactive since 2015.

PUBLIC HEARING OPENED.

Denise Headberg, of 1916 SW N H Jones Ave, stated that the property was purchased 25 years ago by her and her ex-husband, and it has only been used for storage, meaning no one has ever lived in it. She explained that after her ex-husband passed away in 2015, she had to sell almost everything she owned to cover funeral expenses, leaving her with no funds to fix the property. She shared that her ex-husband did not leave a will, and since his name was on the property, she was advised by a probate attorney to simply pay the taxes and maintain the yard. Headberg further explained that she no longer knows what to do about the matter.

Wilson sought clarification on the situation and shared his thought process regarding the matter. He explained that, ultimately, as long as the proper notice has been given to the property owner, it is within the Council's discretion to decide how to proceed with the issue at hand.

Headberg stated that she would be unable to tear the property down because she does not have the funds to do so.

Wilson further explained the process of when a house is placed on the Demolition and Dilapidation (D&D) list.

Headberg inquired about the timeline, asking how much time she would have to arrange for the removal of the trailer from the property if it were placed on the D&D list.

Wilson clarified that she would have 30 business days to arrange for the removal of the trailer from the property.

Further discussion ensued between Mrs. Headberg, Wilson, and the Council regarding the matter, with clarification on timelines and next steps for addressing the property issues.

PUBLIC HEARING CLOSED.

Weger stated that, to his understanding, if the property taxes were not paid and the bill was addressed to the deceased owner, the lien would be placed on the property. He asked whether, in such a case, the property would eventually go to a county sale.

Ratliff confirmed that, yes, the property would go to a tax sale after three years if the property taxes were not paid.

The Council and City Manager continued their discussion, delving further into the details of the process and the implications of placing the property on the D&D list, as well as the legal steps that may need to be taken.

MOVED by Williams SECOND by Warren, to approve Resolution 24-095 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

*Went back to the Public Hearing on 1209 SW 23rd Place.

2110 SW N H Jones Avenue

Joshua White, the Neighborhood Services Supervisor, reported that the property in question is a secondary structure with several violations of city code, as documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities on the main structure have been inactive since 2021.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Williams SECOND by Chapman, to approve Resolution 24-096 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

2322 NW 38th Place

Joshua White, the Neighborhood Services Supervisor, reported that the property in question is a secondary structure with several violations of city code, as documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities on the main structure have been inactive since 2014.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hankins SECOND by Chapman, to approve Resolution 24-097 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

2410 SW G Avenue

Joshua White, the Neighborhood Services Supervisor, reported that the property in question is a secondary structure with several violations of city code, as documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities on the main structure have been inactive since 2014.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Chapman, to approve Resolution 24-098 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

2417 SW J Avenue

Joshua White, the Neighborhood Services Supervisor, reported that the property in question is a secondary structure with several violations of city code, as documented on the Property Maintenance Evaluation Sheet. He presented photographs to highlight the issues. White also noted that utilities on the main structure have been inactive since 2019.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Harris, to approve Resolution 24-099 declaring the structure/s on the property a dilapidated public nuisance and authorize the abatement thereof as set forth in the resolution. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

22. Hold a public hearing to receive any citizen recommendations or concerns for the upcoming FFY 2024 Annual Action Plan (AAP) and approve a draft version of the FFY 2024 AAP that includes Public Service Organization (PSO) Funding recommendations.

Gary Brooks, Housing Development Administrator, explained that typically the funding letter from HUD is received in February, but as of now, it has not been received, which he finds concerning. He clarified that the draft version presented is based on last year's figures, with no changes made. Brooks then provided additional details about the item.

The Council engaged in a detailed discussion about the item, sharing their thoughts and raising questions to address concerns regarding the delayed HUD funding letter and its potential impact on the proposed draft. They examined possible contingencies and strategies to mitigate any funding discrepancies should the final HUD allocation differ from the draft estimates. Additionally, the Council deliberated on the allocation and utilization of CHDO funds, ensuring alignment with federal guidelines and the community's housing needs.

Charlotte Brown clarified that this item is intended to set an estimated amount in the City's budget. She noted that the final federal allocation would not be determined until after the City's budget is approved, emphasizing the need to proceed with the draft figures for planning purposes while awaiting the official funding confirmation.

Wilson inquired whether this approach is the standard procedure for handling such situations.

Brown confirmed that this is indeed the standard procedure.

The Council continued their discussion regarding the allocation of funds, delving into how they will be utilized to address community needs. They examined proposed projects, funding priorities, and potential adjustments that might be required based on the final amount received from HUD. Members expressed their views on ensuring the funds are distributed effectively and equitably to maximize community impact.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hampton SECOND by Harris, to approve a draft version of the FFY 2024 AAP that includes Public Service Organization (PSO) Funding recommendations. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

Mayor Booker called for a brief recess to allow the Council and attendees to take a short break before proceeding with the agenda.

23. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan for the City of Lawton from Residential/High Density to Commercial for the property located at 3116 SW J Avenue, Lawton, OK 73505, and take appropriate action as deemed necessary.

Kameron Good, Senior Planner, presented an amendment to the land use plan and a related rezoning request, to be addressed under item #24. He provided an overview of the plan, available for review at the City Clerk's Office, and explained that the property owners intend to develop the site into two soccer fields. Good noted that notifications were sent to 28 property owners within a 300-foot radius on April 1st, and a public notice was published in the *Lawton Constitution* on April 6th. He further stated that the matter was brought before the CPC during a public hearing on March 28th, where the CPC unanimously recommended approval of the request with an 8-0 vote.

Chapman inquired about the intended use of the property.

Good explained that the property is intended to be privately funded and maintained, with the goal of hosting soccer events and games.

Chapman inquired whether the facility would include lighting.

Good responded that, at this time, there are no plans to include lighting.

Harris inquired about the number of parking spaces available for the facility.

Good stated that, at this time, the requirement is for four parking spaces, including one handicapped space.

Harris asked if he believed that four parking spaces would be sufficient for the proposed soccer fields.

Good stated that four parking spaces, including one handicapped space, is the minimum required by code.

PUBLIC HEARING OPENED.

Leann Enderly, 316 NW 32nd St, referenced her rental property on the map, which she purchased as a vacant lot and has maintained. She inquired about the address being listed as 3116, as the property is directly across from 37th Street. Enderly also raised concerns about the adequacy of the proposed four parking spaces, questioning whether they would be sufficient for the soccer fields. Additionally, she asked if the parking spaces would be gravel.

Mayor Booker asked if gravel is an acceptable material for parking spaces under city code.

Good stated that the proposed parking spaces are currently planned to be gravel, but any additional gravel parking would require a variance request to be approved by the Board of Adjustments. He clarified that the required parking spaces will be paved.

The Council engaged in further discussions regarding the parking concerns raised by Leann Enderly, as well as the address discrepancy she pointed out. They explored potential solutions and clarifications for both issues before proceeding with the rezoning request.

Christine James, Planning Director, clarified that the address listed is the one provided by the applicant. She assured the Council that the correct address would be addressed when the building permit is issued.

The Council engaged in further detailed discussions regarding Ms. Enderly's concerns, particularly addressing the parking issues and the address discrepancy. They considered potential solutions and clarified points of confusion, ensuring all aspects of her concerns were understood and considered.

PUBLIC HEARING CLOSED.

Ratliff recommended that staff be directed to bring back a proposed code change to address the parking and irrigation concerns raised during the discussion. This would allow for a more thorough review and potential adjustments to the current regulations.

MOVED by Hampton SECOND by Harris, to direct staff to bring back a code change to address to parking and irrigation concerns. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

24. Hold a public hearing and consider an ordinance for a rezoning request for the property located at 3116 SW J Avenue, Lawton, OK 73505, changing the zoning classification from R-1 Single Family Dwelling District to C-4 Tourist Commercial District, and take appropriate action as deemed necessary.

MOVED by Harris SECOND by Warren, to table until code change is done. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

25. Discuss plans and specifications for Engineering Project PR2310 - East Side and Lee West Park Improvements, Phase II and provide direction to staff. **DISCUSSED PREVIOUSLY DURING THE MEETING.**
26. Consider approving an ordinance pertaining to Court Procedure, amending Section 9-1-128, Article 9-1, Chapter 9, Lawton City Code, 2015, relating to Enforcement of fines and costs imprisonment, work and community service by establishing community service hours may be credited toward fines and costs of various offenses, setting forth the credit rate, providing for severability and establishing an effective date.

Ratliff explained that this agenda item was presented by staff to enhance community service opportunities, aiming to reduce jail overcrowding. He mentioned that the rate for community service hours has been increased from \$15.00 to \$16.67 per hour. Additionally, the policy change broadens the scope of offenses eligible for community service, making it available for all offenses under the city code, rather than just littering. Ratliff further noted that the Director of Parks and Recreation will now oversee the program, with oversight reporting to the courts, replacing the previous structure where the Chief of Police was in charge.

Hampton sought clarification on which offenses would qualify for community service under the new policy.

Ratliff clarified that the offenses eligible for community service under the new policy are all misdemeanors listed in the city code.

MOVED by Harris SECOND by Hampton, to approve Ordinance 24-027 pertaining to Court Procedure, amending Section 9-1-128, Article 9-1, Chapter 9, Lawton City Code, 2015, relating to Enforcement of fines and costs - imprisonment, work and community service by establishing community service hours may be credited toward fines and costs of various offenses, setting forth the credit rate, providing for severability and establishing an effective date, waiving the reading of the ordinance and read the title only. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

27. Consider repealing Council Policy 11-2 Community Service Program and renumbering it to Council Policy 9-4 Community Service Program, shifting its oversight from the Police Department to the Parks and Recreation Department, amending the policy to designate the Parks and Recreation Director as point person for community service assignments and including reference to applicable City Code Sections.

Larry Parks, Parks & Recreation Director, stated that this item had already been addressed and expressed his enthusiasm for moving forward with the changes.

Ratliff stated that this is simply an administrative agenda item to ensure that the Council Policy aligns with the recent changes to the code.

The Council continued their discussion on how the revised community service process would work.

MOVED by Harris SECOND by Williams, to approve repealing Council Policy 11-2 Community Service Program and renumbering it to Council Policy 9-4 Community Service Program, shifting its oversight from the Police Department to the Parks and Recreation Department, amending the policy to designate the Parks and Recreation Director as point person for community service assignments and including reference to applicable City Code Sections. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

28. Consider approving an ordinance pertaining to revocable permits by creating Section 20-1-101.1, Article 20-1, Chapter 20, Lawton City Code, 2015, by establishing a section that allows certain improvements to be placed upon the street right-of-way and/or public utility easement without obtaining a revocable permit, providing for severability, establishing an effective date and allowing for floor amendments.

Christine James, Planning Director, explained that the issue came to her attention when the U.S. Postal Service began modifying and adding cluster mailboxes in various areas of the city. These modifications required building permits, which brought to light a provision in the current code stating that any

improvement in the street right-of-way requires a revocable permit. This situation prompted a review of the process to identify potential improvements. She provided further details on how this could be addressed and what changes might be made to streamline the process.

MOVED by Hankins SECOND by Harris, to approve Ordinance 24-028 pertaining to revocable permits by creating Section 20-1-101.1, Article 20-1, Chapter 20, Lawton City Code, 2015, by establishing a section that allows certain improvements to be placed upon the street right-of-way and/or public utility easement without obtaining a revocable permit, providing for severability, establishing an effective date and allowing for floor amendments, waiving the reading of the ordinance and read the title only. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

Mayor Booker inquired whether it would be an issue to have items #29, #30, and #31 moved to the next meeting for further discussion.

Ratliff stated that moving items #29, #30, and #31 to the next meeting would not be an issue, but emphasized that staff has been waiting to present these reports.

MOVED by Warren SECOND by Williams, to move items #29, #30, and #31 to the May 14th Council meeting. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

29. Receive an update on the Bulk Waste Program and take action as deemed necessary.
MOVED TO MAY 14TH.

STAFF REPORTS:

30. Provide City Council with an update on the FY 2023 Audit Process
MOVED TO MAY 14TH.

31. Receive an update on the implementation and success of Council Policy 6-1.
MOVED TO MAY 14TH.

EXECUTIVE SESSION ITEMS:

The Mayor and Council convened in executive session at 5:43 PM and reconvened in regular, open session at 8:58 PM. Roll call reflected all members.

32. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive

session to discuss possible candidates for the position of City Attorney, and, if necessary, take appropriate action in open session. **NO ACTION TAKEN.**

33. 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 TAKEN.**
34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action with Oklahoma Department of Environmental Quality concerning a Notice of Violation issued by ODEQ to the City on April 18, 2024, in relation to the City of Lawton Wastewater Treatment Facility relating to Permit Violations; Ammonia, CBOD5, and TSS Exceeded Permit Limits; Dissolved Oxygen Below Permit Limits; Discharge without a Permit and, if necessary, take appropriate action in open session. **NO ACTION TAKEN.**
35. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action with Oklahoma Department of Environmental Quality concerning a Notice of Violation issued by ODEQ to the City on February 14, 2024, in relation to the City of Lawton Municipal Solid Waste Landfill and the FY 2022 and FY 2023 financial assurance mechanism update, local government test, not having been submitted by December 31, 2022 and December 31, 2023, respectively, and, if necessary, take appropriate action in open session. **NO ACTION TAKEN.**
36. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss potential litigation against the real property owners of the recently demolished burnt nursing home located at 1301 NW Andrews Avenue, and take appropriate action in open session. **NO ACTION TAKEN.**

MOVED by Warren SECOND by Williams, to ADJOURN THE APRIL 23, 2024 meeting. AYE: Hankins, Harris, Chapman, Hampton, Weger, Warren. NAY: None. MOTION CARRIED.

There being no further business, the meeting adjourned at 9:00 PM.

ADJOURNMENT

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."