



City of Lawton

City Council

Agenda

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

Tuesday, February 27, 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

PROCLAMATION:

February Citizen of the Month: The Military Welcome Center

REPORTS: MAYOR/CITY COUNCIL

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.

CONSENT AGENDA:

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

1. Consider approving a pending tort claim (recommended for approval) and a resolution authorizing payment for Jacqueline Smith in the amount of \$7,748.85 and authorizing the City Attorney to prepare and file said resolution and all appropriate settlement documents for the Court's approval.

[24-1255](#)

Attachments: [DC-2024-001, Smith Jacqueline-Memorandum](#)

2. Consider adopting a resolution approving the joint petition settlement in the amount of \$10,368.00 and making payment in the workers' compensation claim of Craig Caldwell. [24-1272](#)
Attachments: [Caldwell, Craig - Resolution](#)

3. 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 \$25,118.20, in the Workers' Compensation case of Michael A. McDaniel in the Oklahoma Workers' Compensation Commission, Case No. CM-2023-01900Y. [24-1281](#)
Attachments: [Michael McDaniel - Resolution](#)

4. Consider approving a resolution delegating to the City Manager the power to authorize external use of trademarked City of Lawton logos. [24-1241](#)
Attachments: [City Logo Resolution Delegating Authority Ordinance 24-007](#)

5. Consider and take action awarding a contract in the amount of \$1,966,000.00 to Howard Construction, INC for construction of the Medicine Park Water Treatment Plant Filter Improvements Project PU2314. [24-1257](#)
Attachments: [Recomendation_of_Award MPWTP PU2314 MPWTP FILTER UNDERDRAIN REPLACEMENT PU2314 BID TAB MPWTP Contract](#)

6. Consider authorizing staff to approve a contract with Clayco Industries, Inc - DBA Ford Roofing & Sheet Metal Co., to replace the roof of the John Denney Playhouse located at 1316 NW Bell Ave, Lawton, OK 73507 under the State Contract DCAM/CAP#000743/000746. [24-1258](#)
Attachments: [Proposal COL John Denney Playhouse](#)

7. Consider and take action in approving Amendment Number 6 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount not to exceed \$336,655.00 for professional engineering services for the replacement of Belmont lift station and force main. [24-1259](#)
Attachments: [LawtonMSA_Amendment6_Jacobs Lawton_MSA_WO6_ExhibitB2_ScopeofServices Lawton_MSA_WO6_ExhibitB3_Fee Schedule](#)

8. Consider and take action in approving Amendment Number 7 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount not to exceed \$420,163.00 for professional engineering services for the replacement of approximately 15,990 linear feet of sewer main. [24-1271](#)
- Attachments:** [LawtonMSA_Amendment7_Jacobs](#)
[Lawton_MSA_WO7_ExhibitB2_Scope of Services](#)
[Lawton_MSA_WO7_ExhibitB3_Fee Schedule](#)
9. Consider declaring the land described as Lots 46, 47, and 48, Block 2, in the Subdivision of Blocks 6, 7, & 8 of Woodhouse Subdivision, as surplus property, authorizing the lots to be sold by public auction, setting a minimum bid of \$800 for the purchase price of each lot, and setting a public auction date of March 25, 2024. [24-1267](#)
- Attachments:** [NOTICE OF PUBLIC AUCTION - Image](#)
10. Consider approving the record plat for Bulldog Subdivision and take appropriate action as deemed necessary. [24-1282](#)
- Attachments:** [Bulldog Subdivision Record Plat](#)
[CPC Minutes 08.24.23](#)
[CPC Minutes 02.15.24](#)
11. Consider approving the record plat for Cache Road Shopping Center and take appropriate action as deemed necessary. [24-1284](#)
- Attachments:** [Cache Road Shopping Center Record Plat Resubmit](#)
[CPC 02.15.24](#)
12. Consider approving the Record Replat for Lot 2, Block 1 Fire View Addition and take appropriate action as deemed necessary. [24-1287](#)
- Attachments:** [Plat-Replat Lot 2, Block 1, Fire View Addition REV 02-02](#)
[CPC Minutes 02.15.24](#)
13. Consider accepting permanent easements from Lawton Economic Development Authority and Goodyear Tire & Rubber Company for right-of-way and utility relocation along the east side of SW 112th Street to serve Westwin Elements Inc, located at 10925 SW Bishop Road, and authorizing the Mayor and City Clerk to execute the documents. [24-1292](#)
- Attachments:** [LEDA - PU & ROW](#)
[GOODYEAR - PU & ROW](#)
14. Consider accepting a donation of one thousand dollars (\$1,000.00) by Korean Presbyterian Church for the Lawton Police Department as an appreciation to the department and officers for all they do for the community. [24-1291](#)

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15. Consider accepting a grant from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) in the amount of \$622,199.55 for acquisition and demolition of flood-prone properties located at 209 SW I Ave., 211 SW I Ave., 213 SW I Ave., 306 SW I Ave., 407 SW I Ave., 408 SW I Ave., 410 SW I Ave., 615 SW I Ave., 808 SW 3rd St., 810 SW 3rd St., 812 SW 3rd St., 808 SW 9th St., and 809 SW 6th St. [24-1283](#)
- Attachments:** [4530-0016 - Lawton approved Property List](#)
[4530-0016 -City of Lawton- ODEMHS SLA](#)
[FEMA Award Letter](#)
[OEM Award Letter](#)
16. Consider approving a request from the IUPA Local 24 to authorize 20 hours of Flex Leave for the two Assistant Police Chief positions with said leave to be utilized by the last pay period in June 2024. [24-1278](#)
- Attachments:** [Flex leave Asst. Chiefs](#)
17. Consider authorizing the use of Propel Beautification funds for the purchase of a litter vacuum trailer in an amount not to exceed \$35,000.00. [24-1215](#)
- Attachments:** [Madvac LP61G Litter vac City of Lawton OK REVISED.pdf](#)
18. Consider approving a resolution amending the City of Lawton FY23-24 budget, as amended, by appropriating Seven Hundred Twenty-Three Thousand Forty-One and 98/100 Dollars (\$723,041.98) to the Hotel/Motel, General, Cellular Phone System and Capital Improvements/Propel 2019 Funds. [24-1232](#)
- Attachments:** [02.27.2024 Budget Amendment Resolution.docx](#)
19. Consider approving the minutes of the Lawton City Council special meetings of October 5, 2023 and October 11, 2023. [24-1293](#)
- Attachments:** [10.05.23 CC Minutes](#)
[10.11.23 CC Minutes](#)
20. Consider approving appointments to boards and commissions. [24-1301](#)
- Attachments:** [Board Appointments- 02.27.24](#)

BUSINESS ITEMS:

21. Hold a public hearing and adopt a resolution declaring the structures located at 511 NW Bell Avenue, 516 SW H Avenue, 815 NW 35th Street, 918 SW 3rd Street, 1006 SW 28th Street, 1214 SW A Avenue, 1311 SW 9th Street, 1314 NW Taft Avenue, 1402 NW Logan Avenue, 1601 NW Andrews Avenue, 1601 SW Tennessee Avenue, 1709 SW McKinley Avenue, 1810 NW Taylor Avenue, 1901 NW Andrews Avenue, 2207 NW Pollard Avenue, 2312 NW Dunstan Lane, 2701 NW 46th Street, 4716 SE Avalon Avenue, 5632 NW Beechwood Drive, 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. [24-1242](#)
- Attachments:** [Resolution](#)
[Pictures](#)
[Exhibit A's](#)
22. Hold a public hearing and consider approving an Ordinance to annex approximately 160 acres of land into the corporate limits of the City of Lawton, located at the Southeast Quarter (SE/4) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M. classifying the land as Temporary I-4 Heavy Industrial District zoning classification, providing for severability and declaring an emergency. [24-1280](#)
- Attachments:** [Ordinance No. 24-_____](#)
[Location Map](#)
[Newspaper Notice](#)
[Mailing Notice](#)
[Resolution No. 24-007](#)
23. Consider approving an Ordinance amending Section 6-1-1-118, Division 6-1-1, Article 6-1, Chapter 6, Buildings, Construction and Housing, Lawton City Code, 2015; by adding language regarding the utilities disconnection that will allow the City to cap the water and sewer mains and charge the property owner for those services, requiring the removal of all driveways on the property except for the final four feet of the approach that connects to the street and removing the requirement for sod or grassing to be installed on the lots for stabilization, providing for severability, establishing an effective date and allowing for floor amendments. [24-1217](#)
- Attachments:** [Ordinance No. 24-_____](#)
24. Consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 6, Building Construction and Housing, amending Article A-6-1 Building Code. [24-1227](#)
- Attachments:** [Resolution No. 24-_____](#)
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25. Consider an ordinance pertaining to Event and Assembly Permits, Consider an ordinance pertaining to Event and Assembly Permits, amending Section 7-31-1-3103, Division 7-31-1, Article 7-31, Chapter 7 Lawton City Code, 2015, relating to permit required by defining city sponsored vs co-sponsored events, providing for severability, and establishing an effective date. [24-1273](#)
- Attachments:** [Ordinance 24 - Co-sponsored v Sponsored events 7-31-1-31-3103](#)
26. Consider approving an Ordinance pertaining to Nuisances and Health by amending Section 15-2-206, Article 15-2, Chapter 15, Lawton City Code, 2015, by specifying the different types of appeals that can occur and adding language that states the hearing officer will send notice in writing within 10 days of the appeal hearing, providing for severability, establishing an effective date and allowing for floor amendments. [24-1286](#)
- Attachments:** [Ordinance 24 - Nuisance Hearing Process](#)
27. Consider an ordinance pertaining to Administration, amending Section 2-3-9-362, and creating Section 2-3-9-365, Division 2-3-9, of Article 2-3, Chapter 2, Lawton City Code, 2015, relating to Boards, Commissions, and Committees by clarifying absences for Youth and Family Affairs Committee members; adding language to allow for Participating Alternate members for the Youth and Family Affairs Committee; providing for severability; providing for codification, and establishing an effective date. [24-1289](#)
- Attachments:** [Ordinance No. 24 - Participating Alternates YFAC](#)
28. Consider an ordinance pertaining to Administration, creating Section 2-3-10-369, Division 2-3-10, of Article 2-3, Chapter 2, Lawton City Code, 2015, relating to Boards, Commissions, and Committees by adding language to allow for Participating Alternate members for the Parks and Recreation Commission, providing for severability; providing for codification and establishing an effective date. [24-1304](#)
- Attachments:** [Ord 24-](#)
29. Consider an ordinance pertaining to Administration, creating Section 2-3-12-377, Division 2-3-12, of Article 2-3, Chapter 2, Lawton City Code, 2015, relating to Boards, Commissions, and Committees by adding language to allow for Participating Alternate members for the Race Relations Commission; providing for severability; providing for codification, and establishing an effective date. [24-1305](#)
- Attachments:** [Ord 24 - RRC Alternates](#)
30. Consider establishing a Council Committee to study issues related to the City's homeless population and make recommendations to the city council on how to address said issues. [24-1300](#)

STAFF REPORTS:

31. Provide City Council with a presentation on the pilot study and report from Traffic Engineering Consultants, Inc. (TEC) on EN2403 Pilot Project - Signal Improvements on Gore Blvd from 2nd to Lawrie Tatum Rd. [24-1285](#)
32. 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](#)

EXECUTIVE SESSION ITEMS:

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss an action relating to litigation against Settling Defendants and other defendants, which actions are currently pending in the multi-district litigation styled, In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2:18-mn-2873 (D.S.C.) (the "MDL") and Case No. 2:23-cv-03230, to resolve claims relating to PFAS contamination of Public Water Systems, and if necessary, take action in open session. [24-1309](#)
34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss litigation in the case Gerald S. Ihler v. City of Lawton, CJ-2020-185, and if necessary, take appropriate action in open session.. [24-1288](#)
35. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the status of an ongoing investigation concerning pension calculations, and, if necessary, take appropriate action in open session. [24-1298](#)
36. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening 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. [24-1310](#)

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."