



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](#)

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-_____](#)
-

-
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."



City of Lawton

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

Commentary

File #: 24-1255

Agenda Date: 2/27/2024

Agenda No: 1.

ITEM TITLE:

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.

INITIATOR: Deputy City Attorney, Timothy Wilson

STAFF INFORMATION SOURCE: Assistant City Attorney, Garrett Lam

BACKGROUND: The listed claim has been filed against the City of Lawton with the City Clerk. The claim has been investigated by the staff and a legal opinion/recommendation has been prepared by the City Attorney's Office.

Jacqueline Smith: Claim in the amount of \$7,748.85 for vehicle damage

EXHIBIT: Legal Recommendation/Resolution and Warrant of Attorney

KEY ISSUES: N/A

FUNDING SOURCE: Sinking Fund


STAFF RECOMMENDED COUNCIL ACTION: Approve the resolution authorizing payment of the claim listed above.



OFFICE OF THE CITY ATTORNEY

CLAIMS MEMORANDUM #DC-2024-001

TO: Mayor and Council

FROM: Garrett Lam
Assistant City Attorney 

DATE: January 19, 2024

MEETING: February 27, 2024

RE: Damage claim of
Jacqueline Smith
1503 SE Pinewood
Lawton, Oklahoma 73501

Submitted in the amount of \$9,248.85 on January 12, 2024

RECOMMENDATION: Approval in the amount of \$7,748.85

BASIS OF CLAIM: Jacqueline Smith is the owner of a 2023 Chevrolet Trailblazer. Ms. Smith alleges on January 5, 2024, a City of Lawton employee, driving a City of Lawton vehicle backed into her vehicle causing damage in the amount of \$6,125.91. Ms. Smith has submitted two estimates, one from Mullens Collision Repair in the amount of \$6,125.91, and the other from Joe Hudson's Collision Center in the amount of \$6,491.18. Claimant also submitted an estimate from Enterprise Rental Car in the amount of \$622.94, for a rental vehicle, and she's requesting \$2,500.00 for depreciation of her vehicle.

DATE OF DAMAGE: January 5, 2024

FACTS: An Official Oklahoma Traffic Collision Report was made. It did not contain any details regarding remarks or a diagram of the accident. The report indicates that City employee (unit 1), was inattentive, and no improper action noted for unit 2, Jacqueline Smith. According to a statement from the City of Lawton, Safety Representative, John Breit, who was on scene at the time of the accident and took a statement from the City employee. The truck was loaded down with trash and debris causing a visibility issue when using the rearview mirror. Proper tarping was being used and contributed to the visibility issue. He was also too close to the vehicle behind him to see it from the side view mirrors. When he backed up, he struck the front end of Jacqueline Smith's vehicle (unit 2). It has been recommended that the City employee receive 3 (three) points against his City of Lawton driving record.


LEGAL BASIS FOR APPROVAL OF CLAIM: In Oklahoma, it is the duty of every operator of a vehicle to exercise ordinary care in keeping a lookout consistent with the safety of other vehicles, property, and persons. Rosamond v. Reed Roller Bit Co., 292 P.2d 373 (Okla. 1955); Townley's Dairy v. Creech, 476 P.2d 79 (Okla. 1970). Ordinary care is defined in Oklahoma Statutes, Title 25, Section 4 and further explained in the Oklahoma Uniform Civil Jury Instructions Section 9.3 as “the care which a reasonably careful person would use under the same or similar circumstances.” Title 25 O.S. Section 4 and the Oklahoma Uniform Civil Jury Instructions Section 9.2 define negligence as the failure to exercise ordinary care to avoid injury to another's person or property.

This office recommends approval of this claim because in this instance:

1. The city employee could be found to have breached his duty to maintain a proper lookout consistent with the safety of other vehicles and this breach of duty may constitute negligence for which the city may be held liable.

The recommended approval amount is \$7,748.85, which is the amount of the low estimate submitted with the claim, the amount of estimate for the rental vehicle, and \$1,000.00 for diminished value.

GARRETT LAM
ASSISTANT CITY ATTORNEY


Mincie Beamesderfer, CP
Claims Investigator



City of Lawton

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

Commentary

File #: 24-1272

Agenda Date: 2/27/2024

Agenda No: 2.

ITEM TITLE:

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.

INITIATOR: Deputy City Attorney, Timothy Wilson

STAFF INFORMATION SOURCE: Assistant City Attorney, Garrett Lam

BACKGROUND: This matter involves the workers' compensation claim of Craig Caldwell, a previous fire fighter for the City of Lawton, Fire Department, who alleges injury to his back on October 18, 2022. Settlement has been reached subject to City Council approval with the claimant agreeing to accept the City's offer of \$10,368.00 including \$2,073.60 for attorney's fees, and a \$311.04 Multiple Injury Trust Fund Assessment payment to the Oklahoma Tax Commission.

EXHIBIT: Resolution No. _____

KEY ISSUES: N/A

FUNDING SOURCE: Sinking Fund

STAFF RECOMMENDED COUNCIL ACTION: Adopt a resolution approving the Joint Petition settlement of \$10,368.00 and making payments in the pending workers' compensation claim of Craig Caldwell.

RESOLUTION NO. 2024-

A RESOLUTION APPROVING THE JOINT PETITION SETTLEMENT AND MAKING PAYMENT OF THE SETTLEMENT IN THE WORKERS' COMPENSATION CASE OF CRAIG CALDWELL FOR THE AMOUNT OF TEN THOUSAND THREE HUNDRED SIXTY-EIGHT AND NO/100 DOLLARS (\$10,368.00) INCLUDING AN ATTORNEY'S FEE PAYMENT IN THE AMOUNT OF TWO THOUSAND SEVENTY-THREE AND 60/100 DOLLARS (\$2,073.60); DIRECTING THREE PERCENT (3%) OF SAID JUDGMENT, IN THE AMOUNT OF THREE HUNDRED ELEVEN AND 04/100 DOLLARS (\$311.04), TO BE PAID DIRECTLY TO THE OKLAHOMA TAX COMMISSION AS A MULTIPLE INJURY TRUST FUND TEMPORARY ASSESSMENT IN ACCORDANCE WITH 85A OKLA. STAT. SECTION 31.A.7; AND FILING A FOREIGN JUDGMENT IN THE DISTRICT COURT OF COMANCHE COUNTY FOR PURPOSE OF PLACING SAID JUDGMENT ON THE TAX ROLLS.

WHEREAS, Craig Caldwell has filed an injury claim with the Workers' Compensation Commission for disability benefits as a result of an injury to his back, which occurred on October 18, 2022, while lifting weights, while on duty as a Firefighter for the City of Lawton, Fire Department; and,

WHEREAS, a Joint Petition Settlement has been reached in the amount of Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60); and,

WHEREAS, pursuant to Title 85A Okla. Stat. Section 31.A.7., for injuries occurring on or after July 1, 2019, the Oklahoma Tax Commission shall assess and collect from claimants a Multiple Injury Trust Fund temporary assessment in the amount of three percent (3%) of the total award or settlement for permanent partial disability or permanent total disability; and,

WHEREAS, in the Joint Petition Settlement filed with the Workers' Compensation Commission, the claimant agreed that said assessment, representing three percent (3%) of the joint petition settlement amount attributable to permanent partial disability or permanent total disability, shall be deducted from the settlement amount and paid by the employer; and,

WHEREAS, the above referenced Multiple Injury Trust Fund Assessment representing three percent (3%) of the joint petition settlement amount attributable to permanent partial disability or permanent total disability is Three Hundred Eleven and 04/100 Dollars (\$311.04); and,

WHEREAS, the amount due to Craig Caldwell will be Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60) and including a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of Three Hundred Eleven and 04/100 Dollars (\$311.04).


NOW THEREFORE, BE IT RESOLVED by the Council of the City of Lawton, that the City Council approves the Joint Petition Settlement and filing of a foreign judgment for purposes of placing said judgment on the tax rolls and making payment of Ten Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$10,368.00), including an attorney's fee payment in the amount of Two Thousand Seventy-Three and 60/100 Dollars (\$2,073.60) and a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of Three Hundred Eleven and 04/100 Dollars (\$311.04), in the workers' compensation case of Craig Caldwell.

PASSED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma this 27th day of February 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

 APPROVED as to form and legality this ____ of February 2024.

GARRETT LAM, ASSISTANT CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1281

Agenda Date: 2/27/2024

Agenda No: 3.

ITEM TITLE:

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.

INITIATOR: Deputy City Attorney, Timothy Wilson

STAFF INFORMATION SOURCE: Assistant City Attorney, Garrett Lam

BACKGROUND: This matter involves the Workers' Compensation claim of Michael A. McDaniel, a previous City of Lawton, Firefighter, who alleges an injury to his right leg (knee) on December 22, 2022, when employed by the City of Lawton, Fire Department. On February 12, 2024, Administrative Law Judge P. Blair McMillin of the Oklahoma Workers' Compensation Commission entered an Order awarding the employee 35% percent permanent partial disability to the right leg (knee), in the total amount of \$34,650.00, less an overpayment in the amount of \$9,531.80, reducing the judgment to \$25,118.20, including \$6,930.00 as attorney's fee and a \$1,039.50 multiple injury trust fund assessment. It was the opinion of the City's Workers' Compensation attorney that the award was consistent with the medical evidence and that there is no salient basis for an appeal. Because the Workers' Compensation Commission has expressed some concern in the past about cities holding judgments pending review by City Councils, it was the opinion of the Deputy City Attorney that the judgment should be paid in an effort to protect the City's own-risk status.

EXHIBIT: Resolution No. _____

KEY ISSUES: N/A

FUNDING SOURCE: Sinking Fund

STAFF RECOMMENDED COUNCIL ACTION: Adopt a resolution ratifying the action of the Deputy City Attorney and the City Manager in making payments of the judgment in the amount of \$25,118.20, in the Oklahoma Workers' Compensation Commission case of Michael McDaniel, Case No. CM2023-01900Y.

RESOLUTION NO. 2024-_____

A RESOLUTION RATIFYING THE ACTIONS OF THE ASSISTANT CITY ATTORNEY AND THE CITY MANAGER IN MAKING PAYMENT IN THE WORKERS' COMPENSATION CASE OF MICHAEL A. MCDANIEL FOR THE JUDGMENT OF THIRTY-FOUR THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$34,650.00), LESS AN OVERPAYMENT OF (\$9,531.80), EQUALING TWENTY-FIVE THOUSAND ONE HUNDRED EIGHTEEN AND 20/100 DOLLARS (\$25,118.20), INCLUDING AN ATTORNEY'S FEE PAYMENT IN THE AMOUNT OF SIX THOUSAND NINE HUNDRED THIRTY AND NO/100 DOLLARS (\$6,930.00); DIRECTING THREE PERCENT (3%) OF SAID JUDGMENT, IN THE AMOUNT OF ONE THOUSAND THIRTY-NINE AND 50/100 DOLLARS (\$1,039.50), TO BE PAID DIRECTLY TO THE OKLAHOMA TAX COMMISSION AS A MULTIPLE INJURY TRUST FUND TEMPORARY ASSESSMENT IN ACCORDANCE WITH 85A OKLA. STAT. SECTION 31.A.7; AND FILING A FOREIGN JUDGMENT IN THE DISTRICT COURT OF COMANCHE COUNTY FOR PURPOSE OF PLACING SAID JUDGMENT ON THE TAX ROLLS. PER ORDER OF THE WORKERS' COMPENSATION COMMISSION.

WHEREAS, Michael A. McDaniel has filed an injury claim with the Workers' Compensation Commission for permanent partial disability for injury to the right leg (knee) with a date of injury of December 22, 2022, while on duty as Assistant Fire Chief for the City of Lawton, Fire Department; and,

WHEREAS, judgment was entered by the Workers' Compensation Commission on February 12, 2024, in the total amount of Thirty-Four Thousand Six Hundred Fifty and No/100 Dollars (\$34,650.00), less an overpayment of (\$9,531.80), equaling Twenty-Five Thousand One Hundred Eighteen and 20/100 Dollars (\$25,118.20), including an attorney's fee payment in the amount of Six Thousand Nine Hundred Thirty and No/100 Dollars (\$6,930.00); and,

WHEREAS, pursuant to Title 85A Okla. Stat. Section 31.A.7., for injuries occurring on or after July 1, 2019, the Oklahoma Tax Commission shall assess and collect from claimants a Multiple Injury Trust Fund temporary assessment in the amount of three percent (3%) of the total award or settlement for permanent partial disability or permanent total disability; and,

WHEREAS, the above referenced Multiple Injury Trust Fund Assessment representing three percent (3%) of the order amount attributable to permanent partial disability or permanent total disability is One Thousand Thirty-Nine and 50/100 Dollars (\$1,039.50); and,

WHEREAS, the amount due to Michael A. McDaniel will be Twenty-Five Thousand One Hundred Eighteen and 20/100 Dollars (\$25,118.20), including an attorney's fee payment in the amount of Six Thousand Nine Hundred Thirty and No/100 Dollars (\$6,930.00), and including a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of One Thousand Thirty-Nine and 50/100 Dollars (\$1,039.50).

WHEREAS, the Assistant City Attorney and the City Manager agreed to make payment of the judgment rendered by the Workers' Compensation Commission on the premises that no appealable issue had been identified and to protect the City's own-risk status.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Lawton, that the City Council ratifies the actions of the Assistant City Attorney and the City Manager to make payment on the judgment of Twenty-Five Thousand One Hundred Eighteen and 20/100 Dollars (\$25,118.20), including an attorney's fee payment in the amount of Six Thousand Nine Hundred Thirty and No/100 Dollars (\$6,930.00), and a Multiple Injury Trust Fund Assessment to be paid to the Oklahoma Tax Commission in the amount of One Thousand Thirty-Nine and 50/100 Dollars (\$1,039.50), per order of the Workers' Compensation Commission as provided by law.

PASSED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma this 27th day of February 2024.

STANLEY BOOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this ____ day of February 2024.



GARRETT LAM, ASSISTANT CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1241

Agenda Date: 2/27/2024

Agenda No: 4.

ITEM TITLE:

Consider approving a resolution delegating to the City Manager the power to authorize external use of trademarked City of Lawton logos.

INITIATOR: Caitlin Gatlin, Communications & Marketing Manager

STAFF INFORMATION SOURCE: Caitlin Gatlin, Communications & Marketing Manager

BACKGROUND: The City of Lawton secured trademarks for specific department logos to include the City of Lawton bison logo, Lawton Fire, Lawton Public Library, and Lawton Police, at the end of 2023. On January 23, 2024, Lawton City Council approved Ordinance 24-007, which amended Section 1-1-120 of Lawton City Code, establishing that trademarked images require approval for external use. Lawton City Code Section 1-1-120 states Council may delegate authority to approve external logo usage to the City Manager if desired.

EXHIBIT: City Logo Resolution Delegating Authority
Ordinance 24-007

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve a resolution delegating to the City Manager the power to authorize external use of trademarked City of Lawton images.

RESOLUTION NO. 24-_____

A RESOLUTION DELEGATING TO THE CITY MANAGER THE POWER TO AUTHORIZE EXTERNAL USE OF TRADEMARKED CITY OF LAWTON LOGOS.

WHEREAS, on January 23, 2024, Lawton City Council approved Ordinance 24-007, which amended Section 1-1-120 of Lawton City Code, establishing that trademarked images require approval for external use;

WHEREAS, in City Code Section 1-1-120, Council may elect to delegate authorization of trademarked images to the City Manager;

WHEREAS, any external organization wishing to use the City of Lawton logo, Lawton Police logo, Lawton Fire logo, Lawton Public Library logo, or any logo trademarked in the future, must obtain approval from the City Manager;

WHEREAS, request for use must be submitted to the Communications & Marketing Department, who will then notify the City Manager;

WHEREAS, the requesting entity will be notified of approval or denial via email correspondence within five business days.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lawton, Oklahoma, that the City Manager may authorize external use of all trademarked City of Lawton logos.

APPROVED by the Council of the City of Lawton this 27th day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of February, 2024.

GREGORY GIBSON
ASSISTANT CITY ATTORNEY

ORDINANCE NO 24-007

AN ORDINANCE PERTAINING TO GENERAL PROVISIONS, AMENDING SECTION 1-1-120, ARTICLE 1-1, CHAPTER 1, LAWTON CITY CODE, 2015, BY RETITLING THE SECTION TO INCLUDE CITY LOGOS AND ESTABLISHING THAT CITY OF LAWTON TRADEMARKED IMAGES REQUIRE APPROVAL FOR EXTERNAL USE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT:

Section 1. Section 1-1-120 is hereby amended to read as follows:

1-1-120 -~~City insignia/seal.~~ Insignia, Seals and Logos.

A. The city insignia, commonly known as the city seal, as described in a resolution approved and adopted on the 20th day of November, 1973 by the city council of the City of Lawton is the official Insignia/Seal of the city and shall only be used and displayed for official City of Lawton purposes as may be authorized by the city council by resolution.

B. Any unauthorized use of the city Insignia/Seal is prohibited and in violation of this code. Punishment for such violation shall be as provided in Section 1-1-119 of this code.

C. The City of Lawton has established an intellectual property program to control the use of insignia, seals and logos associated with the Lawton municipal government. Unauthorized use of any of the representations may be trademark infringement. Trademarked images, which include but are not limited to the City of Lawton logo, Lawton Police Department logo, Lawton Fire Department logo and Lawton Public Library logo shall be used only when directly authorized by the City Council by resolution, unless City Council elects to delegate authorization of trademarked images to the City Manager. Authorization for the use of City of Lawton insignia, seals and logos are required only when the requesting organization or person is not affiliated with the City of Lawton. Authorization is not required for internal use of insignia, seals, and logos.

Section 2. Severability Clause. If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date: The Provisions of this ordinance shall become effective thirty (30) days after the date of the ordinance's passage.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ____ day of _____ 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this 29th day of January, 2024.



TIMOTHY WILSON,
INTERIM CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1257

Agenda Date: 2/27/2024

Agenda No: 5.

ITEM TITLE:

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.

INITIATOR: Rusty Whisenhunt, Public Utilities Director

STAFF INFORMATION SOURCE: Rusty Whisenhunt, Public Utilities Director

BACKGROUND: One of the seven filter underdrain, which are required in order to provide acceptable drinking water to the citizens of Lawton, has failed and is out of service at this time. Jacobs Engineering Group, INC., who was the original designer of the Medicine Park Water Treatment Plant, was hired for investigation the cause of Underdrain Failure under the MSA. The investigation determined that the filter underdrain will need to be replaced and the walls sealed between filter 4 and 5. Jacobs Engineering Group, INC., has produced a design scope of service B-2 and fee schedule B-3 estimates for the design. The estimated construction cost to repair the filter is estimated at \$1.6 Million. City Council approved Amendment 4 to the Master Services Agreement with Jacobs Engineering Group, INC., for professional engineering design of the Filter replacement on October 10, 2023. On December 12, 2023, Council approved plans, specifications, and authorized advertisement of the project. The project advertised on January 3rd and 10th, 2024, with a non-mandatory pre-bid conference January 12th, 2024, at 10:00 a.m. in the Public Utilities Conference room. A Bid opening was publicly held January 30th, 2024, at 2:00pm at City Hall. A total of two (2) bids were received.

MPWTP Filter Underdrain Replacement Bid Tab			
	Engineer's Estimate	Contractor 1: Howard Construction, INC.	Contractor 2: Downey Contracting, L.L.C.
Total Base Bid	\$1,626,147.00	\$1,966,000.00	\$2,083,000.00

After reviewing the bid documents, it is recommended to award the project to Howard Construction, INC. of Ardmore, Oklahoma, who submitted the lowest responsive and responsible bid for the project. Jacobs Engineering Group recommends awarding the contract to Howard Construction, INC, in the amount of \$1,966,000.00 for construction of the Medicine Park Water Treatment Plant Filter Improvements Project PU2314. Due to the overage of the bid, it is requested that value engineering be implemented to possibly reduce the project cost. The Cost reduction will be addressed through a change order if any value Engineering can be realized. **This project addresses filter number 4 at the MPWTP, currently unable to effectively and efficiently produce drinking water for the citizens of Lawton, which is required in order to meet the Safe Community standard set forth in the “True North Culture Statement”.**

EXHIBIT: Recommendation of Award, Bid Tabulation, and Construction Contract

KEY ISSUES: Does City Council wish to award 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?

FUNDING SOURCE: FAP Loan in Amount of \$50 Million less Well drilling Bid amount of \$9,223,500 less this project \$1,966,000 leaving \$38,810,500. available for remaining projects.

STAFF RECOMMENDED COUNCIL ACTION: Award 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.

February 8, 2024

Attn: Rusty Whisenhunt
Director of Public Utilities
City of Lawton

Project Name: MP WTP Filter Improvements Project – PU 2314

Subject: Recommendation of Award

Dear Rusty,

The bids received on January 30, 2024, for the subject project have been reviewed and it is recommended that the contract be awarded to Howard Contraction, Inc. (Howard). The bid tabulation is attached, and details of the evaluation are as follows:

- All documents required per the solicitation documents were included.
- The separation from the next lowest bidder was approximately 6 percent, indicating a competitive bidding situation with reasonable prices for the scope of the project.
- Some of Howard bid items were balanced higher than expected for removal and replacement of filter media as related to the other bidders and the Engineer's OPCC, but not to the extent that this would be considered an overly unbalanced bid.
- Howard is based in Ardmore, OK and has experience with this type of projects at Water Treatment Plants

Regards,



Arun Srinivasan, P.E., PMP
Project Manager

979-450-9785
arun.srinivasan@jacobs.com

MP WTP Filter Improvements Project – PU 2314- Bid Tabulation

Item #	Description	Est. Qty	Unit	OPCC		Howard		Downey	
				Unit price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1.1	Mobilization and Demobilization	1	LS	-	\$ 54,665	-	\$ 100,000	-	\$ 100,000
1.2	Furnish and Install Pressure Transmitters including connection to existing local control panels	7	Each	\$ 9,446	\$ 66,123	\$ 13,000	\$ 91,000	\$ 19,000	\$ 133,000
1.3	Demolition of Existing Underdrain for Filter 4	1	LS	-	\$ 196,316	-	\$ 175,000	-	\$ 255,000
1.4	Installation of Filter Underdrain for Filter 4	1	LS	-	\$ 683,013	-	\$ 390,000	-	\$ 465,000
1.5A	Furnish and install filter media- GAC and Sand for Filter 4	1	LS	-	\$ 166,480	-	\$ 350,000	-	\$ 530,000
1.5B	Remove existing media and furnish and install filter media- GAC for Filter 7	1	LS	-	\$ 305,151	-	\$ 420,000	-	\$ 300,000
1.5C	Install additional 4" of owner furnished filter media-GAC to meet 34 inches total depth for Filters 1,2,3,5 and 6.	1	LS	-	\$ 38,312	-	\$ 280,000	-	\$ 125,000
1.6	Structural Modifications (Repair of leaking joints) in Filter 4	1	LS	-	\$ 16,086	-	\$ 60,000	-	\$ 75,000
1.7	Work Change Directive-Owner's Allowance	1	LS	-	\$ 100,000	-	\$ 100,000	-	\$ 100,000
Grand Total					\$ 1,626,147		\$ 1,966,000		\$ 2,083,000
Contractor Time delay Cost (Owner approved)						-	\$ 3,500	-	\$ 2,000

Documents Required to be submitted along with the bid schedule

- Bid proposal
- Bid Schedule
- Bid Bond
- Power of Attorney
- Certificate of liability insurance **Not mandatory**
- Anti-Collusion Affidavit
- Business Relationships Affidavit

	Howard	Downey
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

MPWTP Filter Underdrain Replacement Bid Tab			
	Engineer's Estimate	Contractor 1: Howard Construction, INC.	Contractor 2: Downey Contracting, L.L.C.
Total Base Bid	\$1,626,147.00	\$1,966,000.00	\$2,083,000.00

MPWTP Filter Underdrain Replacement PU2314

Engineer's Estimate					Contractor 1: Howard Construction INC					Contractor 2: Downey Contracting, L.L.C.				
Item #	Est. QTY	Description	Unit Price	Item Total	Item #	Est. QTY	Description	Unit Price	Item Total	Item #	Est. QTY	Description	Unit Price	Item Total
1.1	1	MOBILIZATION / DEMOBILIZATION	\$54,665.00	\$54,665.00	1.1	1	MOBILIZATION / DEMOBILIZATION	\$100,000.00	\$100,000.00	1.1	1	MOBILIZATION / DEMOBILIZATION	\$100,000.00	\$100,000.00
1.2	7	FURNISH AND INSTALL PRESSURE TRANSMITTERS INCLUDING CONNECTION TO EXISTING LOCAL CONTROL PANELS(S)	\$9,446.29	\$66,124.03	1.2	7	FURNISH AND INSTALL PRESSURE TRANSMITTERS INCLUDING CONNECTION TO EXISTING LOCAL CONTROL PANELS(S)	\$13,000.00	\$91,000.00	1.2	7	FURNISH AND INSTALL PRESSURE TRANSMITTERS INCLUDING CONNECTION TO EXISTING LOCAL CONTROL PANELS(S)	\$19,000.00	\$133,000.00
1.3	1	DEMOLITION OF EXISTING	\$196,316.00	\$196,316.00	1.3	1	DEMOLITION OF EXISTING	\$175,000.00	\$175,000.00	1.3	1	DEMOLITION OF EXISTING	\$255,000.00	\$255,000.00
1.4	1	INSTALLATION OF FILTER	\$683,013.00	\$683,013.00	1.4	1	INSTALLATION OF FILTER	\$390,000.00	\$390,000.00	1.4	1	INSTALLATION OF FILTER	\$465,000.00	\$465,000.00
1.5A	1	FURNISH AND INSTALL FILTER	\$166,480.00	\$166,480.00	1.5A	1	FURNISH AND INSTALL FILTER	\$350,000.00	\$350,000.00	1.5A	1	FURNISH AND INSTALL FILTER	\$530,000.00	\$530,000.00
1.5B	1	REMOVE EXISTING, FURNISH, AND INSTALL NEW FILTER MEDIA-GAC FOR FILTER 7	\$305,151.00	\$305,151.00	1.5B	1	REMOVE EXISTING, FURNISH, AND INSTALL NEW FILTER MEDIA-GAC FOR FILTER 7	\$420,000.00	\$420,000.00	1.5B	1	REMOVE EXISTING, FURNISH, AND INSTALL NEW FILTER MEDIA-GAC FOR FILTER 7	\$300,000.00	\$300,000.00
1.5C	1	INSTALL ADDITIONAL 4"OF	\$38,312.00	\$38,312.00	1.5C	1	INSTALL ADDITIONAL 4"OF	\$280,000.00	\$280,000.00	1.5C	1	INSTALL ADDITIONAL 4"OF	\$125,000.00	\$125,000.00
1.6	1	STRUCTURAL MODIFICATIONS	\$16,086.00	\$16,086.00	1.6	1	STRUCTURAL MODIFICATIONS	\$60,000.00	\$60,000.00	1.6	1	STRUCTURAL MODIFICATIONS	\$75,000.00	\$75,000.00
1.7	1	WORK CHANGE DIRECTIVE -	\$100,000.00	\$100,000.00	1.7	1	WORK CHANGE DIRECTIVE -	\$100,000.00	\$100,000.00	1.7	1	WORK CHANGE DIRECTIVE -	\$100,000.00	\$100,000.00
TOTAL ENGINEER'S ESTIMATE				\$1,626,147	TOTAL CONTRACTOR 1 ESTIMATE				\$1,966,000	TOTAL CONTRACTOR 2 ESTIMATE				\$2,083,000

CONTRACT

THIS CONTRACT made and entered into this 27th day of February, 2024, by and between CITY OF LAWTON, Oklahoma, a Municipal Corporation, acting by and through the Mayor and City Council, party of the first part, hereinafter referred to as "CITY", and Howard Construction, INC, party of the second part, hereinafter referred to as "CONTRACTOR".

WITNESSETH:

WHEREAS, the CITY has caused to be prepared in accordance with law, certain Contract Documents and Technical Specifications (including Plans) for the work hereinafter described, and has caused a Solicitation for Bids to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for

PU 2314 - MEDICINE PARK WATER TREATMENT PLANT FILTER IMPROVEMENTS

WHEREAS, the Contractor in response to said Solicitation for Bids submitted to the CITY in the manner and at the time specified a sealed proposal in accordance with the terms and provisions of said Contract Documents and Technical Specifications, Plans and Addenda(s) associated with this project; and

WHEREAS, the CITY, in the manner provided by law, has publicly opened, examined, and canvassed all the proposals submitted and has determined and declared the above named Contractor to be the best responsive bidder on the above described project; and

WHEREAS, the City, has duly awarded this Contract to said Contractor at the contract unit prices bid and as specified in the Contractor's proposal, to wit:

One Million Nine Hundred Sixty-Six Thousand Dollars and Zero cents (\$ 1,966,000.00)

Said proposal of Howard Construction, Inc. is incorporated by reference into this contract. The actual amount to be paid to the Contractor will be based on the unit price in the Contractor's proposal times the unit quantities actually used and accepted for this project.

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, the parties to this Contract have agreed, and hereby agree, as follows:

1. The Contractor shall, in a good and first-class workmanlike manner, at his own cost and expense, furnish all labor and materials, tools, and equipment required to perform and complete said work in strict accordance with this Contract, the Contract Documents and Technical Specifications and all applicable Plans and Addenda, all of which are on file in the office of the Director of Public Utilities, 2100 SW 6th Street, Lawton, OK, 73501, and hereby incorporated by reference and made a part of this Contract as if the same were each herein set out at length.
2. The CITY will make progress payments to the Contractor no more than once per month upon request of the Contractor. Such payment will be made on the basis of an agreed estimate of work performed since the previous pay request, provided that the Contractor and the Project Manager shall have previously come to an agreement as to the amount of the request prior to submission.

The City shall retain five percent (5%) of the amount of each estimate until the project is complete. This retainage shall not be released until final acceptance of project by the City Council.

Each monthly estimate for payment must contain or have attached an affidavit for payment, as set forth in the Contract Documents and Technical Specifications.

On completion of the work, but prior to the acceptance by the CITY, it shall be the duty of the City Engineer/Project Manager, or his authorized designee, to determine that said work has been completed and fully performed in accordance with said Contract Documents and Technical Specifications and all applicable Plans and Addenda; and upon making such determination said official shall make his final certificate to the CITY.

The Contractor hereby agrees to commence work under this Contract on a date to be specified in a written "Work Order" of the CITY and to fully complete the project 210 Calendar days to Substantial Completion and 240 Calendar Days to Final Completion. The Contractor further agrees to pay as liquidated damages, the sum of One Thousand and 00/00 Dollars (\$1000.00) for each consecutive calendar day till Substantial Completion and Five Hundred and 00/00 Dollars (\$500.00) for each consecutive calendar Day till Final Completion thereafter as provided in Paragraph 18 of the General Conditions section of the Contract Documents and Technical Specifications.

The Contractor shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit constituting the Contractor's Release to City as set forth in the Contract Documents and Technical Specifications; thereupon, the final estimate (including any retained amounts) will be approved and paid.

3. Discrimination. The Contractor agrees in connection with the performance of work under this contract as follows:
 - a. The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, disability, age or ancestry. Such actions shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruiting or recruitment, advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, (including apprenticeship.) The Contractor agrees to include this non-discrimination clause in any subcontracts connected with the performance of this Contract.
 - b. The Contractor and Subcontractor shall agree to post in a conspicuous place available to employees and applicants for employment, notice to be provided by the City Clerk of the City of Lawton setting forth the provisions of this section.
 - c. In the event of the Contractor's non-compliance with the above non-discrimination clause, this Contract may be terminated by the CITY. The Contractor may also be declared by the CITY to be ineligible for future contracts with the CITY until satisfactory proof of intent to comply shall be made by the Contractor.

4. Use of Subcontractors. The Contractor shall actively solicit bids for the subcontracting of goods or services from qualified minority businesses. At the request of the CITY, the Contractor shall furnish evidence of compliance with this requirement of minority solicitation. The Contractor further agrees to consider the grant of subcontracts to minority bidders on the basis of substantially equal proposals in the light most favorable to said minority businesses.

5. Entire Contract. This Contract and all the documents incorporated by reference contain the entire understanding and agreement of the parties upon the subject matter hereof. There is no agreement, oral or otherwise, which is not set forth in writing hereto or attached. This Contract includes the following items: this Contract, the Contract Documents and Technical Specifications, all applicable Plans and Addenda and the Contractor’s Proposal.

6. Modification and Termination. This Contract cannot be modified or terminated except in writing signed by both parties or as otherwise provided herein.

7. Assignment. This Contract shall not be assigned without the written consent of the CITY.

8. Bankruptcy. If the Contractor becomes bankrupt or insolvent, or if a petition in bankruptcy is filed against the Contractor, or if a receiver is appointed for the Contractor, the CITY shall have the right to terminate this Contract upon written notice to the Contractor without prejudice to any claim for damages or any other right of the CITY under this Contract to the time of such termination.

9. Variables in Cost. The parties hereto assume and understand that the variables in Contractor’s cost of performance may fluctuate; consequently, the parties hereto agree that any fluctuations in Contractor’s costs will in no way alter the Contractor’s obligations under this Contract nor excuse performance or delay on his part.

10. Choice of Laws and Venue. This Contract shall be governed by the laws of the State of Oklahoma. Any lawsuit brought concerning this Contract shall be filed with the appropriate state court, Comanche County, Oklahoma or with the United States District Court for Western District of Oklahoma, as applicable.

11. This Contract requires proper signature and acceptance by the Contractor and approval by the Lawton City Council before it becomes effective.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in three (3) originals, the day and year first above written.

(FOR CORPORATIONS ONLY)

Name of Corporation

By _____

Title _____

ATTEST:

Title _____
(AFFIX SEAL)

(FOR PARTNERSHIPS AND PROPRIETORSHIPS)

Name of Partnership or Proprietorship

By _____

Title _____

COUNTY OF COMANCHE }
STATE OF OKLAHOMA }

Before me the undersigned, a Notary Public in and for said state, on this ____ day of _____, 2024, personally appeared _____, a member of the partnership/proprietorship _____ to me known to be the identical person who executed the within and foregoing instrument on behalf of said partnership/proprietorship and acknowledged to me that _____ (he/she) executed the same as _____ (his/her) free and voluntary act and deed, and for the free and voluntary act and deed of said partnership/proprietorship, for the uses and purposes therein set forth.

My Commission Expires _____

Notary Public

CITY OF LAWTON, OKLAHOMA
A Municipal Corporation

Stan Booker, MAYOR

ATTEST:

Donalynn Blazek-Scherler, CITY CLERK

APPROVED as to form and legality this ____ day of _____, 2024.

Tim Wilson, Acting CITY ATTORNEY

I, Joe Dunham, Finance Director of the City of Lawton, Oklahoma, do hereby certify that I have entered the amount for this encumbrance against appropriate Account No. _____ for One Million Nine Hundred Sixty Six Thousand Dollars and Zero Cents (\$1,966,00.00), and after charging account titled _____ with this encumbrance there is an unencumbered balance in said account of \$ _____.

Dated this ____ day of _____, 2024.

Joe Dunham, FINANCE DIRECTOR



City of Lawton

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

Commentary

File #: 24-1258

Agenda Date: 2/27/2024

Agenda No: 6.

ITEM TITLE:

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.

INITIATOR: Jason Poudrier

STAFF INFORMATION SOURCE: Jason Poudrier

BACKGROUND: The roof of the John Denney Playhouse at 1316 NW Bell Ave, Lawton, OK 73507 was deemed a total loss after the June Hailstorm. Insurance and FEMA both noted that the roof is in need of complete replacement. Replacement cost is \$207,403.42 which would be paid out of Arts and Humanities Repair and Maintenance budget and reimburse by insurance and/or FEMA after work is completed and inspected.

The remaining balance of the Arts and Humanities Repair and Maintenance budget would be \$190,814.14 after payment to OMES and Ford Roofing. Any discrepancy between insurance payment to the City and cost of repairs should be recouped from insurance or FEMA after work is completed and inspected.

This repair falls in-line with the City's Truth North Culture statement as this is a City Building used primarily by private citizens, and by promptly repairing it, we are putting citizens first; furthermore, the expenditures should be covered entirely by insurance and FEMA, and therefore, no direct cost to the citizens.

EXHIBIT: Proposal COL John Denney Playhouse

KEY ISSUES: The John Denney Playhouse is unable to be used in its current state.

FUNDING SOURCE: Arts and Humanities Repair and Maintenance Budget

STAFF RECOMMENDED COUNCIL ACTION: Authorize staff to approve contract with Clayco Industries.

Clayco Industries Inc., DBA Ford Roofing & Sheet Metal Co.



Clayton L. "Buddy" Green, Jr.
Owner

15 W. Bishop Rd.
P.O. Box 941
Lawton, Oklahoma 73502
580-355-5447 phone
580-248-6081 fax
November 30, 2023

Mr. Mike Jones
City of Lawton
2800 W. Gore Blvd
Lawton, OK 73505
580-581-3297

John Denny Playhouse Reroof – 1308 NW Bell Ave.
Install .060" TPO Membrane Roof System

Scope of work

We agree to supply the necessary labor, materials, tools, equipment, and incidentals to complete the following:

1. Remove existing single ply roofing and tapered insulation system to wood deck.
2. Install (1) layer of 2.6" Polyiso roof board insulation on the domed roof section. R-15
3. At flat roof sections mechanically attach (1) layer of 2" ISO base layer. Install 1/8" tapered ISO system with 1/2" starting thickness to equal minimum R-15.
4. Install new white .060" TPO membrane roof system fully adhered. Flash all walls, curbs, and roof penetrations as per manufacturer's 20yr specifications.
5. Install new 24ga prefinished ANSI SPRI ES-1 manufactured metal eave trim. Fabricate and install new 24ga prefinished metal counter flashing, new counter flashing at all roof curbs. Install new 24ga prefinished box gutters and downspouts to match existing.
6. Provide 20yr State of Oklahoma Roof Warranty and 2yr Contractor's Guarantee.
7. Provide serviced of an Oklahoma licensed M.E.P. contractor to raise all rooftop M.E.P. to allow for reroof operations and to accommodate new thickness of roof.
8. Provide professionally sealed plans and specifications from an Oklahoma licensed architect.
9. All work to be performed through the Oklahoma Roof Asset Management program by OMES.
10. Exclusions: Deteriorated/damaged decking; deteriorated/damaged fascia and soffit.

Total Proposed Price **\$207,403.32**

We propose and agree to furnish all the necessary labor and materials to install, as described herein.

TERMS- Payments to be made on estimates according to specifications or work-in-place to be paid by the 10th of each month and the balance of contract price with extras upon completion of our contract. 1.5% interest per month will be charged on all past due accounts.

- I. Where we are to furnish maintenance guaranty or surety bond, it is agreed that our regular forms will be acceptable.
- II. All facts are covered in this proposal and no verbal agreement shall be recognized.
- III. This proposal is subject to cancellation by us within ten (10) days after the general contract is awarded, unless it is accepted by both parties before that date and approved by our office.
- IV. We are not responsible for damage caused by wind, hail, tornado, rising water floods, riots, insurrections or an act of God while work is in progress or after completion.

ACCEPTANCE OF ABOVE PROPOSAL,

Date: _____ Date: _____

Name: _____ By: _____

Mike Clodfelter, Project Manager

Company: _____ FORD ROOFING AND SHEET METAL CO.

Upon acceptance, return one signed copy and keep one copy for your records.

This proposal is good for (30) days unless specified otherwise.

State of Oklahoma Roof Asset Management Program
 Clayco Industries Inc., DBA Ford Roofing and Sheet Metal
 Unit Price Schedule, AREA 4

Date
 Job Name

11/29/2023
 City of Lawton
 John Denny Playhouse

Y/N	2.1 WATERPROOFING & DAMPPROOFING			Unit	Unit Price X	Quantity	=	Price	
Y	2.1	20	300	Caulking, polyurethane, 1/4" x 1/4" 1 component, in place.	LF	\$0.95	2,720.00	LF	\$2,584.00
Y	2.2	10	100	Demolition of roof insulation, per in. of depth.(8,684BF tapered; 18,200BF of 2" ISO on Flat	SF	\$0.48	26,884.00	SF	\$12,904.32
Y	2.2	20	400	Roof deck insulation, Isocyanurate in 4' x 4' or 4' x 8' sheets, 2.5" thick, R-15.3, mechanically fastened.(25sq of 2"ISO base for tapered roof to equal R-15)	SF	\$1.82	2,000.00	SF	\$3,640.00
Y	2.2	20	400	Roof deck insulation, Isocyanurate in 4' x 4' or 4' x 8' sheets, 2.5" thick, R-15.3, mechanically fastened.(66sq 2.6"ISO for R-15 barrel roof)	SF	\$1.82	6,864.00	SF	\$12,492.48
Y	2.2	50	100	Roof deck insulation, Isocyanurate (black facer only), tapered, 1/4" per foot slope, applied in Type IV asphalt, per inch of depth.(1/8" tapered with 1/2" start to equal R-15)	SF	\$1.37	8,684.00	SF	\$11,897.08
Y	2.2	60	200	Roof deck insulation, foam adhesive, per layer, per SF.(8,684SF for tapered)	SF	\$0.72	8,684.00	SF	\$6,252.48
Y	2.4	10	210	Remove single ply roof, membrane (partial or fully adhered) only.	SF	\$0.21	9,100.00	SF	\$1,911.00
Y	2.4	70	350	Single Ply Roof, TPO, 60mils reinforced, fully adhered(91sq + 10% waste)	SF	\$3.36	10,010.00	SF	\$33,633.60
Y	2.4	70	350	Additional Charge for Steep Slope TPO Roofing	SF	\$2.83	6,600.00	SF	\$18,678.00
Y	2.4	70	420	Single Ply Roof, TPO, prefabricated pipe boot flashing	EA	\$71.24	7.00	EA	\$498.68
Y	2.4	80	700	Flashing membrane, TPO fleece back	SF	\$4.75	904.00	SF	\$4,294.00
Y	2.6	20	200	Counterflashing, galvanized 24 ga. Galvanized, 6" wide.	LF	\$3.50	50.00	LF	\$175.00
Y	2.6	30	100	Remove metal edge, gravel stop, eave strip or coping.	LF	\$0.50	540.00	LF	\$270.00
Y	2.6	30	400	Gravel stop, galvanized steel, ANSI SPRI ES 1	LF	\$7.50	540.00	LF	\$4,050.00
Y	2.6	40	100	Remove metal gutter.	LF	\$0.50	380.00	LF	\$190.00
Y	2.6	40	300	Gutter, galvanized steel, 24 gauge 5" box or ogee, Kynar finish.	LF	\$15.30	380.00	LF	\$5,814.00

State of Oklahoma Roof Asset Management Program
 Clayco Industries Inc., DBA Ford Roofing and Sheet Metal
 Unit Price Schedule, AREA 4

Date
 Job Name

11/29/2023
 City of Lawton
 John Denny Playhouse

Y/N	2.1 WATERPROOFING & DAMPPROOFING			Unit	Unit Price X	Quantity	=	Price	
Y	2.6	50	100	Remove metal downspouts.	LF	\$0.50	240.00	LF	\$120.00
Y	2.6	50	200	Downspout, galvanized, 24 gauge 3" x 4", Kynar finished.	LF	\$14.57	240.00	LF	\$3,496.80
Y	2.7	40	100	Nailer, treated wood, 1" x 4".	LF	\$2.05	540.00	LF	\$1,107.00
Y	2.7	40	300	Nailer, treated wood, 2" x 6".	LF	\$4.00	540.00	LF	\$2,160.00
Y	2.8	60	100	Termination bar, aluminum, 1/4" x 1".	LF	\$2.35	50.00	LF	\$117.50
Y	2.8	70	200	Pitch pocket, GI, 24 ga., 8" x 8" with storm collar.	EA	\$115.00	5.00	EA	\$575.00
Y	2.8	70	300	Pitch pocket, resurface top only.	EA	\$45.00	5.00	EA	\$225.00
Y	2.9	40	500	Architectural Plans and Specifications with Professional Seal.	SF	\$0.28	9,100.00	SF	\$2,548.00
Y	2.9	40	600	Architectural inspection and project oversight on location service	SF	\$0.10	9,100.00	SF	\$910.00
Y	5.1	10	100	Dump fees.					3185
Y	5.1	10	101	(0) to (50) miles round trip.	EA	\$475.00	8.00	EA	\$3,800.00
Y	5.1	20	200	Furnish forklift, reach.	HR	\$75.00	80.00	HR	\$6,000.00
Y	5.1	20	300	Furnish man lift, articulated.	HR	\$80.00	40.00	HR	\$3,200.00
Y	5.1	20	800	Furnish Safety Monitor on roof.	HR	\$55.00	60.00	HR	\$3,300.00
Y	5.1	20	850	Furnish Safety Monitor for traffic.	HR	\$55.00	60.00	HR	\$3,300.00
Y	5.1	20	901	Furnish Mechanical Proposal for misc rooftop services. Subcontractor proposal plus fifteen percent.					\$52,684.48

State of Oklahoma Roof Asset Management Program
 Clayco Industries Inc., DBA Ford Roofing and Sheet Metal
 Unit Price Schedule, AREA 4

Date 11/29/2023
 Job Name City of Lawton
John Denny Playhouse

Y/N				2.1	WATERPROOFING & DAMPPROOFING	Unit	Unit Price X	Quantity	=	Price
					20 year No Dollar Limit, State of Oklahoma Roof					
Y	5.1	30	100		Warranty, Roofs up to 10,000 sq. ft.	SF	\$0.15	9,100.00	SF	\$1,365.00
						Total Price				<u>\$207,403.42</u>



City of Lawton

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

Commentary

File #: 24-1259

Agenda Date: 2/27/2024

Agenda No: 7.

ITEM TITLE:

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.

INITIATOR: Rusty Whisenhunt, Director of Public Utilities

STAFF INFORMATION SOURCE: Rusty Whisenhunt, Director of Public Utilities

BACKGROUND: City of Lawton and Jacobs Engineering Group entered into a Master Services Agreement on June 27th, 2023, for Professional Engineering Services. Amendment Number 6 Exhibit B-2 shows the scope of services to include surveying, geotechnical investigation, hydraulic analysis, preliminary design, final design, preparation of construction documents, bidding assistance and construction support services for the workorder issued or as amended for Professional Engineering Services. This project scope includes a new lift station (LS) and force main located near the intersection of SW Belmont Avenue and SW 6th Street with demolition of the existing lift station. **The project is imperative to uphold the standard of Safe Community for the citizens of Lawton as stated in the True North Culture Statement.**

EXHIBIT: Amendment No. 6 to the Master Services Agreement, Exhibit B-2 - Scope of Services, Exhibit B-3 - Fee Schedule

KEY ISSUES: Does City Council wish to approve 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?

FUNDING SOURCE: CWSRF Loan Number ORF-24-0050-CW in the amount of \$30,000,000. Funds available after the contract awarded \$30,000,000. - \$336,655 = \$29,663,345.

STAFF RECOMMENDED COUNCIL ACTION: Approve 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.

**AMENDMENT NO. 6 TO MASTER SERVICES AGREEMENT FOR
PROFESSIONAL SERVICES**

between

JACOBS ENGINEERING GROUP Inc.

And

CITY OF LAWTON

CONTRACT AMENDMENT NO. 6

This Amendment to Agreement made as of this 27th day of February in the year two-thousand and twenty-four is by and between the City of Lawton, Oklahoma, a municipal corporation, hereinafter referred to as “First Party” or “Owner” and Jacobs Engineering Group Inc., hereinafter referred to as “Second Party” or “Engineer.”

WITNESSETH

WHEREAS the parties hereto have a Master Service Agreement for professional services dated June 27, 2023, for providing Contract Documents for the Amendment No. 6, Work Package No. 6.

WHEREAS the parties hereto desire to enter into an amendment to said Agreement to include additional professional services outlined herein, and all provisions of the contract and previous amendments remain in full effect except the additional scope of services in Amendment No. 6.

NOW THEREFORE, that in consideration of the covenants, agreements and representations hereinafter set forth, it is mutually agreed by the parties hereto that the Agreement entered into by the parties on June 27, 2023, is further amended as follows:

I. Additional Professional Services

The ENGINEER will provide professional assistance pertaining to the design and preparation of bidding documents and services during construction for the Belmont wastewater lift station and forcemain. The ENGINEER will provide the scope of services in conformance with the attached Exhibit B-2 – Scope of Services (“Services”), Exhibit B-3 - Rate Schedule (Fee Schedule) and the applicable contract requirements as specified in the Agreement.

The OWNER will compensate ENGINEER for engineering work associated with the Services outlined in Exhibit B-2 for a lump sum amount not to exceed three hundred thirty six thousand and six hundred fifty five dollars (\$336,655.00). In the event OWNER requests extra work be performed that is not already identified in the tasks above or the amended Agreement, OWNER and ENGINEER will negotiate an additional fee for such work. Any additional fee negotiated must be agreed to in writing by the parties prior to any such extra work commencing. The OWNER represents that funding sources are in place with the available funds necessary to pay ENGINEER.

All other requirements of the Agreement remain in effect except those changed by contract amendments herein.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

ENGINEER

By: Douglas L. Smith

Printed Name: DOUGLAS L. SMITH

Title: DESIGNATED MANAGER

OWNER

APPROVED by the Council and signed by the Mayor for the City of Lawton this _____ day of _____, 20_____.

THE CITY OF LAWTON
A Municipal Corporation,

By: _____

MAYOR STANLEY BOOKER

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 20_____.

TIM WILSON, ACTING CITY ATTORNEY

Master Service Agreement-Amendment No. 6

Belmont Avenue Lift Station and Force Main Replacement Project

Exhibit B-2 – SCOPE OF SERVICES

LAWTON PUBLIC UTILITIES

- Wastewater Treatment Design Service (NOT INCLUDED)
- Water Treatment Design Services (NOT INCLUDED)
- Water Line Design Services (NOT INCLUDED)
- Wastewater Line Design Services
- Stormwater Design Services (NOT INCLUDED)
- Engineering Report Services for Projects
- Dams Design Services (NOT INCLUDED)
- Grant and Financial loans Assistance (NOT INCLUDED)
- Project Management and Inspection Services (NOT INCLUDED)
- Other Public Utilities Improvements (NOT INCLUDED)

General

This scope of services includes surveying, geotechnical investigation, hydraulic analysis, preliminary design, final design, preparation of construction documents, bidding assistance and construction support services for the workorder issued or as amended for Professional Engineering Services. This project scope includes a new lift station (LS) and force main located near the intersection of SW Belmont Avenue and SW 6th Street with demolition of the existing lift station.

General Overview of the Scope for the pump station is as follows:

- New submersible lift station with chopper style pumps (same capacity as existing LS-0.25-0.3 mgd) and valve vault, located within city owned property.
- New "Muffin Monster" grinder with bypass piping in manhole, upstream of proposed lift station
- Bypass pump hook up on proposed lift station discharge piping
- Flow equalization basin/tank and piping located within lift station property to hold 24 hours of average flow to lift station.
- Electrical feed for new LS, with standby power generator that includes fuel storage (diesel) to run for 24 hours.
- New control panel with radio communication to city-wide SCADA system
- New 8-inch influent sanitary sewer line to new lift station
- New 4-inch force main replacement from new lift station, parallel to existing force main along SW 6th Street, to existing 36-inch sanitary sewer interceptor connection.
- Site Improvements – grading, fencing, double and single gates, surfacing and access clearance for maintenance
- Demolition of existing lift station and regrading of site

Task 1 - Project Management

Jacobs will provide project management for all project tasks. Project management will include, but not be limited to, developing and implementing a project management plan; tracking and managing internal schedules of work; monitoring and addressing issues related to the scope of work, budget, and deliverables; preparing and processing monthly billings; providing labor resources necessary to fulfill scoped work within the defined schedule; scheduling and participating in quality control reviews; and providing updates to the Owner on a regular basis.

- A. Jacobs will coordinate design efforts on project tasks identified in work order or contact amendment.
- B. Jacobs shall prepare a brief project update and common monthly invoice for all engineering services.

Task 2 – Surveys

Jacobs, or Subconsultant will provide field survey data for designing the project, and this survey will be tied to the Owner's control network. The survey will include the following:

- A. The limits for the surveys shall be existing lift station site, influent gravity line (three upstream MHs), existing force main and ROW for SW 6th Street (100 ft past tie-in location) and proposed new site for lift station (East of splash park building and north along SW 6th street within park property). Pipeline survey shall be a corridor for required routing of influent and effluent piping to new pump station.
- B. Positions and elevations of natural ground features, edge of pavement, top back of curb with flow lines, valley gutters, cross sections of roadways, top of bank and toe of slope of any creeks present, canals, or ditches; exterior edges of water if applicable; signs, fences, and any other above ground visible features including trees over eight inches in caliper and boundaries of shrubbery areas.
- C. The location, elevation, and description of all surface's visible utilities (i.e., manholes including inverts, top of nut inverts, flow line elevations and pipe sizes to the best of our abilities as viewed in the field, inlets, fire hydrants, water valves, streetlights, vaults, and meter locations). The Oklahoma one-call system (CALL OKIE) will be contacted to help in the location of underground utilities.

Task 3 – Conceptual Design

Jacobs will review the topographic survey and complete a conceptual design to define the site layout, pump station hydraulics and design criteria for the proposed lift station. Jacobs will complete the following activities:

- A. Develop a technical memorandum to document the scope and design criteria for the proposal lift station, equalization basin, force main, and influent gravity sewer.
- B. Assume pump wet well to be precast reinforced concrete pipe manhole with liner system and concrete base. Pump specification to match existing pump flow capacity (from record information or manufacturer's label). Pumping head to be confirmed based upon final hydraulics.
- C. Evaluate options for 24 hours of flow equalization and include in site layout, options to include underground tank or open basin.
- D. Provide lift station site plan and layout of proposed piping for the proposed lift station.

It is assumed that the flow equalization basin to store 24 hours of flow in case of emergency will be based on basin

configuration, flow monitoring and/or pump run time data available and received from City.

Following deliverables will be submitted:

- Draft and Final Conceptual Design Technical Memorandum
- Site Plan and proposed pipeline layout (2 sheets)
- Draft ODEQ Engineering Report

Task 4 – Detailed Design

Upon approval of conceptual design, Jacobs will begin progressing towards final design. Because of the timeline associated with this project, development of a compressed final design deliverables (60%, 90%, Bid Set) will be included in workorder. Final scope per conceptual design will be used to guide final design.

The plan set will assume a scale of 1-inch = 80-ft (half-size) for the force main. It is estimated that a total of approximately 20 sheets would be needed:

- 5 General Sheets
- 10 Design Sheets
- 5 Detail Sheets
- City of Lawton Standard Details relevant to project

It is understood that Jacobs will utilize both Jacobs specifications and Owner's standard technical specifications and details required for the project. Jacobs will present the preliminary design to the Owner at 60% and 90% deliverables for review and comments. Post the 90% phase of the project, Jacobs will conduct final designs to prepare construction plans and specifications, including final construction details and quantities, and an updated Class 1 OPCC (-10% to +15% range of accuracy).

Prior to completion of 90% design, Jacobs will conduct a final field review with the Owner, make needed plan changes because of the final field review, and prepare the construction documents as required to advertise for bids. Jacobs will provide minutes from the meeting that will include review comments from the Owner and notes from the field visit.

The Final Design Deliverable will include the following:

- A. Final drawings, technical specifications, Owner's standard specifications, and project bid schedule indicating the scope, extent, and character of the work to be performed and furnished by the contractor.
- B. Final drawings will include all required collection system connections, if any.
- C. A revised OPCC, based on the information contained in the final design, will be provided that shall include contractor overhead and profit, and contingency. The OPCC will be based on scope included in the bid documents. The developed costs include material procurement and construction and are in the range of accuracy of -10% to +15%.

Coordination of the Oklahoma Department of Environmental Quality (ODEQ) submittal will occur per the following Task 6. Final comments will be incorporated into the construction documents and submitted to ODEQ for review. Comments received by ODEQ will be addressed and incorporated into the construction documents and the project will then be ready for advertisement for bid.

Task 5 – Regulatory and Utility Coordination

Jacobs will furnish one (1) submittal package to the ODEQ for permitting, which will include the following:

- A. One (1) submittal package including the following:
 1. ODEQ Engineering Report Form and Application for Permit to Construct.
 2. Three (3) copies Final Construction Documents.
 3. Permit fees will be paid directly by the Owner.
- B. Upon receipt of comments from ODEQ, Jacobs will provide a revised submittal package based on one (1) round of comments.
- C. ODEQ variance requests and their associated efforts such as calculations, correspondence, presentations, and ODEQ meetings are not anticipated for this project and have therefore not been included in this scope of services.
- D. Jacobs will furnish one (1) project plan set to known utilities (power, gas etc.) within the project area. Assume maximum of three (3) utility companies. Jacobs will conduct a utility coordination meeting with known utilities within the project area. Assume maximum of two (2) utility coordination meetings that will be held virtually and one (1) meeting in-person.

Task 6 – Bid Phase Services

During the bidding phase of the project, Jacobs will:

- Prepare Advertisement for Bids for publication by the Owner. Owner will pay advertising costs outside of this contract. Advertisement and bid documents will be posted by Jacobs on CIVCAST platform.
- Dispense construction contract documents to prospective bidders by utilizing Jacobs's online plan room on CIVCAST.
- Support the contract documents by preparing addenda as appropriate
- Participate in one (1) pre-bid meeting.
- Prepare bid tabulation.
- Evaluate bids and recommend award.
- Prepare conformed documents.

Task 7 – Construction Phase Services

During the construction phase of work, Jacobs will accomplish the following:

- Attend one (1) preconstruction meeting.
- Attend monthly progress/coordination meetings with the Owner/Contractor. Assume 11 in-person meetings.
- Evaluate and respond to construction material submittals and shop drawings. Corrections or comments made by Jacobs on the shop drawings during this review will not relieve Contractor from compliance with requirements of the drawings and specifications. The check will only be for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The Contractor will be responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating

his work with that of all other trades, and performing his work in a safe and satisfactory manner. Jacobs's review shall not constitute approval of safety precautions or constitute approval of construction means, methods, techniques, sequences, procedures, or assembly of various components. When the Contract Documents require certification of performance characteristics of materials, systems, or equipment, either directly or implied, for a complete and workable system, Jacobs shall be entitled to rely upon such submittal or implied certification to establish that the materials, systems, or equipment will meet the performance criteria required by the Contract Documents. The scope assumes 15 submittal reviews and up to 7 resubmittals.

- If the project oversights operation are a part of the workorder, then Jacobs will report to Owner any noted deviation from construction industry standards. Under request by Owner, Jacobs does not have daily construction observation or site visit requirements during the construction period.
- Issue necessary clarifications (respond to RFIs) regarding the construction contract documents. The scope assumes 40 RFIs.
- Prepare and furnish record drawings based upon a set of redline marked up construction drawings maintained by the Contractor and verified by the Owner during construction observation.
- When authorized by the Owner, prepare change order for changes in the work from that originally provided for in the construction contract documents. If redesign or substantial engineering or surveying is required in the preparation of these change order documents, the Owner will pay Jacobs an additional fee agreed upon by the Owner and Jacobs. The scope assumes 2 change orders.
- Participate in final project inspection, prepare punch list, review final project closing documents, and submit final pay request. One final inspection is assumed.
- City of Lawton provided document control system will be used as construction document management platform.

Task 8- Geotechnical Investigation

Jacobs, or Subconsultant will provide field geotechnical investigation and data for designing the project, and the geotechnical bores will be tied to the Owner's control network and project survey. The geotechnical investigation scope will include the following:

- A. Two 30 ft Geotechnical Bores at location of lift station wet well and EQ basin/tank.
- B. One 10 ft Geotechnical bore along route of proposed FM
- C. All analysis required to provide recommendation on foundation, excavation, and installation of Wet well, EQ basin/tank.

Task 9– Environmental (The National Environmental Policy Act, NEPA)

The use of this item is contingent on Oklahoma Department of Environmental Quality (ODEQ)/Oklahoma Water Resources Board (OWRB) requiring an Environmental assessment as part of the condition of the Drinking Water State Revolving Fund (DWSRF) or Clean Water State Revolving Fund (CWSRF) Loan requirements. If required work will be addressed in a contract amendment that will specify the scope and fee. A submission of Categorical Exclusion (CATEX) documentation will be included in the work order.

Project Deliverables

The following will be submitted to the Owner, or others as indicated, by Jacobs:

- A. Monthly invoices with project update.
- B. Minutes of the Project Kick-Off meeting.
- C. One (1) hard copy of the Conceptual Design Technical Memorandum and Site Layout, if required.
- D. Three (3) half-size (11" x 17") copies of the 60%, 90% Design with Technical and Owner standard specifications and OPCC to Owner
- E. Draft and Final ODEQ Engineering Report Form
- F. Application for a Permit to Construction
- G. Minutes of the Design review meetings (3).
- H. Three (3) half-size (11" x 17") copies of the Final Design with specifications and OPCC, and three (3) copies of the same to ODEQ (if required).
- I. One (1) half-size (11" x 17") copy of the design plans to potentially affected utility companies. Assume maximum of two (2) utility companies.
- J. Five (5) half-size (11" x 17") copies of the Conformed Plans to Owner for dispensing to awarded Contractor.
- K. One (1) hard copy set of Record Drawings.
- L. Electronic files as requested.

Additional Services

The following items are not included in this scope of services but are either anticipated for this project or are potential alternatives that may be selected by the Owner, and can be added by amendment if requested by the Owner:

- A. Construction Administration beyond services listed in this Workorder.
- B. Construction Observation
- C. Lift station design beyond the limits identified in this Workorder.

The following items are not included under this scope of services but will be considered as extra work and will be paid for at the base Hourly rate in Master services agreement.:

- A. Redesign for the Owner's convenience or due to changed conditions after previous alternate direction and/or approval.
- B. Deliverables in addition to those listed herein.
- C. Design of any utilities relocation other than as specified in this scope.
- D. Preparation of a Storm Water Pollution Prevention Plan (SWPPP). The construction contract documents will require the Contractor to prepare, maintain, and submit a SWPPP to DEQ.
- E. Preparation of Traffic Control Plan (TCP).

- F. Creek or Railroad Crossings.
- G. Design assumes pavement restoration above trench section. Full-width pavement design is excluded.
- H. Construction materials testing.
- I. Geotechnical services will be defined under the workorder or as defined in contract amendment.
- J. Environmental Handling and Documentation, including environmental information group, wetlands identification or mitigation plans, or other work related to environmentally or historically (culturally) significant items.
- K. Coordination with FEMA and preparation/submittal of a CLOMR and/or LOMR.
- L. Services after construction, such as warranty follow-up, operations support, etc.
- M. Litigation Assistance

Additional Services will be as directed by the Owner in writing through contract amendment or based of hourly rate schedule in Exhibit B-3.

Schedule

Jacobs shall begin work under this Agreement within ten (10) days of a Notice to Proceed and shall complete the work in accordance with the schedule established for each Project: Project that are required to be expedited with will be covered in the workorder or Scope of Services under the amendment to contract.

9 months Design
2 months Bidding duration
12 months Construction Duration

**Master Service Agreement-Amendment No. 6
Belmont Avenue Lift Station and Force Main Replacement Project**

Exhibit B-3 – FEE SCHEDULE

Task Description	Fee (\$)
Task 1 Project Management	\$ 12,428
Task 2 Survey	\$ 24,828
Task 3 Conceptual Design	\$ 18,873
Task 4 Detailed Design	\$ 107,072
Task 5 Regulatory and Utility Coordination	\$ 6,732
Task 6 Bid Phase Services	\$ 18,325
Task 7 Construction Phase Services	\$ 72,512
Task 8 Geotechnical Services	\$ 11,330
Task 9 Environmental Allowance	\$ 10,000
Owner Authorized Allowance	\$ 40,000
Expenses	\$ 14,555
Total	\$ 336,655



City of Lawton

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

Commentary

File #: 24-1271

Agenda Date: 2/27/2024

Agenda No: 8.

ITEM TITLE:

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.

INITIATOR: Rusty Whisenhunt, Director of Public Utilities

STAFF INFORMATION SOURCE: Rusty Whisenhunt, Director of Public Utilities

BACKGROUND: City of Lawton entered into a Master Service Agreement with Jacobs Engineering Group, INC, on June 27th, 2023. Amendment Number 7 Exhibit B-2 shows the scope of services to include surveying, preliminary design, final design, preparation of construction documents, bidding assistance and construction support services for the workorder issued or as amended for Professional Engineering Services. This project scope includes sewer main replacement by pipe bursting and manhole replacement throughout the City of Lawton. **This project is imperative to uphold the standard of Safe Community for the citizens of Lawton as stated in the True North Culture Statement.**

EXHIBIT: Amendment No. 7 to the Master Services Agreement, Exhibit B-2 - Scope of Services, Exhibit B-3 - Fee Schedule

KEY ISSUES: Does the City Council wish to approve 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?

FUNDING SOURCE: CWSRF Loan Number ORF-24-0050-CW in the amount of \$30,000,000. Funds available after the contract awarded \$30,000,000. - amendment 6 in amount \$336,655 - amendment 7 in amount \$420,163. = \$29,243,182 remaining.

STAFF RECOMMENDED COUNCIL ACTION: Approve 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.

**AMENDMENT NO. 7 TO MASTER SERVICES AGREEMENT FOR
PROFESSIONAL SERVICES**

between

JACOBS ENGINEERING GROUP Inc.

And

CITY OF LAWTON

CONTRACT AMENDMENT NO. 7

This Amendment to Agreement made as of this 27th day of February in the year two-thousand and twenty-four is by and between the City of Lawton, Oklahoma, a municipal corporation, hereinafter referred to as “First Party” or “Owner” and Jacobs Engineering Group Inc., hereinafter referred to as “Second Party” or “Engineer.”

WITNESSETH

WHEREAS the parties hereto have a Master Service Agreement for professional services dated June 27, 2023, for providing Contract Documents for the Amendment No. 7, Work Package No. 7.

WHEREAS the parties hereto desire to enter into an amendment to said Agreement to include additional professional services outlined herein, and all provisions of the contract and previous amendments remain in full effect except the additional scope of services in Amendment No. 7.

NOW THEREFORE, that in consideration of the covenants, agreements and representations hereinafter set forth, it is mutually agreed by the parties hereto that the Agreement entered into by the parties on June 27, 2023, is further amended as follows:

I. Additional Professional Services

The ENGINEER will provide professional assistance pertaining to the design and preparation of bidding documents and services during construction for the wastewater line rehabilitation construction. The ENGINEER will provide the scope of services in conformance with the attached Exhibit B-2 – Scope of Services (“Services”), Exhibit B-3 - Rate Schedule (Fee Schedule) and the applicable contract requirements as specified in the Agreement.

The OWNER will compensate ENGINEER for engineering work associated with the Services outlined in Exhibit B-2 for a lump sum amount not to exceed four hundred twenty thousand and one hundred sixty three dollars (\$420,163.00). In the event OWNER requests extra work be performed that is not already identified in the tasks above or the amended Agreement, OWNER and ENGINEER will negotiate an additional fee for such work. Any additional fee negotiated must be agreed to in writing by the parties prior to any such extra work commencing. The OWNER represents that funding sources are in place with the available funds necessary to pay ENGINEER.

All other requirements of the Agreement remain in effect except those changed by contract amendments herein.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

ENGINEER

By: Douglas L. Smith

Printed Name: DOUGLAS L. SMITH

Title: DESIGNATED MANAGER

OWNER

APPROVED by the Council and signed by the Mayor for the City of Lawton this _____ day of _____, 20_____.

THE CITY OF LAWTON
A Municipal Corporation,

By: _____

MAYOR STANLEY BOOKER

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 20_____.

TIM WILSON, ACTING CITY ATTORNEY

Amendment #7 – Sewer Bursting Project

Exhibit B-2 – SCOPE OF SERVICES

LAWTON PUBLIC UTILITIES

- Wastewater Treatment Design Service (NOT INCLUDED)
- Water Treatment Design Services (NOT INCLUDED)
- Water Line Design Services (NOT INCLUDED)
- Wastewater Line Design Services
- Stormwater Design Services (NOT INCLUDED)
- Engineering Report Services for Projects (NOT INCLUDED)
- Dams Design Services (NOT INCLUDED)
- Grant and Financial loans Assistance (NOT INCLUDED)
- Project Management and Inspection Services (NOT INCLUDED)
- Other Public Utilities Improvements (NOT INCLUDED)

General

The scope of services includes surveying, preliminary design, final design, preparation of construction documents, bidding assistance and construction support services for the workorder issued or as amended for Professional Engineering Services. This project scope includes sewer main replacement by pipe bursting and manhole replacement throughout the City of Lawton. The areas of work are summarized below by Lawton Map Number. For each area, the estimated length of pipe, the pipe size, and the number of manholes are summarized in the table below. Additionally, one area in Map 10 will require an open cut gravity sewer for approximately 400 LF to incorporate small private laterals into a public sewer.

Lawton Map Number	Number of Independent Locations of Work within Each Map	Total Sewer Main Length (LF)	Sewer Main Diameter(s) (in)	Number of Sewer Manholes
3	1	313	8	2
9	2	1011	8	6
10	4	2277	8, 10	13
11	1	638	8	2
12	1	436	8	2
29	4	2840	6, 8	13
30	1	540	6, 8	4
37	1	479	8	3
39	1	785	8	4
40	2	1214	8	4
41	2	1048	8	4
42	2	985	8	5
43	1	767	8	4
46	1	287	6	3
58	3	1546	6, 8	6

Lawton Map Number	Number of Independent Locations of Work within Each Map	Total Sewer Main Length (LF)	Sewer Main Diameter(s) (in)	Number of Sewer Manholes
59	1	827	6, 8	3
60	1	399	8	2
Totals				
17	28	15990	6, 8, 10	72

Task 1 - Project Management

Jacobs will provide project management for all project tasks. Project management will include, but not be limited to developing and implementing a project management plan; tracking and managing internal schedules of work; monitoring and addressing issues related to the scope of work, budget, and deliverables; preparing and processing monthly billings; providing labor resources necessary to fulfill scoped work within the defined schedule; scheduling and participating in quality control reviews; and providing updates to the Owner on a regular basis.

- A. Jacobs will coordinate design efforts on project tasks identified in work order or contact amendment.
- B. Jacobs shall prepare a brief project update and common monthly invoice for all engineering services.

Task 2 – Surveys

Jacobs, or Subconsultant will provide field survey data for designing the project, and this survey will be tied to the Owner’s control network. The survey will include the following:

- A. Perform a field topographic / as-built survey that is compliant with the Statutes Regulating the Practice of Engineering and Land Surveying, O.S. Title 59, Sections 475.1-475.22b, the Corner Perpetuation Filing Act O.S. Title 65, Sections 3.116-3.123 and the Oklahoma Administrative Code Title 245, of the State of Oklahoma.
- B. Unless otherwise specified, the survey will be established using existing physical monumentation to identify the horizontal and vertical control for the project area. The project will then be adjusted horizontally to client specifications and vertically to the North American Vertical Datum (NAVD) 88 for orthometric heights and GEOID XX for geoidal separations with references to the City of Lawton geodetic network, if available.
- C. Positions and elevations will be collected and mapped for the location, elevation, and description of (80) sanitary sewer manholes and (10) sanitary sewer cleanouts including centerline inverts only (measure downs), centerline flow line elevations, and pipe sizes / material as viewed in the field, in addition to all visible surface utilities to inlets, fire hydrants, water valves, vaults, and any meter locations within the limits as shown on Attachment A Utilities will be located based on above-ground evidence, structures, and record drawings furnished by each utility owner. The Oklahoma one-call system (CALL OKIE) will be contacted to help in the location of underground utilities.
- D. All existing planimetric, improvements, and utilities will be collected and mapped including, but not limited to: pavement, sidewalk, back of curb, edge of pavement, top of block wall footings, signs and

fences, and any other visible above ground features within the limits of the existing sanitary sewer line segments as shown in Attachment A.

Task 3 – Hydraulic Analysis (NOT INCLUDED)

Task 4 – Design

Upon completion of survey process, Jacobs will begin progressing towards final design. Because of the timeline associated with this project, development of final design deliverables (60%, 90%, Bid Set) will be included. The following wastewater lines will be included in design:

- 15,600 LF of 8" wastewater line
- 500 LF of 10" wastewater line
- Up to 72 Sanitary Sewer Manhole Replacements (some manholes may be determined to remain in place by the City after the survey process; older manholes will likely be replaced)

The plan-set will assume a scale of 1-inch = 80-ft (half-size). It is estimated that a total of 29 sheets would be needed:

- 5 General Sheets
- 11 Design Sheets
- 13 Detail Sheets

It is understood that Jacobs will utilize the Owner's standard technical specifications and details for all line and pavement construction. Jacobs will present their preliminary design to the Owner at 60% and 90% deliverables for review and comments. During the 90% phase of the project, Jacobs will conduct final designs to prepare construction plans and specifications for contracts as defined in workorder or amendment, including final construction details and quantities, and an updated a Class 1 OPCC (-10% to +15% range of accuracy).

The quantity of sanitary service reconnections for design will be determined by a count of surface structures along each sanitary sewer segment.

Prior to completion of 90% design, Jacobs will conduct a final field review with the Owner, make needed plan changes as a result of the final field review and/or special easement acquisition considerations, and prepare the construction documents as required to advertise for bids. Upon submission of the 90% design, the Owner will perform a QA/QC review. Jacobs will then conduct a final 90% design review meeting with the Owner (in-person at the Owner's office). Jacobs will provide minutes from the meeting that will include review comments from the Owner and notes from the field visit.

The Final Design Deliverable will include the following:

- A. Final bid documents, Owner standard specifications, and project bid schedule indicating the scope, extent, and character of the Work to be performed and furnished by the contractor. Jacobs will utilize the Owner's standardized front end and technical specifications in the contract documents.
- B. A revised OPCC, based on the information contained in the Final Design, will be provided that shall include contractor overhead and profit, and contingency. The OPCC will be based on unit prices

included in the bid documents. The developed costs include material procurement and construction and are in the range of accuracy of -10% to +15%. Jacobs does not warranty actual bid amounts.

Task 5 – Coordination between the City of Lawton and Financing Agency

Jacobs will furnish one (1) submittal package to the ODEQ/OWRB for permitting, which will include the following:

- A. One (1) submittal package including the following:
 1. ODEQ Engineering Report Form and Application for Permit to Construct (if needed).
 2. Permit fees will be paid directly by the Owner (if needed).
- B. ODEQ/OWRB variance requests and their associated efforts such as calculations, correspondence, presentations, and ODEQ/OWRB meetings are not anticipated for this project and have therefore not been included in this scope of services.

Task 6 – Bidding Services per each Project

During the bidding phase of the project, Jacobs will:

- Prepare Advertisement for Bids for publication by the Owner. Owner will pay advertising costs outside of this contract. Advertisement will be posted on CIVCAST platform.
- Dispense construction contract documents to prospective bidders by utilizing Jacobs's online plan room.
- Support the contract documents by preparing addenda as appropriate.
- Participate in one (1) pre-bid meeting per project.
- Attend Bid Opening
- Prepare bid tabulation.
- Evaluate bids and recommend award.
- Prepare construction contracts and prepare Conformed Documents

Task 7 – Construction Phase Services per each Project

During the construction phase of work, Jacobs will accomplish the following:

- Attend one (1) preconstruction meeting.
- Attend monthly progress/coordination meetings with the Owner/Contractor. Assume 12 in-person meetings.
- Evaluate and respond to construction material submittals and shop drawings. Corrections or comments made by Jacobs on the shop drawings during this review will not relieve Contractor from compliance with requirements of the drawings and specifications. The check will only be for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The Contractor will be responsible for confirming and correlating all quantities and dimensions, selecting fabrication processes and techniques of construction, coordinating his work with that of all other trades, and performing his work in a safe and satisfactory manner. Jacobs's review shall not constitute approval of safety precautions or constitute approval of

construction means, methods, techniques, sequences, procedures, or assembly of various components. When the Contract Documents require certification of performance characteristics of materials, systems, or equipment, either directly or implied, for a complete and workable system, Jacobs shall be entitled to rely upon such submittal or implied certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents. The scope assumes 20 submittal reviews.

- If the project oversight operation is a part of the workorder, then Jacobs will report to Owner any noted deviation from construction industry standards. Under request by Owner, Jacobs does not have daily construction observation or site visit requirements during the construction period.
- Issue necessary clarifications (respond to RFIs) regarding the construction contract documents. The scope assumes 8 RFIs.
- Review Contractor's progress payment requests based on the actual quantities of contract items completed and accepted and will make a recommendation to the Owner regarding payment. Jacobs' recommendation for payment shall not be a representation that Jacobs has made exhaustive or continuous inspections to: (1) check the quality or exact quantities of the Work; (2) to review billings from Subcontractors and material suppliers to substantiate the Contractor's right to payment; or (3) to ascertain how the Contractor has used money previously paid to the Contractor.
- Prepare and furnish record drawings based upon a set of redline marked up construction drawings maintained by the Contractor and verified by the Owner during construction observation. The scope assumes review of 16 partial pay applications.
- When authorized by the Owner, prepare change order for changes in the work from that originally provided for in the construction contract documents. If redesign or substantial engineering or surveying is required in the preparation of these change order documents, the Owner will pay Jacobs an additional fee agreed upon by the Owner and Jacobs. The scope assumes 2 change orders.
- Participate in final project inspection, prepare punch list, review final project closing documents, and submit final pay request. Up to three final inspections of work areas are assumed. These are expected to occur in association with monthly progress meetings and as the Contractor completes work in a group of maps.
- City's document control software will be used as construction document management platform.

Project Deliverables

The following will be submitted to the Owner, or others as indicated, by Jacobs:

- A. Monthly invoices with project update.
- B. Minutes of the Project Kick-Off meeting.
- C. Minutes of the virtual design update meetings.
- D. Minutes of utility coordination meetings.
- E. Three (3) half-size (11" x 17") copies of the 90% Final Design with Owner standard specifications and OPCC to Owner.
- F. ODEQ Engineering Report Form and Application for a Permit to Construct (if needed).
- G. Minutes of the Final Design review meeting.
- H. Three (3) half-size (11" x 17") copies of the Final Design with specifications and OPCC.

- I. Three (3) half-size (11" x 17") copies of the Conformed Plans to Owner for dispensing to awarded Contractor.
- J. One (1) copy of approved shop drawings/submittals from the Contractor.
- K. One (1) hard copy set of Record Drawings.
- L. Electronic files as requested.

Task 8 – Environmental (NEPA) (NOT INCLUDED)

The use of this item is contingent on Oklahoma Department of Environmental Quality/Oklahoma Water Resources Board requiring an Environmental assessment as part of the condition of the Drinking Water State Revolving Fund or Clean Water State Revolving Fund Loan requirements. If required, work will be completed as part of the contingency included in this workorder.

Additional Services

The following items are not included in this scope of services but are either anticipated for this project or are potential alternatives that may be selected by the Owner, and can be added by amendment if requested by the Owner:

- A. Construction Administration beyond services listed in this Workorder.
- B. Construction Observation
- C. Wastewater line design beyond the limits identified in this Workorder.

The following items are not included under this scope of services but will be considered as extra work and will be paid for at the base Hourly rate in Master services agreement.:

- A. Redesign for the Owner’s convenience or due to changed conditions after previous alternate direction and/or approval.
- B. Deliverables in addition to those listed herein.
- C. Design of any utilities relocation other than wastewater lines specified in this scope.
- D. Preparation of a Storm Water Pollution Prevention Plan (SWPPP). The construction contract documents will require the Contractor to prepare, maintain, and submit a SWPPP to DEQ.
- E. Preparation of Traffic Control Plan (TCP).
- F. Creek or Railroad Crossings.
- G. Design assumes pavement restoration above trench section. Full-width pavement design is excluded.
- H. Construction materials testing.
- I. Geotechnical services will be defined under the workorder or as defined in contract amendment.
- J. Environmental Handling and Documentation, including environmental information group, wetlands identification or mitigation plans or other work related to environmentally or historically (culturally) significant items.
- K. Coordination with FEMA and preparation/submittal of a CLOMR and/or LOMR.
- L. Services after construction, such as warranty follow-up, operations support, etc.
- M. Litigation Assistance

N. Survey exclusions:

- The deliverable cannot be used for conveyance or a real estate transaction.
- The correction or resolution of erroneous, deficient or ambiguous easement descriptions
- Abstract or easement estate
- Signed and sealed files.
- Title commitment

Additional Services will be as directed by the Owner in writing through owner authorized contingency or based off hourly rate schedule in Exhibit B-3.

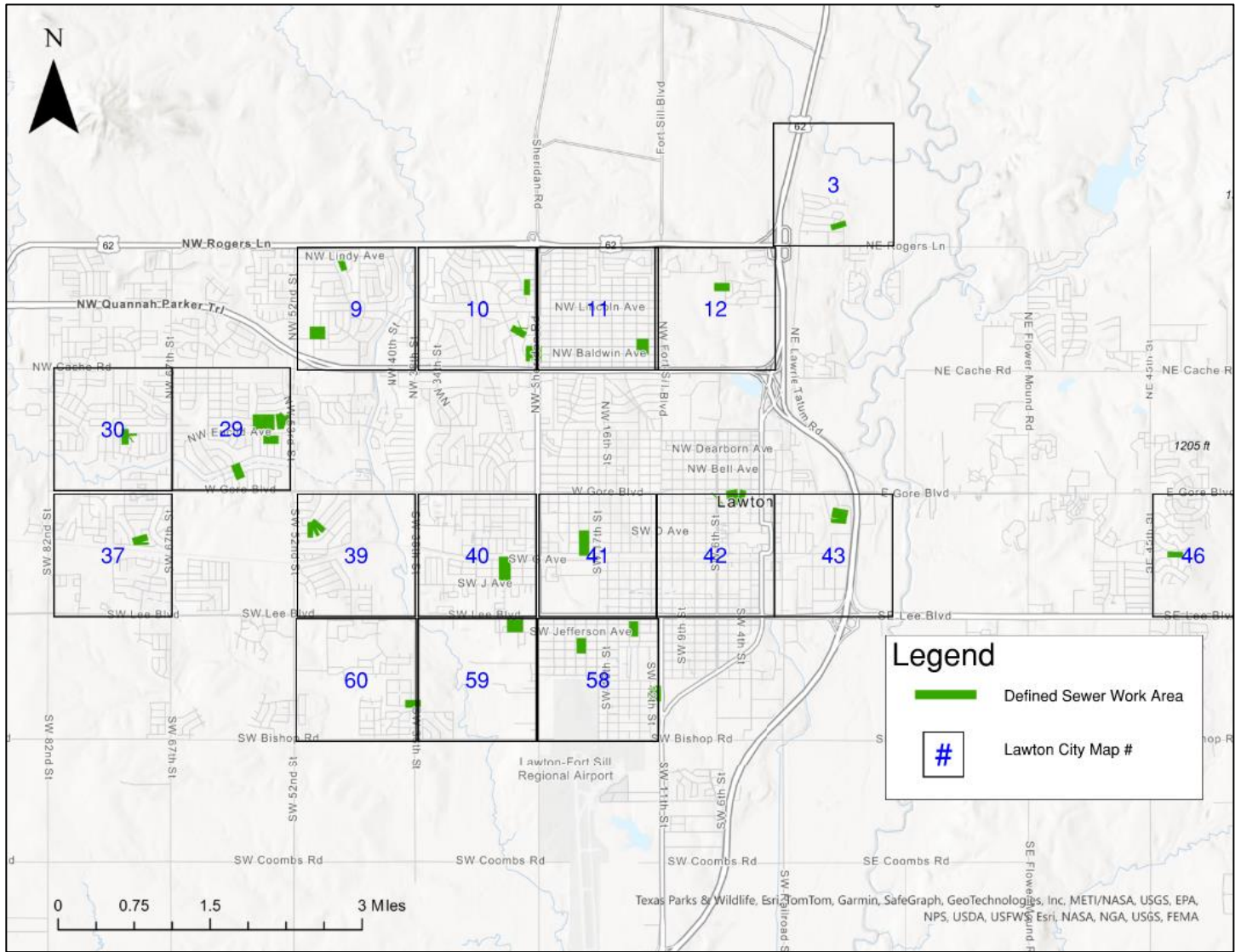
Schedule

Jacobs shall begin work under this Agreement within ten (10) days of a Notice to Proceed and shall complete the work in accordance with the schedule established for each Project: Project that are required to be expedited with will be covered in the workorder or Scope of Services under the amendment to contract.

10 month Design + Bidding

12 month Construction

Attachment A. Sanitary Sewer Site Map



Amendment #7 – Sewer Bursting Project

Exhibit B-3 – FEE SCHEDULE

Exhibit of Engineering Fee is summarized below:

Task Description	Fee (\$)
Task 1 Project Management	\$34,051
Task 2 Survey	\$121,106
Task 3 Hydraulic Analysis (Not Used)	-
Task 4 Design	\$119,835
Task 5 Coordination between City of Lawton and Financing Agency	\$2,114
Task 6 Bidding Services	\$15,921
Task 7 Construction Phase Services	\$87,137
Task 8 Environmental (Not Used)	-
Contingency	\$40,000
Total	\$420,163



City of Lawton

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

Commentary

File #: 24-1267

Agenda Date: 2/27/2024

Agenda No: 9.

ITEM TITLE:

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.

INITIATOR: Tim Wilson, Acting City Attorney

STAFF INFORMATION SOURCE: Cindy Augustine, Real Property Coordinator

BACKGROUND: The City of Lawton is the fee simple owner of Lots 46, 47, and 48, Block 2, in the Subdivision of Blocks 6, 7, & 8 of Woodhouse Subdivision. The City of Lawton acquired said lots by Warranty Deed from Lawton Urban Renewal Authority in 1977. The lots are currently vacant and zoned R-1 (Single-Family Dwelling District). The dimension of each lot is 40 feet by 125 feet. Individually, each lot is non-buildable because they do not meet the minimum 50-foot frontage required by current Lawton City Code. However, since these lots existed prior to November 10, 1964, a request to vary the lot size can be submitted to the Board of Adjustments.

The minimum bid price of \$800 per lot is 80% of the current assessed fair cash value of \$1,000 per lot.

In accordance with Section 10-1-124 of the Lawton City Code, the Notice of Public Auction will be published in the Lawton Constitution on March 12, 2024, posted on the main bulletin board in front of city hall, as well as on the library's bulletin board, and at the courthouse.

I have checked with the Parks and Recreation Department, and they are not aware of any plans for these lots and do not object to selling them. Selling these lots would remove them from Parks and Recreations mowing list and put the lots back on the tax rolls.

EXHIBIT: Location Map

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Declare 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, authorize the lots to be sold by public auction, set a minimum bid of \$800 for the purchase price of each lot, and set a public auction date of March 25, 2024.

NOTICE OF PUBLIC AUCTION

This property will be sold at public auction by the City of Lawton at 10 o'clock a.m. on the 25th day of March 2024, in the Auditorium located in City Hall at 212 SW 9th Street, Lawton, Oklahoma.

Question regarding the terms, conditions, and bid procedures should be directed to Cindy Augustine, Real Property Coordinator, in the Office of the City Attorney at 580/730-8013.



City Owned Lots

Lots 46-48, Block 2, in the Subdivision of Blocks 6, 7, & 8 of Woodhouse Subdivision



City of Lawton

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

Commentary

File #: 24-1282

Agenda Date: 2/27/2024

Agenda No: 10.

ITEM TITLE:

Consider approving the record plat for Bulldog Subdivision and take appropriate action as deemed necessary.

INITIATOR: Christine James, Interim Director of Planning

STAFF INFORMATION SOURCE: Kameron Good, Senior Planner

Christine James, Interim Director of Planning

BACKGROUND: Bulldog Subdivision is about 1.5 acres divided into 2 lots. This plat is located on the east side of NW 73rd Street, south of NW Cache Road. The current zoning is C-3, Planned Community Shopping Center District. The property has been split more than 3 times since 1963 and will need to be platted to split any further. The property owner, Merich Corporation, would like to sell a portion of their land to the daycare center to the south of their property. There are no public improvements to be constructed with this plat.

Stormwater has reviewed the plat and recommends approval.

Public Utilities has reviewed the plat and recommended Lot 2 needs to have a sewer easement. This is based on Chapter 21 Subdivisions Section 21-1-102- Policies "Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; and land shall not be subdivided until appropriate public facilities and improvements are available or proper provisions has been made for drainage, water, sewerage and other capital facilities such as schools, parks and roads." A permanent Sewer Easement (B9417 P240) was given and shown on the plat. It gives Lot 2 access to public sewer to the south.

This record plat was brought to CPC on August 24, 2023 and accepted by Council on October 24, 2023. City code Section 21-3-305 states "Any record plat approved by the council shall be required to be on file in the office of the county clerk within sixty (60) days of the date of approval by the council; if not filed within this time period the approved plat shall be considered void." The developer did not file the plat with the county within sixty days of approval, so this plat is void and must be re-approved. On February 15, 2024, the City Planning Commission made a recommendation of approval.

EXHIBIT: Bulldog Subdivision Record Plat

CPC Minutes August 24, 2023

CPC Minutes February 15, 2024

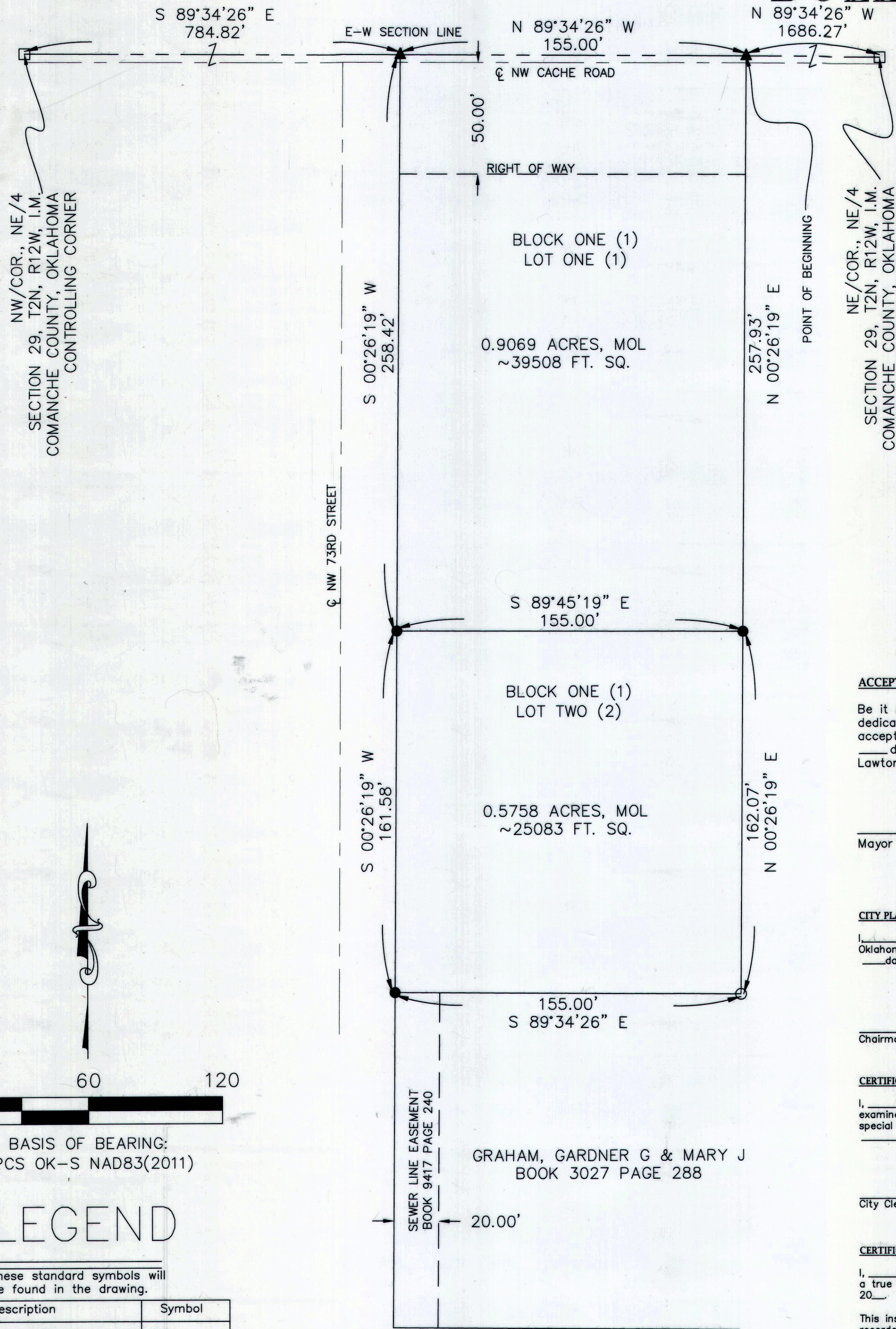
KEY ISSUES: N/A

FUNDING SOURCE: N/A

CPC RECOMMENDED COUNCIL ACTION: Approve the Record Plat for Bulldog Subdivision

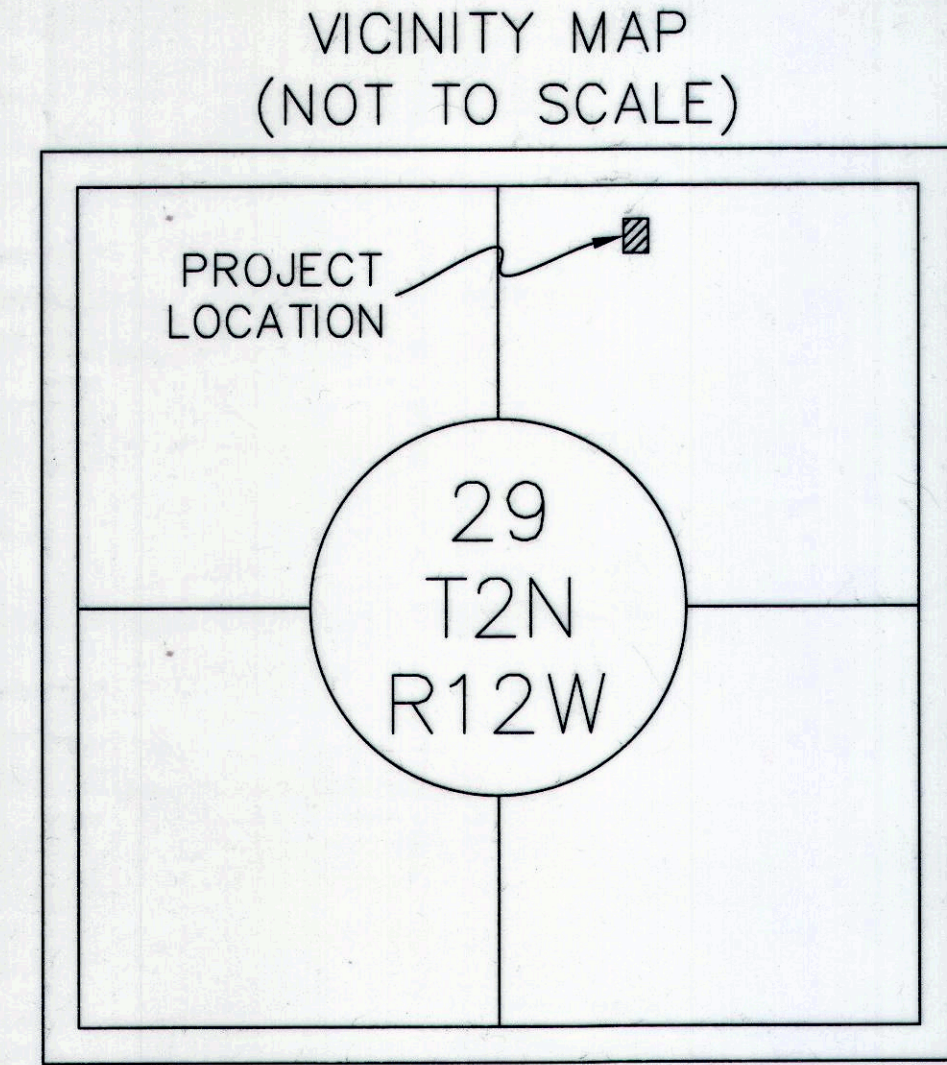
BULLDOG SUBDIVISION

to the City of Lawton
Comanche County, Oklahoma



NW/COR., NE/4
SECTION 29, T2N, R12W, I.M.
COMANCHE COUNTY, OKLAHOMA
CONTROLLING CORNER

NE/COR., NE/4
SECTION 29, T2N, R12W, I.M.
COMANCHE COUNTY, OKLAHOMA
CORNER OF COMMENCEMENT



OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: Merich Corporation, represented by Lane B. Clemmer, being the sole owners in fee simple of the following described real property to wit:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-nine (29), Township Two North (T2N), Range Twelve West (R12W) of the Indian Base and Meridian, Comanche County, Oklahoma, according to the U.S. Government Survey thereof. Said tract of land being more particularly described as follows:

COMMENCING from the Northeast Corner of the Northeast Quarter (NE/4) [Record Deed commences at Northeast Corner of Northeast Quarter] of Section Twenty-nine (29), Township Two North (T2N), Range Twelve West (R12W) of the Indian Base and Meridian, Comanche County, Oklahoma, which is a found survey spike; THENCE, N89°34'26" W along the North line of said NE/4 [Record = N89°33'36" W], a distance of 1686.27 feet to a set mag nail PLS 1944, being the POINT OF BEGINNING; THENCE, N89°34'26" W along the North line of said NE/4 [Record = N89°33'36" W], a distance of 155.00 feet to a set #4 iron pin PLS 1944; THENCE, S00°26'19" W [Record = S00°27'09" W], a distance of 420.00 feet to a set #4 iron pin PLS 1944; THENCE, S89°34'26" E parallel to the North line of said NE/4 [Record = S89°33'36" E], a distance of 155.00 feet to a set #4 iron pin PLS 1944; THENCE, N00°26'19" E [Record = N00°27'09" E], a distance of 420.00 feet to the POINT OF BEGINNING. Said tract containing 1.4827 acres, more or less.

This legal description was prepared by Kyle D. Adams, PLS 1944, on 13 February 2024. The basis of bearing is SPCS OK-S NAD83(2011). This legal description represents the tract described in Book 4171 Page 32 with the Comanche County Clerk. Updated Bearings and distances are given to match the coordinate system used as well as the City of Lawton's Coordinate System. The subject property referenced in said deed is one and the same as shown on this plat.

That it has caused the same to be surveyed and plotted as shown on said annexed plot, which said annexed plot represents a correct survey of all property included therein to the City of Lawton, Comanche County, Oklahoma.

The undersigned does hereby further certify that it is the owner of the land and the only company, corporation, partnership, person or entity having any right, title or interest in and to the land included in said annexed plot.

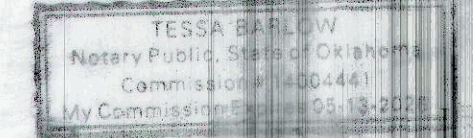
In witness whereof, Lane B. Clemmer, has caused these presents to be signed this 14 day of February, 2024.

By: Lane B. Clemmer
Merich Corporation
Lane B. Clemmer, President

State of Oklahoma
County of Comanche

The foregoing instrument was acknowledged before me this 14 day of February, 2024, by Tessa Barlow.

Tessa Barlow
Notary Public
My Commission Number: 14004411
My Commission Expires: 5/13/2024



ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council, City of Lawton, Oklahoma, that the dedications shown on the above foregoing annexed plat are hereby accepted. Adopted by the City Council, the City of Lawton, Oklahoma, this day of , 20 . Approved by the Mayor of the City of Lawton, Oklahoma this day of , 20 .

ATTEST

Mayor City Clerk

CITY PLANNING COMMISSION APPROVAL

I, _____, Chairman of the CPC for the City of Lawton, County of Comanche, State of Oklahoma, hereby certify that the said Commission duly approved the above foregoing annexed plat on this day of , 20 .

ATTEST

Chairman Secretary

CERTIFICATE OF CITY CLERK

I, _____, City Clerk of the City of Lawton, State of Oklahoma, hereby certify that I have examined the records of the said City and find that all deferred payments or unmatured installments upon special assessments procedure pending against the land shown on the above foregoing annexed plat except: _____ on this day of , 20 .

City Clerk

CERTIFICATE OF COUNTY CLERK

I, _____, County Clerk of the County of Comanche, State of Oklahoma, hereby certify that this is a true and correct copy of a like instrument as appears on record in this office on this day of , 20 .

This instrument was filed on this day of , 20 A.D. at (), and duly recorded in BOOK , PAGE .

County Clerk

SURVEYOR'S CERTIFICATE

I, Kyle D. Adams, a registered Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful and accurate survey of the foregoing described property, and that the above foregoing plat is a correct representation of said survey. This plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as Adopted by the Oklahoma State Board of Licensure for Professional Engineers and Professional Land Surveyors.

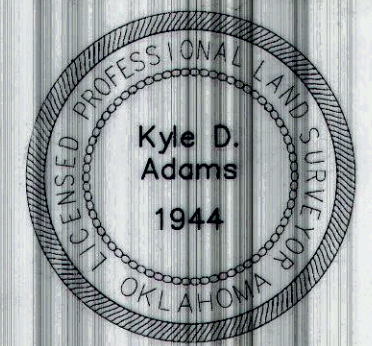
Witness my hand this 13th day of February, 2024.

Kyle D. Adams
Kyle D. Adams PLS 1944

STATE OF OKLAHOMA
COUNTY OF COMANCHE

The foregoing instrument was acknowledged before me this 13 day of February, 2024 by Tessa Barlow

Tessa Barlow
Notary Public
My Commission Number: 14004411
My Commission Expires: 5/13/2024

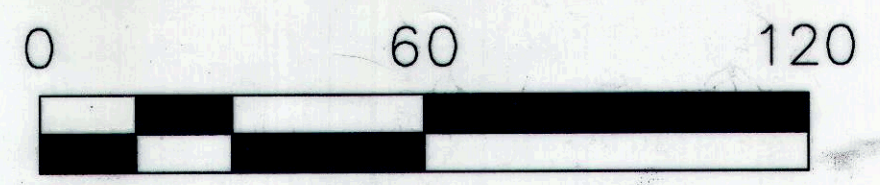


COUNTY TREASURER'S CERTIFICATE

I, _____ do hereby certify that I am the duly elected, qualified and acting County Treasurer of Comanche County, State of Oklahoma, and that the tax records of the said county show all taxes are paid for the year and prior years on the land shown on the above foregoing plat located in Comanche County, Oklahoma.

In witness whereof, said County Treasurer has caused this instrument to be executed at Lawton, Oklahoma on this day of , 20 .

County Treasurer



BASIS OF BEARING:
SPCS OK-S NAD83(2011)

LEGEND

These standard symbols will be found in the drawing.

Description	Symbol
FOUND #4 IRON PIN	○
SET #4 IRON PIN	●
SET MAG NAIL	▲
FOUND MAG NAIL	△
FOUND SURVEY SPIKE	□

CITY PLANNING COMMISSION
CITY HALL AUDITORIUM

August 24, 2023

Minutes of the City Planning Commission meeting held August 24, 2023, in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by Allen Smith.

ROLL CALL

MEMBERS PRESENT:

Darren Medders
Allen Smith
John Jones
Deborah Jones
Michael Logan
Joan Jester
Ron Jarvis

MEMBERS ABSENT:

David Denham (Excused)
Neil Springborn (Excused)

ALSO PRESENT:

Madison Aust, Recording Secretary
Charlotte Brown Director Community Services/Planning
Kameron Good, Senior Planner
Tyler Pobiedzinski, Planner 1
Christina Ryans-Huffer, Planning Administrative Assistant II
Gregory Gibson City Attorney
Gregory Smith

2. Verify posting of meeting.

The meeting was posted on August 21, 2023, at 3:06 pm by Kobe Humble.

3. Establish Quorum.

7 (seven) of the 9 (nine) members where present.

4. Consider approving the minutes from June 29, 2023, meeting.

Motion by Logan, Second by Medders, to approve the minutes from June 29, 2023, meeting as written. **Aye:** J. Jones, Jarvis, D. Jones, Jester, Smith, Medders, Logan **Nay:** None
Motion Passed.

5. Consider approving the minutes from July 13, 2023, Meeting.

Motion by Logan, Second by Medders to approve the minutes from July 13, 2023, meeting as written. **Aye:** J. Jones, Jarvis, Jester, D. Jones, Smith, Medders, Logan **Nay:** None
Motion Passed.

Business

6. Select City Planning Commission member(s) for 2050 Land Use Steering Committee.

7. Hold a public hearing and consider an amendment to Chapter 18, amending Section 18-6-16-678, Chapter 18, Lawton City Code, 2015, by modifying the special screening requirement for the I-3 light industrial district, providing for severability, and allowing floor amendments.

8. Consider approving the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions.

Good stated this is a record plat called Bulldog Subdivision and it's located the southeast corner of Northwest Cache Road and Northwest 73rd Street, address is 7210 NW Cache Road. There is 1(one) parcel, which is the old pharmacy, just west of The Outback and there is a daycare located just south of that, Children of Joy Learning Academy. It has been brought to our attention that they want to give the grass area, south of the pharmacy, to the Children of Joy Learning Center to build a parking lot, for additional parking. This is an unplatted area so they have to split this into 2(two) separate lots so that they can give that portion to the daycare. This is the record plat as you can see, they are splitting that section into 2 (two) separate parcels, 2(two) separate lots, creating that lot they won't have access to sanitary sewer. Currently the northern portion lot 1 (one) has an easement that goes across the Outback parking lot, the lot 2(two) does not. So, subject to those conditions, the condition is that they provide us an easement. The blue area on this picture is shown as a proposed easement that we told them that maybe they can get that easement across the daycare's parking lot, to get access to the sanitary sewer which is the green line on the image.

D. Jones asked what if they don't get the easement.

Good responded then we, this won't go to Council until they get that condition fixed.

Medders asked but if it's parking why would they need a sewer easement.

D. Jones stated all lots need sewage because lots change, you know ownership.

Good stated the use of the lot could change.

D. Jones stated it needs to be a publicly dedicated so they could get access to it.

A. Smith stated but if the owner sold the whole lot as 1 (one), there's already easement up by the pharmacy so they wouldn't need easement.

Good stated correct if they sold the entire lot.

A. Smith stated lot 1 (one) and 2 (two).

Good stated they're wanting to split off that southern portion, is the reason that they're needing to plat this. This was sent to Public Utilities, they approved on everything besides this condition needing to get that access. Storm Water also recommended approval on this plat. There are no public improvements to be constructed at this time and the property is currently zoned C-3 Planned Community Shopping Center District.

Medders asked does that have to be changed for the day care.

Good responded to use it as a parking lot, no Sir.

Medders stated okay.

D. Jones asked Kameron, they have access to water.

Good responded yes. I'm not sure. I think the water line runs potentially along the west side of the street. I'd have to clarify.

D. Jones stated probably. Certainly, there is one on Cache Road, but I would assume because that's a platted street, that the waterline is coming down.

Good stated the condition for that sanitary sewer easement was sent to us from Public Utilities and they didn't say about the water.

D. Jones responded they didn't say there was any problem with water, okay.

A. Smith stated I guess what we're trying to do is just to prove with the condition of having that easement there.

Good responded we've been in contact with the engineer, he's aware of this condition and they're working on acquiring that easement and they would have the options to get it from the Outback property to the east or go across the day care property to the south and get it.

D. Jones asked are you saying that's a public line in the Outback parking lot.

Good responded that green line is a public sanitary sewer line.

D. Jones stated I understand that but you're suggesting that if they couldn't get the one to the south, that they could get one from Outback.

Good responded yes, if they could get an easement to go across that parking lot, so that the property would have access to that sanitary sewer as well. Either way, currently the parcel as it is has an easement, it just goes from the southeast corner of lot 1 (one) and goes across the parking lot and connects. So, they can tie into that east sewer line but this lot 2(two) doesn't have access to that.

D. Jones stated okay.

A. Smith stated but it seems to me, if the daycare is buying that lot, to me that would be the easiest way for them to get their easement.

Good responded that's what was suggested from the Public Utilities Department because the day care is the one acquiring the property and getting that easement document should be easy.

A. Smith stated acquiring that property.

D. Jones stated you want it there because if you have to maintain it, you're not tearing up Outback's parking lot.

Good responded yes.

D. Jones stated you're adjacent to the street easement. Okay, move to approve the record plat for Bulldog Subdivision subject to conditions.

Motion by D. Jones .Second by Medders, to approve the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions. **Aye:** Logan, Medders, A. Smith, D. Jones, Jester, Jarvis, J. Jones. **Nay:** None **Motion Passed.**

CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
February 15, 2024

Minutes of the City Planning Commission meeting held February 15, 2024, in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by David Denham

ROLL CALL

MEMBERS PRESENT

David Denham
Melissa Busse
Ron Jarvis
Allan Smith
Michael Logan
Darren Medders
Neil Springborn

MEMBERS ABSENT:

Joan Jester (excused)
Deborah Jones (excused)

ALSO PRESENT:

Madison Aust, Recording Secretary
Charlotte Brown Director Community Services/Planning
Kameron Good, Senior Planner
Christine James Interim Planning Director
Christina Ryans-Huffer, Planning Administrative Assistant II
Tyler Pobiedzinski Planner I
Gregory Gibson City Attorney
Jon Jernigan Chief Building Official
Dewayne Burk Assistant City Manager
Chris Boyd CBDL
Spencer Brown CBDL
Brian Booker Properties LLC

2. Establish Quorum

7 (seven) of 9 (nine).

3. Verify posting of meeting

The meeting was posted on February 13, 2024 at 11:54 am by Mandye Gillespie.

4. Consider approving the minutes from November 16, 2023, regular scheduled meeting

Motion by Smith, Second by Logan to approve the November 16, 2023 regular scheduled meeting minutes as written **Aye:** Busse, Jarvis, Smith, Medders, Logan, Springborn, Denham **Nay:** None. **Motion Passed.**

5. Consider approving the minutes from December 07, 2023, special scheduled meeting.

Motion by Jarvis, Second by Logan to approve the December 07, 2023 special scheduled meeting minutes as written **Aye:** Jarvis, Smith, Medders, Logan, Springborn, Denham, Busse **Nay:** None. **Motion Passed.**

6. Consider approving the minutes from January 11, 2024, regular scheduled meeting.

Motion by Smith, Second by Logan to approve the January 11, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

7. Consider approving the minutes from January 25, 2024, regular scheduled meeting.

Motion by Springborn, Second by Logan to approve the January 25, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

NEW BUSINESS

8. Consider approving the record replat for Lot 2, Block 1 Fire View Addition and take appropriate action as deemed necessary

James stated good afternoon those of you who don't know who I am, I'm Christine James, I'm the Internal Auditor for the City Of Lawton and I'm helping out and so I am also the Interim Planning Director, for temporarily, I won't say unforeseen future, I'll say temporarily. Today we're bringing back to you the re-plat of Fire View Addition. Just as a recap, this plat is located at the southwest corner of Northwest Quanah Parker Trailway and 67th Street. The original Fire View Plat was approved in 2007. The plat contained approximately 12 (twelve) acres and it was divided into 3 (three) lots. If this looks familiar to you it is, the Fire View Re-Plat was approved by CPC back on December 7th of 2023, it was scheduled for City Council for January 9th but was pulled, Legal had a question regarding the interpretation of City Code Section 21-1-102. After some discussion and a few revisions, we're back here to you today. There were some changes to the plat so, that's why we have to come back and get your approval again. This is the original plat back from 07 and this the updated re-plat. The re-plat contains approximately 4 (four) acres and Lot 2 (two) is divided into 3 (three) lots so, 2A, 2B, and 2C. The current zoning are C-4 and C-1 and with Lots 2A and 2 B being C-4 and Lot 2 C being split C-4 and C-1. The existing Laugh Out Loud building is split between 2A and 2B. There is a required 2 (two) hour Fire Wall on that Lot line so that does make it eligible to be split. The changes from the re-plat that you guys approved in December to now is that the sewer line easement use to go along the north side with the access easement that has now been moved to the south and there has been a note added to the plat stating that a no direct sewer main access, private provisions are available. So, I'm open to any questions.

Denham asked any questions for Christine? Thank you welcome back.

James stated no problem, thank you.

Denham stated alright I will entertain a motion.

Motion by Smith. Second by Jarvis to recommend approval to the City Council for the record replat for Lot 2, Block 1 Fire View Addition **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

9. Consider approving the record plat for Cache Road Shopping Center; subject to conditions and take appropriate action as deemed necessary

Good stated good afternoon Kameron Good, Planning Division. This is a record plat located west of NW 40th Street, north of NW Cache Road. This is containing about 10.62 acres and will be divided into 3 (three) lot. This is currently unplatted land. It is zoned C-5. The property has been split more than 3 (three) times since 1963 and that's why we're platting it now. The owners are wanting to split it into 3 (three) lots, as you can see in the visual aid. Lot 1 (one) will contain the existing strip center, Lot 2 (two) is the lot next door to the east and Lot 3 (three) is the vacant field on the back side which is about 6.7 acres. There is currently 2 (two) conditions listed as the

recommendations for the approval of this, which is to change a book and page that is listed on there and then Public Utilities has requested an additional 10 (ten) feet of waterline easement on the west side of the existing 5 (five) foot waterline. The visual add that you are seeing now already has those changes updated it was submitted to us earlier this morning, so both of those conditions have already been addressed but prior to that being sent to us those conditions were there. So, our recommendation is to make those as a listed conditions, staff will then confirm that those conditions were met on our later review and we'll still take it to Council with the changes.

Denham asked so our motion will need to be subject to conditions.

Good stated correct, with the 2 (two) conditions listed are the 10 (ten) foot easement and the correction on the book and page.

Denham asked any questions of Mr. Good? Hearing none, I'll entertain a motion.

Motion by Jarvis, Second by Smith to recommend approval to the City Council for the record plat for Cache Road Shopping Center subject to conditions **Aye:** Medders, Logan, Springborn, Denham, Busse, Jarvis, Smith **Nay:** None. **Motion Passed.**

10. Consider approving the record plat for Bulldog Subdivision and take appropriate action as deemed necessary

Good stated so this one may look familiar to you as well, this has been previously brought to you, to the City Planning Commission on August 24, 2023 and accepted by Council on October 24, 2023. The record plat was not filed within 60 (sixty) days, which is required by City Code. That's why it was brought back to us and upon further review there was some corrections that needed to happen to the plat, those have been addressed. So this is a record plat for the Bulldog Subdivision, it's to split a Parcel of land into 2 (two) separate Lots. 1 (one) being the existing pharmacy on the north side, the south portion is wanting to be split off for a parking lot to go to the Children of Joy Learning Academy. There was a sewer easement required for Lot 2 (two) to get them the access to public sewer and that was granted to them by the Daycare on the southern portion already filed book and page 9417, page 240 and again this was already brought to you, you recommended for approval on August 24 and already approved by Council they just did not get it filed within the 60 (sixty) days.

Smith asked did the owner not get it filed or the City Council not get it filed?

Good stated correct, it's on the owner to file that.

Denham asked any other questions for Kameron?

Motion by Smith, Second by Logan to recommend approval to the City Council for the record plat for Bulldog Subdivision **Aye:** Logan, Springborn, Denham, Busse, Jarvis, Smith, Medders **Nay:** None. **Motion Passed.**

11. Commissioner's Reports or Comments

None.

12. Secretary's Report

Brown stated Council did approve the Code change that we brought to you guys for the Knuckles for the subdivision, so that will go into effect, actually I think next week, that will be 30 (thirty) days from the date of that approval and like Christy said she is the Interim Planning Director for the time being, just helping out so that I can put my face in other places that need attention.

Denham asked will she be taking your chair during these meetings?

Brown stated no, we decided that I would still hold all the Chairs but she's available for questions and any concerns that anybody has.

Denham stated very good.

13. Comments from the Public

None.

14. Adjournment

Motion by Springborn, Second by Jarvis to adjourn the meeting **Aye:** Springborn, Denham, Busse, Jarvis, Smith, Medders, Logan **Nay:** None. **Motion Passed.**

With no further business meeting was adjourned at 1:43 pm.



City of Lawton

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

Commentary

File #: 24-1284

Agenda Date: 2/27/2024

Agenda No: 11.

ITEM TITLE:

Consider approving the record plat for Cache Road Shopping Center and take appropriate action as deemed necessary.

INITIATOR: Christine James, Interim Director of Planning

STAFF INFORMATION SOURCE: Kameron Good, Senior Planner
Christine James, Interim Director of Planning

BACKGROUND: Cache Road Shopping Center is approximately 10.62 acres divided into 3 lots. This plat is located on the north side of NW Cache Road, west side of NW 40th Street. The current zoning is C-5, General Commercial District. The property has been split more than 3 times since 1963 and per City Code will need to be platted to split any further. Booker Properties, LLC is the property owner of the proposed plat area.

Stormwater has reviewed the plat and recommends approval.

Public Utilities has reviewed the plat and required an additional 10 feet be given on the west side of the existing waterline easement on the western side of the plat. This would increase the existing 5-foot waterline easement to 15 feet and is listed as a condition.

The City Planning Commission discussed this item on February 15, 2024 and made the recommendation of approval subject to two conditions. The first condition is to give an additional 10 feet be given to the existing waterline easement as requested by Public Utilities. The second condition is correcting the book and page numbers for a 25-foot utility easement shown in the southern portion of the proposed Lot 3, Block 1. The current book and page is B5526 and P111 which is a Mortgage document.

Both conditions have been addressed.

EXHIBIT: Cache Road Shopping Center Record Plat
CPC Minutes February 15, 2024

KEY ISSUES: N/A

FUNDING SOURCE: N/A

CPC RECOMMENDED COUNCIL ACTION: Approve the Record Plat for Cache Road Shopping Center.

Cache Road Shopping Center

Located in the Southeast Quarter of Section 22-T2N-R12W, I.M. Comanche County, Oklahoma

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Booker Properties, LLC, being the sole owner in fee simple of the following described real property to wit:

Commencing at the Southeast Corner of the Southeast Quarter of Section 22, Township 2-N, Range 12-W, of the Indian Meridian, Comanche County, Oklahoma; THENCE North a distance of 47.20 feet on the east line of said Southeast Quarter; THENCE N89°59'00"W a distance of 993.30 feet; THENCE N00°01'00"W a distance of 20.00 feet; THENCE N89°59'00"W a distance of 150.00 feet to the Point of Beginning; THENCE N00°01'00"W a distance of 282.85 feet; THENCE N89°59'00"W a distance of 210.00 feet; THENCE N00°01'00"W a distance of 227.15 feet; THENCE S89°59'00"E a distance of 200.00 feet; THENCE N00°01'00"W a distance of 293.30 feet; THENCE N26°43'00"W a distance of 96.02 feet; THENCE N00°02'00"E a distance of 14.50 feet; THENCE N88°41'00"W a distance of 365.50 feet; THENCE S87°47'00"W a distance of 100.00 feet; THENCE S06°20'00"W a distance of 913.84 feet; THENCE S89°59'00"E a distance of 619.56 feet to the Point of Beginning containing 10.62 acres more or less.

Hereby dedicates to the public use all streets and avenues, parks and public facilities and easements as shown on the annexed plat of Cache Road Shopping Center, to the City of Lawton, Comanche County, Oklahoma. For the purpose of providing an orderly development of Cache Road Shopping Center, to the City of Lawton Oklahoma it does hereby provide restrictive covenants filed in Book _____ Page _____ of the records in the office of the County Clerk, Comanche County, Oklahoma.

Witness my hand this _____ day of _____, 2024.

Brian Booker, Manager
Booker Properties, LLC,

State of Oklahoma) SS
County of Comanche)

This foregoing instrument was acknowledged before me this _____ day of _____, 2024.

Notary Public

My Commission Expires: _____

My Commission Number: _____

SURVEYOR'S CERTIFICATE

I, H. Lester Seiger, a registered Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful and accurate survey of the foregoing described property, and that the above foregoing plat is a correct representation of said survey. This plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as Adopted by the Oklahoma State Board of Licensure for Professional Engineers and Professional Land Surveyors.

Witness my hand and seal this _____ day of _____, 2024.



State of Oklahoma) SS
County of Comanche)

This foregoing instrument was acknowledged before me this _____ day of _____, 2024.

Notary Public

My Commission Expires: _____

My Commission Number: _____

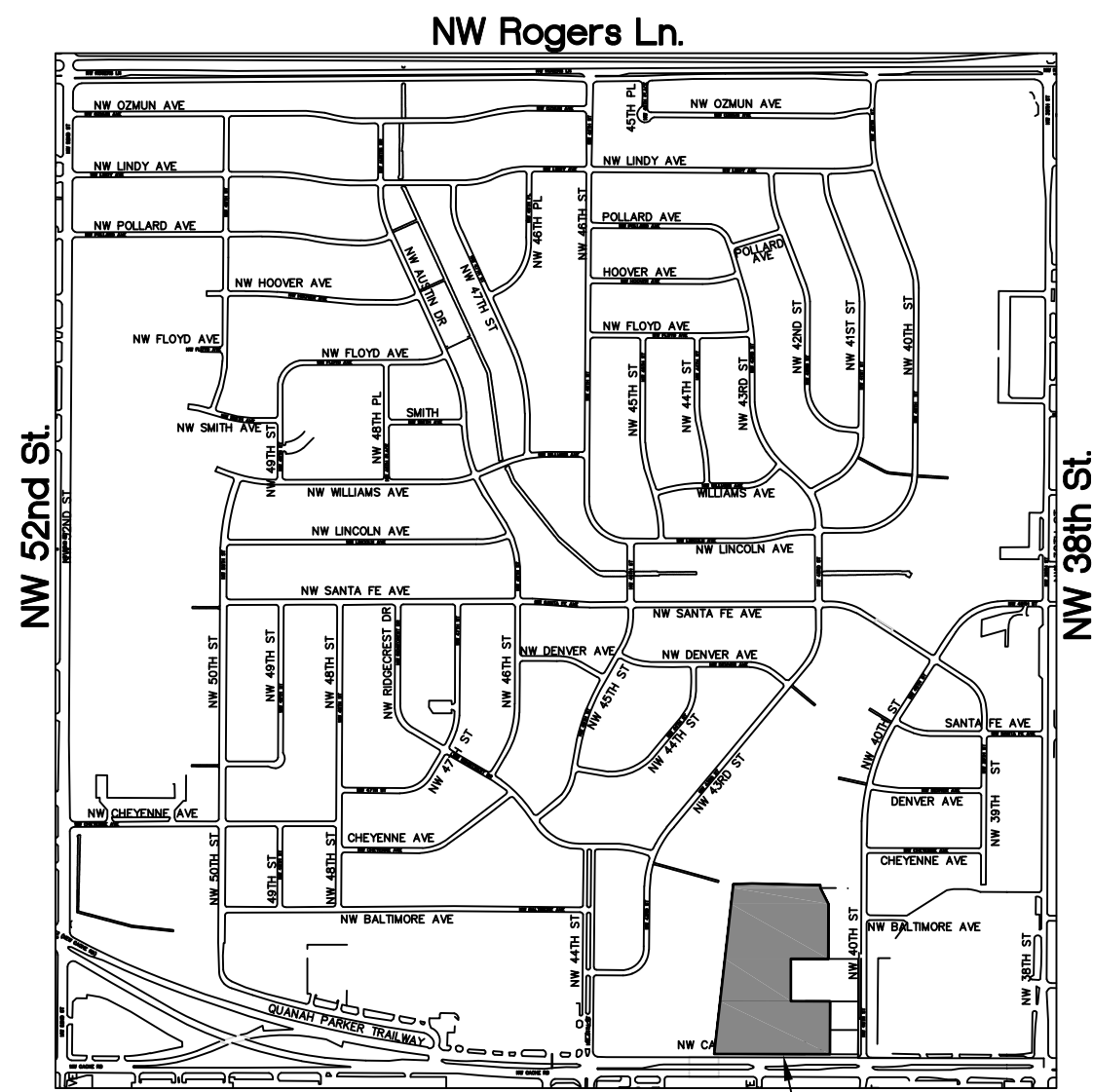
COUNTY TREASURER'S CERTIFICATE

I, Rhonda Brantley, do hereby certify that I am the duly elected, qualified and acting County Treasurer of Comanche County, State of Oklahoma, and that the tax records of the said county show all taxes are paid for the year _____ and prior years on the land shown on the above foregoing plat located in Comanche County, Oklahoma.

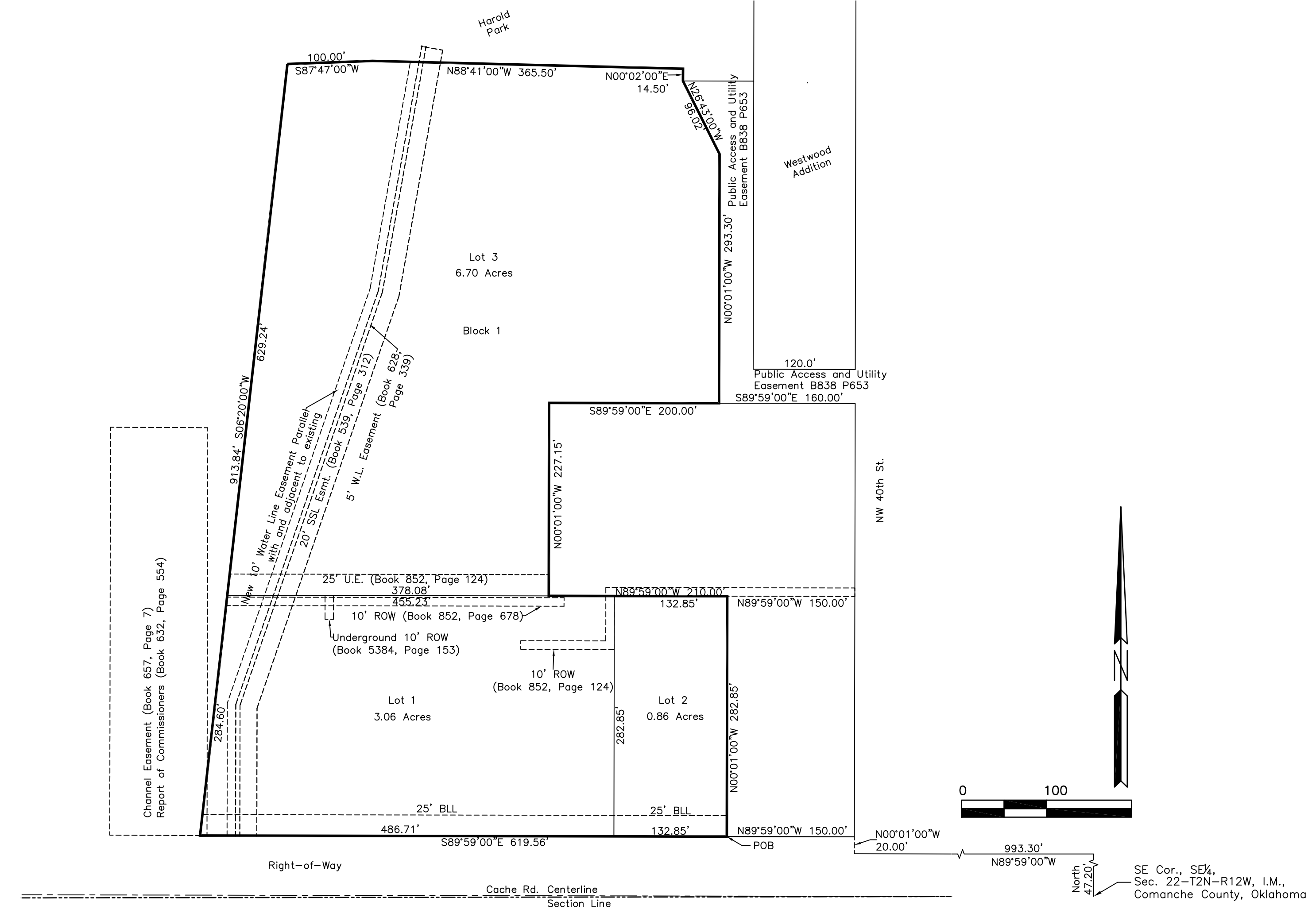
In witness whereof, said County Treasurer has caused this instrument to be executed at Lawton, Oklahoma on this _____ day of _____, 2024.

County Treasurer

Note:
BLL = Building Limit Line
U.E. = Utility Easement
D.E. = Drainage Easement



KEY MAP
Scale 1" = 1000'



SE Cor., SE¼
Sec. 22-T2N-R12W, I.M.,
Comanche County, Oklahoma

CITY PLANNING COMMISSION APPROVAL
I, _____, Chairman of the CPC for the City of Lawton, County of Comanche, State of Oklahoma, hereby certify that the said Commission duly approved the above foregoing annexed plat on this _____ day of _____, 2024.

ATTEST:

Chairman

Secretary

CERTIFICATE OF CITY CLERK
I, Traci Hushbeck, City Clerk of the City of Lawton, State of Oklahoma, hereby certify that I have examined the records of the said City and find that all deferred payments or unmaturing installments upon special assessments have been paid in full and there is no special assessment procedure pending against the land shown on the above foregoing annexed plat except: NONE

on this _____ day of _____, 2024.

City Clerk

ACCEPTANCE OF DEDICATION BY CITY COUNCIL
Be it resolved by the City Council, City of Lawton, Oklahoma, that the dedications shown on the above foregoing annexed plat are hereby accepted. Adopted by the City Council, the City of Lawton, Oklahoma, this _____ day of _____, 2024. Approved by the Mayor of the City of Lawton, Oklahoma this _____ day of _____, 2024.

Mayor

City Clerk

State of Oklahoma) SS
County of Comanche)

This instrument was filed on this _____ day of _____, 2024 A.D. at _____ (am/pm), and duly recorded in Book _____, Page _____.

County Clerk

State of Oklahoma) SS
County of Comanche)

I, Carrie Tubbs, County Clerk of Comanche County, Oklahoma, do hereby certify that this is a true and correct copy of a like instrument as appears on record in this office on this _____ day of _____, 2024.

County Clerk

CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
February 15, 2024

Minutes of the City Planning Commission meeting held February 15, 2024, in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by David Denham

ROLL CALL

MEMBERS PRESENT

David Denham
Melissa Busse
Ron Jarvis
Allan Smith
Michael Logan
Darren Medders
Neil Springborn

MEMBERS ABSENT:

Joan Jester (excused)
Deborah Jones (excused)

ALSO PRESENT:

Madison Aust, Recording Secretary
Charlotte Brown Director Community Services/Planning
Kameron Good, Senior Planner
Christine James Interim Planning Director
Christina Ryans-Huffer, Planning Administrative Assistant II
Tyler Pobiedzinski Planner I
Gregory Gibson City Attorney
Jon Jernigan Chief Building Official
Dewayne Burk Assistant City Manager
Chris Boyd CBDL
Spencer Brown CBDL
Brian Booker Properties LLC

2. Establish Quorum

7 (seven) of 9 (nine).

3. Verify posting of meeting

The meeting was posted on February 13, 2024 at 11:54 am by Mandye Gillespie.

4. Consider approving the minutes from November 16, 2023, regular scheduled meeting

Motion by Smith, Second by Logan to approve the November 16, 2023 regular scheduled meeting minutes as written **Aye:** Busse, Jarvis, Smith, Medders, Logan, Springborn, Denham **Nay:** None. **Motion Passed.**

5. Consider approving the minutes from December 07, 2023, special scheduled meeting.

Motion by Jarvis, Second by Logan to approve the December 07, 2023 special scheduled meeting minutes as written **Aye:** Jarvis, Smith, Medders, Logan, Springborn, Denham, Busse **Nay:** None. **Motion Passed.**

6. Consider approving the minutes from January 11, 2024, regular scheduled meeting.

Motion by Smith, Second by Logan to approve the January 11, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

7. Consider approving the minutes from January 25, 2024, regular scheduled meeting.

Motion by Springborn, Second by Logan to approve the January 25, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

NEW BUSINESS

8. Consider approving the record replat for Lot 2, Block 1 Fire View Addition and take appropriate action as deemed necessary

James stated good afternoon those of you who don't know who I am, I'm Christine James, I'm the Internal Auditor for the City Of Lawton and I'm helping out and so I am also the Interim Planning Director, for temporarily, I won't say unforeseen future, I'll say temporarily. Today we're bringing back to you the re-plat of Fire View Addition. Just as a recap, this plat is located at the southwest corner of Northwest Quanah Parker Trailway and 67th Street. The original Fire View Plat was approved in 2007. The plat contained approximately 12 (twelve) acres and it was divided into 3 (three) lots. If this looks familiar to you it is, the Fire View Re-Plat was approved by CPC back on December 7th of 2023, it was scheduled for City Council for January 9th but was pulled, Legal had a question regarding the interpretation of City Code Section 21-1-102. After some discussion and a few revisions, we're back here to you today. There were some changes to the plat so, that's why we have to come back and get your approval again. This is the original plat back from 07 and this the updated re-plat. The re-plat contains approximately 4 (four) acres and Lot 2 (two) is divided into 3 (three) lots so, 2A, 2B, and 2C. The current zoning are C-4 and C-1 and with Lots 2A and 2 B being C-4 and Lot 2 C being split C-4 and C-1. The existing Laugh Out Loud building is split between 2A and 2B. There is a required 2 (two) hour Fire Wall on that Lot line so that does make it eligible to be split. The changes from the re-plat that you guys approved in December to now is that the sewer line easement use to go along the north side with the access easement that has now been moved to the south and there has been a note added to the plat stating that a no direct sewer main access, private provisions are available. So, I'm open to any questions.

Denham asked any questions for Christine? Thank you welcome back.

James stated no problem, thank you.

Denham stated alright I will entertain a motion.

Motion by Smith. Second by Jarvis to recommend approval to the City Council for the record replat for Lot 2, Block 1 Fire View Addition **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

9. Consider approving the record plat for Cache Road Shopping Center; subject to conditions and take appropriate action as deemed necessary

Good stated good afternoon Kameron Good, Planning Division. This is a record plat located west of NW 40th Street, north of NW Cache Road. This is containing about 10.62 acres and will be divided into 3 (three) lot. This is currently unplatted land. It is zoned C-5. The property has been split more than 3 (three) times since 1963 and that's why we're platting it now. The owners are wanting to split it into 3 (three) lots, as you can see in the visual aid. Lot 1 (one) will contain the existing strip center, Lot 2 (two) is the lot next door to the east and Lot 3 (three) is the vacant field on the back side which is about 6.7 acres. There is currently 2 (two) conditions listed as the

recommendations for the approval of this, which is to change a book and page that is listed on there and then Public Utilities has requested an additional 10 (ten) feet of waterline easement on the west side of the existing 5 (five) foot waterline. The visual add that you are seeing now already has those changes updated it was submitted to us earlier this morning, so both of those conditions have already been addressed but prior to that being sent to us those conditions were there. So, our recommendation is to make those as a listed conditions, staff will then confirm that those conditions were met on our later review and we'll still take it to Council with the changes.

Denham asked so our motion will need to be subject to conditions.

Good stated correct, with the 2 (two) conditions listed are the 10 (ten) foot easement and the correction on the book and page.

Denham asked any questions of Mr. Good? Hearing none, I'll entertain a motion.

Motion by Jarvis, Second by Smith to recommend approval to the City Council for the record plat for Cache Road Shopping Center subject to conditions **Aye:** Medders, Logan, Springborn, Denham, Busse, Jarvis, Smith **Nay:** None. **Motion Passed.**

10. Consider approving the record plat for Bulldog Subdivision and take appropriate action as deemed necessary

Good stated so this one may look familiar to you as well, this has been previously brought to you, to the City Planning Commission on August 24, 2023 and accepted by Council on October 24, 2023. The record plat was not filed within 60 (sixty) days, which is required by City Code. That's why it was brought back to us and upon further review there was some corrections that needed to happen to the plat, those have been addressed. So this is a record plat for the Bulldog Subdivision, it's to split a Parcel of land into 2 (two) separate Lots. 1 (one) being the existing pharmacy on the north side, the south portion is wanting to be split off for a parking lot to go to the Children of Joy Learning Academy. There was a sewer easement required for Lot 2 (two) to get them the access to public sewer and that was granted to them by the Daycare on the southern portion already filed book and page 9417, page 240 and again this was already brought to you, you recommended for approval on August 24 and already approved by Council they just did not get it filed within the 60 (sixty) days.

Smith asked did the owner not get it filed or the City Council not get it filed?

Good stated correct, it's on the owner to file that.

Denham asked any other questions for Kameron?

Motion by Smith, Second by Logan to recommend approval to the City Council for the record plat for Bulldog Subdivision **Aye:** Logan, Springborn, Denham, Busse, Jarvis, Smith, Medders **Nay:** None. **Motion Passed.**

11. Commissioner's Reports or Comments

None.

12. Secretary's Report

Brown stated Council did approve the Code change that we brought to you guys for the Knuckles for the subdivision, so that will go into effect, actually I think next week, that will be 30 (thirty) days from the date of that approval and like Christy said she is the Interim Planning Director for the time being, just helping out so that I can put my face in other places that need attention.

Denham asked will she be taking your chair during these meetings?

Brown stated no, we decided that I would still hold all the Chairs but she's available for questions and any concerns that anybody has.

Denham stated very good.

13. Comments from the Public

None.

14. Adjournment

Motion by Springborn, Second by Jarvis to adjourn the meeting **Aye:** Springborn, Denham, Busse, Jarvis, Smith, Medders, Logan **Nay:** None. **Motion Passed.**

With no further business meeting was adjourned at 1:43 pm.



City of Lawton

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

Commentary

File #: 24-1287

Agenda Date: 2/27/2024

Agenda No: 12.

ITEM TITLE:

Consider approving the Record Replat for Lot 2, Block 1 Fire View Addition and take appropriate action as deemed necessary.

INITIATOR: Christine James, Interim Director of Planning

STAFF INFORMATION SOURCE: Kameron Good, Senior Planner
Christine James, Interim Director of Planning

BACKGROUND: The replat for Lot 2 of Block 1 in the Fire View Addition is about 4 acres being divided into 3 lots. This plat is located south of NW Quanah Parker Trailway, west of NW 67th Street. The current zoning is C-4, Tourist Commercial District and C-1 Local Commercial District. Lots 2A and 2B of the replat are in the C-4 zoning while Lot 2C is in both C-4 and C-1 zonings.

Public Utilities has reviewed the plat and stated that per Section 21-1-102, each new lot needs to have access to a public sewer main. Currently Lot 2 of the original plat doesn't have access to the sewer main. This is based on Chapter 21 Subdivisions Section 21-1-102- Policies "Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; and land shall not be subdivided until appropriate public facilities and improvements are available or proper provisions has been made for drainage, water, sewerage and other capital facilities such as schools, parks and roads."

The original Fire View Plat was approved in 2007. During the review of the original plat, Lot 2 was noted as having access to a public sewer main located along the north side of Quanah Parker Trailway. The existing 8" sewer main is more specifically located in a 20' U.E. along the south side of Creekwood Addition.

The developers were given two options to become compliant with the current city code. The first option was for the developer to extend the existing sewer main located along the west side of NW 67th Street approximately 175' north to the platted area and then create a private easement giving access to all the platted lots. The second option was for the developer to create a private easement on the south of each of the new lots that gives access to an existing private easement south of the plat. The existing private sewer easement runs E-W along the north boundary of the Lawton Academy of Arts and Sciences and then N-S between the academy and Bedrock Nursery. Both options would provide proper provisions allowed by City Code granting each platted lot access to a public sewer line by way of private easements. The developer has chosen the second option; to provide proper provisions and to not extend the public sewer main. Therefore, there is a 25-foot private sewer easement along the south side of each of the platted lots that provides access to an existing 25-foot private sewer easement outside of the plat. The private easement outside of the plat provides access to an existing public sewer main that is approximately 200' south of the plat in the West Lawn Addition. The plat has a note that states, "No direct sewer main access, private provisions are available."

The City Planning Commission made a recommendation for approval on February 15, 2024.

EXHIBIT: Replat of Lot 2, Block 1 Fire View Addition
CPC Minutes February 15, 2024

KEY ISSUES: N/A

FUNDING SOURCE: N/A

CPC RECOMMENDED COUNCIL ACTION: Approve the Record Replat for Lot 2, Block 1 Fire View Addition.

Replat of Lot 2, Block 1 Fire View Addition

TO THE CITY OF LAWTON

LOCATED IN THE S.E.¼, SECTION 20, T-2-N, R-12-W,
COMANCHE COUNTY, OKLAHOMA

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS: LAUGH OUT LOUD, LLC., BEING THE SOLE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL PROPERTY TO WIT:

LOT 2 OF BLOCK 1, FIRE VIEW ADDITION TO THE CITY OF LAWTON, COMANCHE COUNTY OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE S00°36'52"W (S00°14'00"E-RECORD), ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 55.36 FEET (55.40'-RECORD) TO A CORNER ON SAID EAST LINE; THENCE N89°37'49"W (S89°57'00"W-RECORD), ON SAID EAST LINE, A DISTANCE OF 400.14 FEET (400.00'-RECORD) TO A CORNER ON SAID EAST LINE; THENCE S00°36'31"W (S00°14'00"W-RECORD), ON SAID EAST LINE, A DISTANCE OF 385.37 FEET (387.24'-RECORD) TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE N89°25'08"W (N89°46'00"W-RECORD), ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 112.78 FEET (113.491'-RECORD) TO A CORNER ON SAID SOUTH LINE; THENCE N00°36'52"E (N00°14'00"E-RECORD), ON SAID SOUTH LINE, A DISTANCE OF 140.00 FEET TO A CORNER ON SAID SOUTH LINE; THENCE N89°23'08"W (N89°46'00"W-RECORD), ON SAID SOUTH LINE, A DISTANCE OF 333.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N00°36'52"E (N00°14'00"E-RECORD), ON THE WEST LINE OF SAID LOT 2, A DISTANCE OF 302.50 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE S89°23'08"E (S89°46'00"E-RECORD), ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 845.87 FEET (846.49'-RECORD) TO THE POINT OF BEGINNING, CONTAINING 3.974 ACRES, MORE OR LESS.

WE HEREBY DEDICATE TO THE PUBLIC USE ALL STREETS AND AVENUES, PARKS AND PUBLIC FACILITIES, RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THE ANNEXED PLAT OF THE REPLAT OF LOT 2 BLOCK 1, FIRE ADDITION TO THE CITY OF LAWTON, OKLAHOMA. FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF RETAIL ADDITION TO THE CITY OF LAWTON, OKLAHOMA DO HEREBY PROVIDE RESTRICTIVE COVENANTS FILED IN BOOK _____, PAGE _____, OF THE RECORDS IN THE OFFICE OF THE COUNTY CLERK, COMANCHE COUNTY, OKLAHOMA.

IN WITNESS WHEREOF, LAUGH OUT LOUD, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 202__.

OWNER _____ OWNER _____
OWNER _____ OWNER _____

OWNER _____
STATE OF OKLAHOMA)
COUNTY OF COMANCHE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 202__, BY LAUGH OUT LOUD, LLC, A TEXAS LIMITED LIABILITY COMPANY.

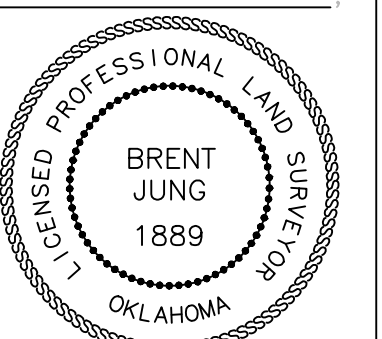
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, BRENT JUNG, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE MADE A CAREFUL AND ACCURATE SURVEY OF THE FOREGOING DESCRIBED PROPERTY, AND THAT THE ABOVE FOREGOING PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY, AND THAT MONUMENTS HAVE BEEN PLACED ON ALL LOT CORNERS. THE BEARINGS USED IN THIS DESCRIPTION AND SHOWN ON THIS DRAWING ARE BASED ON STATE PLANE COORDINATES, OKLAHOMA SOUTH ZONE, NORTH AMERICAN DATUM 1983. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS ESTABLISHED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL ON THIS _____ DAY OF _____, 202__.

BRENT JUNG
PROFESSIONAL LAND SURVEYOR #1889



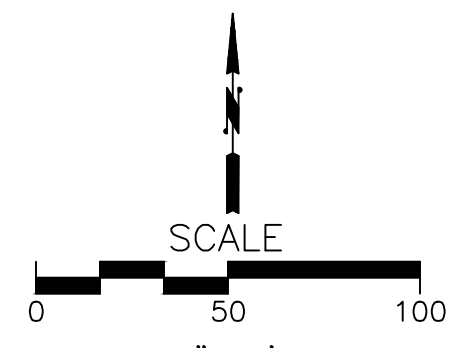
COUNTY TREASURER'S CERTIFICATE

I, RHONDA BRANTLEY, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED AND ACTING COUNTY TREASURER OF COMANCHE COUNTY, STATE OF OKLAHOMA, AND THAT THE TAX RECORDS OF THE SAID COUNTY SHOW ALL TAXES ARE PAID FOR THE YEAR 202__ AND PRIOR YEARS ON THE LAND SHOWN ON THE ABOVE FOREGOING PLAT LOCATED IN COMANCHE COUNTY, OKLAHOMA.

IN WITNESS WHEREOF, SAID COUNTY TREASURER HAS CAUSED THIS INSTRUMENT TO BE EXECUTED AT COMANCHE, OKLAHOMA,

ON THIS _____ DAY OF _____, 200__.

COUNTY TREASURER _____



LEGEND

- (R) Record Distance and Bearing
- P.O.B. Point of Building
- Set 1/2" Iron Pin w/PLS 1889 cap
- Found 1/2" Iron Pin w/PLS 1082 cap
- ◇ Found 1/2" Iron Pin w/PLS 1281 cap
- Found 1/2" Iron Pin (no cap)
- Found Mag Nail w/PLS 1281 washer
- Section Section Line
- 33' Statutory Right of Way
- 50' Street Right of Way

CERTIFICATE OF CITY CLERK

I, _____, CITY CLERK OF THE CITY OF LAWTON, STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS OF THE SAID CITY AND FIND THAT ALL DEFERRED PAYMENTS OR UNMATURED INSTALLMENTS UPON SPECIAL ASSESSMENTS HAVE BEEN PAID IN FULL AND THERE IS NO SPECIAL ASSESSMENT PENDING AGAINST THE LAND SHOWN ON THE ABOVE FOREGOING ANNEXED PLAT EXCEPT:

ON THIS _____ DAY OF _____, 202__.

CITY CLERK _____

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF LAWTON, OKLAHOMA, THAT THE DEDICATIONS SHOWN ON THE ABOVE FOREGOING ANNEXED PLAT ARE HEREBY ACCEPTED.

ADOPTED BY THE CITY COUNCIL, THE CITY OF LAWTON, OKLAHOMA,

ON THIS _____ DAY OF _____, 202__.

APPROVED BY THE MAYOR OF THE CITY OF LAWTON, OKLAHOMA,

ON THIS _____ DAY OF _____, 202__.

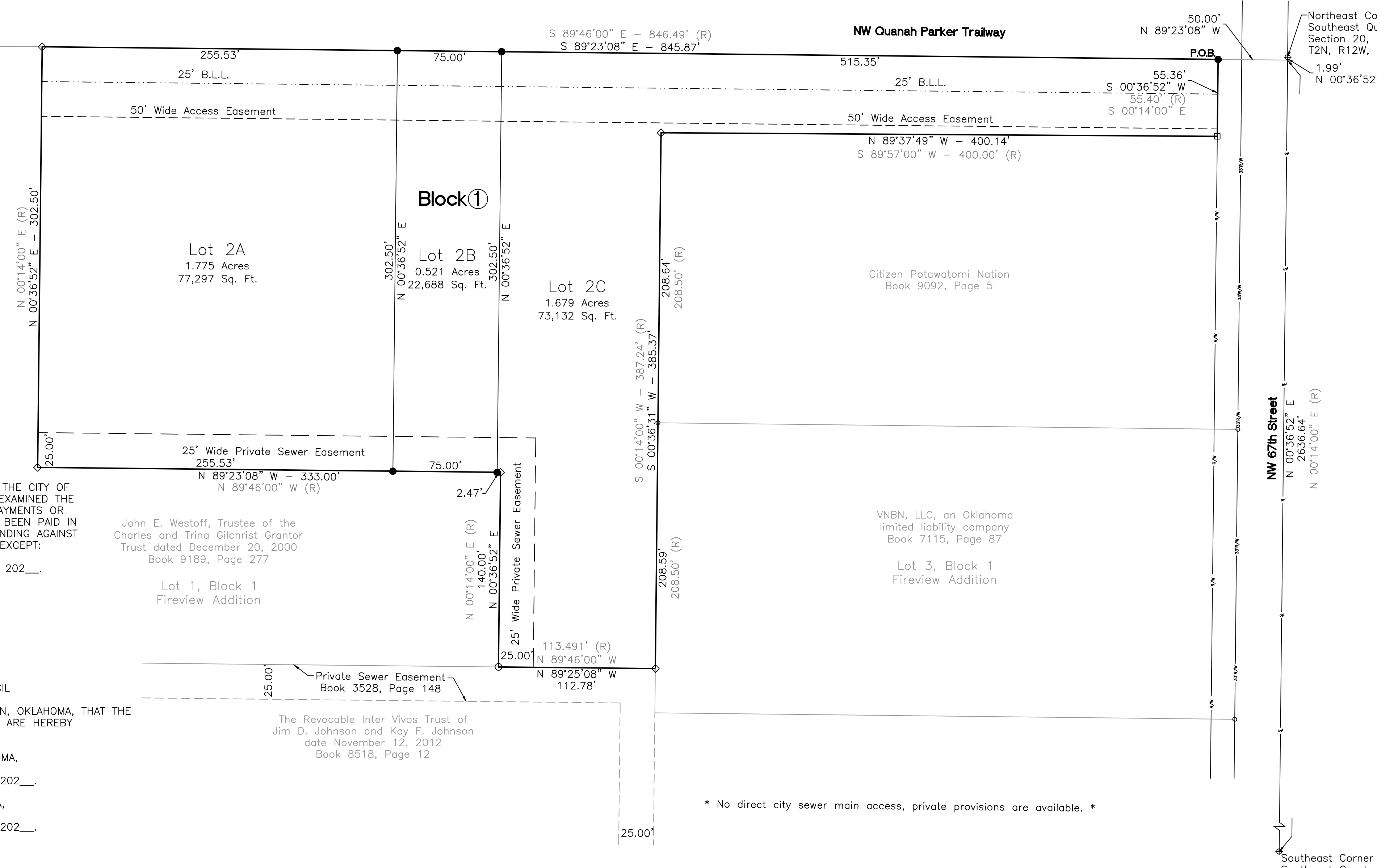
CITY CLERK _____ MAYOR _____

CITY PLANNING COMMISSION APPROVAL

I, _____, CHAIRMAN OF THE CPC FOR THE CITY OF LAWTON, COUNTY OF COMANCHE, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE SAID COMMISSION DULY APPROVED THE ABOVE FOREGOING ANNEXED PLAT ON THIS _____ DAY OF _____, 2023.

ATTEST: _____

SECRETARY _____ CHAIRMAN _____



John E. Westoff, Trustee of the Charles and Trina Gilchrist Grantor Trust dated December 20, 2000 Book 9189, Page 277

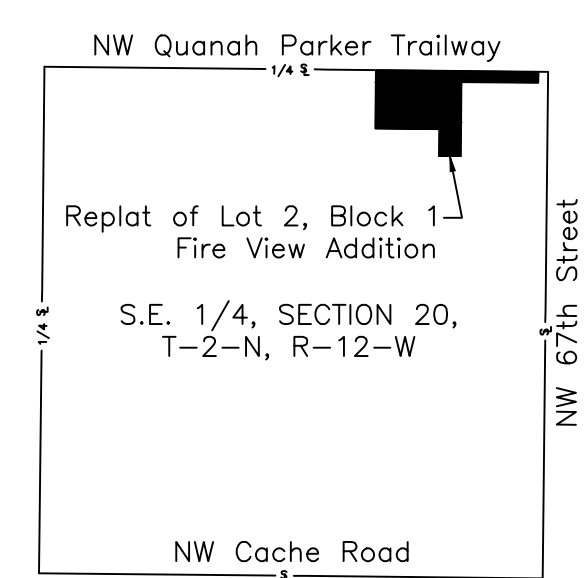
Lot 1, Block 1 Fireview Addition

The Revocable Inter Vivos Trust of Jim D. Johnson and Kay F. Johnson date November 12, 2012 Book 8518, Page 12

VNBN, LLC, an Oklahoma limited liability company Book 7115, Page 87

Lot 3, Block 1 Fireview Addition

* No direct city sewer main access, private provisions are available. *



KEY MAP
SCALE: 1" = 1000'

STATE OF OKLAHOMA) §
COUNTY OF COMANCHE)

THIS INSTRUMENT WAS FILED ON THIS _____ DAY OF _____, 202__ A.D. AT _____ (AM/PM), AND DULY RECORDED IN BOOK _____, PAGE _____.

RETAIL ADDITION

COUNTY CLERK _____

STATE OF OKLAHOMA) §
COUNTY OF COMANCHE)

I, CARRIE TUBBS, COUNTY CLERK OF COMANCHE COUNTY, OKLAHOMA, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT AS APPEARS ON RECORD IN THIS OFFICE ON THIS _____ DAY OF _____, 202__.

COUNTY CLERK _____

CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
February 15, 2024

Minutes of the City Planning Commission meeting held February 15, 2024, in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by David Denham

ROLL CALL

MEMBERS PRESENT

David Denham
Melissa Busse
Ron Jarvis
Allan Smith
Michael Logan
Darren Medders
Neil Springborn

MEMBERS ABSENT:

Joan Jester (excused)
Deborah Jones (excused)

ALSO PRESENT:

Madison Aust, Recording Secretary
Charlotte Brown Director Community Services/Planning
Kameron Good, Senior Planner
Christine James Interim Planning Director
Christina Ryans-Huffer, Planning Administrative Assistant II
Tyler Pobiedzinski Planner I
Gregory Gibson City Attorney
Jon Jernigan Chief Building Official
Dewayne Burk Assistant City Manager
Chris Boyd CBDL
Spencer Brown CBDL
Brian Booker Properties LLC

2. Establish Quorum

7 (seven) of 9 (nine).

3. Verify posting of meeting

The meeting was posted on February 13, 2024 at 11:54 am by Mandye Gillespie.

4. Consider approving the minutes from November 16, 2023, regular scheduled meeting

Motion by Smith, Second by Logan to approve the November 16, 2023 regular scheduled meeting minutes as written **Aye:** Busse, Jarvis, Smith, Medders, Logan, Springborn, Denham **Nay:** None. **Motion Passed.**

5. Consider approving the minutes from December 07, 2023, special scheduled meeting.

Motion by Jarvis, Second by Logan to approve the December 07, 2023 special scheduled meeting minutes as written **Aye:** Jarvis, Smith, Medders, Logan, Springborn, Denham, Busse **Nay:** None. **Motion Passed.**

6. Consider approving the minutes from January 11, 2024, regular scheduled meeting.

Motion by Smith, Second by Logan to approve the January 11, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

7. Consider approving the minutes from January 25, 2024, regular scheduled meeting.

Motion by Springborn, Second by Logan to approve the January 25, 2024 regular scheduled meeting minutes as written **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

NEW BUSINESS

8. Consider approving the record replat for Lot 2, Block 1 Fire View Addition and take appropriate action as deemed necessary

James stated good afternoon those of you who don't know who I am, I'm Christine James, I'm the Internal Auditor for the City Of Lawton and I'm helping out and so I am also the Interim Planning Director, for temporarily, I won't say unforeseen future, I'll say temporarily. Today we're bringing back to you the re-plat of Fire View Addition. Just as a recap, this plat is located at the southwest corner of Northwest Quanah Parker Trailway and 67th Street. The original Fire View Plat was approved in 2007. The plat contained approximately 12 (twelve) acres and it was divided into 3 (three) lots. If this looks familiar to you it is, the Fire View Re-Plat was approved by CPC back on December 7th of 2023, it was scheduled for City Council for January 9th but was pulled, Legal had a question regarding the interpretation of City Code Section 21-1-102. After some discussion and a few revisions, we're back here to you today. There were some changes to the plat so, that's why we have to come back and get your approval again. This is the original plat back from 07 and this the updated re-plat. The re-plat contains approximately 4 (four) acres and Lot 2 (two) is divided into 3 (three) lots so, 2A, 2B, and 2C. The current zoning are C-4 and C-1 and with Lots 2A and 2 B being C-4 and Lot 2 C being split C-4 and C-1. The existing Laugh Out Loud building is split between 2A and 2B. There is a required 2 (two) hour Fire Wall on that Lot line so that does make it eligible to be split. The changes from the re-plat that you guys approved in December to now is that the sewer line easement use to go along the north side with the access easement that has now been moved to the south and there has been a note added to the plat stating that a no direct sewer main access, private provisions are available. So, I'm open to any questions.

Denham asked any questions for Christine? Thank you welcome back.

James stated no problem, thank you.

Denham stated alright I will entertain a motion.

Motion by Smith. Second by Jarvis to recommend approval to the City Council for the record replat for Lot 2, Block 1 Fire View Addition **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis **Nay:** None. **Motion Passed.**

9. Consider approving the record plat for Cache Road Shopping Center; subject to conditions and take appropriate action as deemed necessary

Good stated good afternoon Kameron Good, Planning Division. This is a record plat located west of NW 40th Street, north of NW Cache Road. This is containing about 10.62 acres and will be divided into 3 (three) lot. This is currently unplatted land. It is zoned C-5. The property has been split more than 3 (three) times since 1963 and that's why we're platting it now. The owners are wanting to split it into 3 (three) lots, as you can see in the visual aid. Lot 1 (one) will contain the existing strip center, Lot 2 (two) is the lot next door to the east and Lot 3 (three) is the vacant field on the back side which is about 6.7 acres. There is currently 2 (two) conditions listed as the

recommendations for the approval of this, which is to change a book and page that is listed on there and then Public Utilities has requested an additional 10 (ten) feet of waterline easement on the west side of the existing 5 (five) foot waterline. The visual add that you are seeing now already has those changes updated it was submitted to us earlier this morning, so both of those conditions have already been addressed but prior to that being sent to us those conditions were there. So, our recommendation is to make those as a listed conditions, staff will then confirm that those conditions were met on our later review and we'll still take it to Council with the changes.

Denham asked so our motion will need to be subject to conditions.

Good stated correct, with the 2 (two) conditions listed are the 10 (ten) foot easement and the correction on the book and page.

Denham asked any questions of Mr. Good? Hearing none, I'll entertain a motion.

Motion by Jarvis, Second by Smith to recommend approval to the City Council for the record plat for Cache Road Shopping Center subject to conditions **Aye:** Medders, Logan, Springborn, Denham, Busse, Jarvis, Smith **Nay:** None. **Motion Passed.**

10. Consider approving the record plat for Bulldog Subdivision and take appropriate action as deemed necessary

Good stated so this one may look familiar to you as well, this has been previously brought to you, to the City Planning Commission on August 24, 2023 and accepted by Council on October 24, 2023. The record plat was not filed within 60 (sixty) days, which is required by City Code. That's why it was brought back to us and upon further review there was some corrections that needed to happen to the plat, those have been addressed. So this is a record plat for the Bulldog Subdivision, it's to split a Parcel of land into 2 (two) separate Lots. 1 (one) being the existing pharmacy on the north side, the south portion is wanting to be split off for a parking lot to go to the Children of Joy Learning Academy. There was a sewer easement required for Lot 2 (two) to get them the access to public sewer and that was granted to them by the Daycare on the southern portion already filed book and page 9417, page 240 and again this was already brought to you, you recommended for approval on August 24 and already approved by Council they just did not get it filed within the 60 (sixty) days.

Smith asked did the owner not get it filed or the City Council not get it filed?

Good stated correct, it's on the owner to file that.

Denham asked any other questions for Kameron?

Motion by Smith, Second by Logan to recommend approval to the City Council for the record plat for Bulldog Subdivision **Aye:** Logan, Springborn, Denham, Busse, Jarvis, Smith, Medders **Nay:** None. **Motion Passed.**

11. Commissioner's Reports or Comments

None.

12. Secretary's Report

Brown stated Council did approve the Code change that we brought to you guys for the Knuckles for the subdivision, so that will go into effect, actually I think next week, that will be 30 (thirty) days from the date of that approval and like Christy said she is the Interim Planning Director for the time being, just helping out so that I can put my face in other places that need attention.

Denham asked will she be taking your chair during these meetings?

Brown stated no, we decided that I would still hold all the Chairs but she's available for questions and any concerns that anybody has.

Denham stated very good.

13. Comments from the Public

None.

14. Adjournment

Motion by Springborn, Second by Jarvis to adjourn the meeting **Aye:** Springborn, Denham, Busse, Jarvis, Smith, Medders, Logan **Nay:** None. **Motion Passed.**

With no further business meeting was adjourned at 1:43 pm.



City of Lawton

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

Commentary

File #: 24-1292

Agenda Date: 2/27/2024

Agenda No: 13.

ITEM TITLE:

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.

INITIATOR: W. Rusty Whisenhunt, Director of Public Utilities

STAFF INFORMATION SOURCE: W. Rusty Whisenhunt, Director of Public Utilities
Cindy Augustine, Real Property Coordinator

BACKGROUND: Permanent easements are required 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. Lawton Economic Development Authority and Goodyear Tire & Rubber Company have agreed to donate the required easements.

EXHIBIT: Easement Documents

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Accept 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 authorize the Mayor and City Clerk to execute the documents.

**PERMANENT EASEMENT
(Utility and Right-of-way)**

KNOW ALL MEN BY THESE PRESENTS:

THAT, **Lawton Economic Development Authority, an Oklahoma public trust, of 212 SW 9th STREET, LAWTON, OKLAHOMA 73501**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantor", in consideration of the sum of Ten and no/100 Dollars in hand paid, the receipt of which is hereby acknowledged, on behalf of the Grantor and said Grantor executors, administrators, successors and assigns, do hereby Grant, Bargain, Sell and Convey unto **CITY OF LAWTON, A MUNICIPAL CORPORATION, of 212 SW 9th STREET, LAWTON, OKLAHOMA 73501**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantee", its administrators, successors and assigns, and dedicate to the public a permanent easement for utilities and right-of-way in, over, across and along, and upon the following described real property and premises situate in Comanche County, State of Oklahoma to-wit:

The West 60 feet of the Southwest Quarter (SW ¼) of Section One (1), Township One (1) North, Range Thirteen (13) West, I.M., Comanche County, Oklahoma, according to the U.S. Government Survey thereof, which includes the 33-foot statutory right-of-way thereupon.

with the right of ingress and egress to and from the same for the purpose of installing, constructing, operating, maintaining, repairing and replacing in, over, through, and upon the said property as described a sewer line, a water line and any other public utility or utilities, along with the further right to operate, maintain, repair or replace the same, and for use as a roadway, walkway, driveway, for ingress and egress to any adjacent property, for parking and movement of motor vehicles, and for the comfort and convenience of Grantee, its customers, invitees, agents, licensees, contractors, assignees and employees, including the right, now or at any time in perpetuity.

Signed and delivered this _____ day of _____, 2024.

**Lawton Economic Development Authority,
an Oklahoma public trust**

By: _____

Fred L. Fitch, Chairman

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF COMANCHE)

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Fred L. Fitch, to me known to be the identical person who subscribed the name of the Lawton Economic Development Authority to the foregoing instrument as its Chairman and acknowledged to me that they executed the same as their free and voluntary act and deed, and as the free and voluntary act and deed of such public body corporate, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My commission expires:

My commission number:

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this _____ day of _____, 2024.

CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day
of _____, 2024.

Timothy Wilson. Acting City Attorney

PERMANENT EASEMENT
(Utility and Right-of-way)

KNOW ALL MEN BY THESE PRESENTS:

THAT, **The Goodyear Tire & Rubber Company, an Ohio corporation, whose address is 1 SW Goodyear Boulevard, Lawton, Oklahoma, 73505**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantor", in consideration of the sum of Ten and no/100 Dollars in hand paid, the receipt of which is hereby acknowledged, on behalf of the Grantor and said Grantor executors, administrators, successors and assigns, do hereby Grant, Bargain, Sell and Convey unto **CITY OF LAWTON, A MUNICIPAL CORPORATION, of 212 SW 9th STREET, LAWTON, OKLAHOMA 73501**, Comanche County, State of Oklahoma, hereinafter referred to as "Grantee", its administrators, successors and assigns, and dedicate to the public a permanent easement for utilities and right-of-way in, over, across and along, and upon the following described real property and premises situate in Comanche County, State of Oklahoma to-wit:

The West 60 feet of the Northwest Quarter (NW ¼) of Section One (1), Township One (1) North, Range Thirteen (13) West, I.M., Comanche County, Oklahoma, according to the U.S. Government Survey thereof, which includes the 33-foot statutory right-of-way thereupon.

with the right of ingress and egress to and from the same for the purpose of installing, constructing, operating, maintaining, repairing and replacing in, over, through, and upon the said property as described a sewer line, a water line and any other public utility or utilities, along with the further right to operate, maintain, repair or replace the same, and for use as a roadway, walkway, driveway, for ingress and egress to any adjacent property, for parking and movement of motor vehicles, and for the comfort and convenience of Grantee, its customers, invitees, agents, licensees, contractors, assignees and employees, including the right, now or at any time in perpetuity.

Signed and delivered this _____ day of _____, 2024.

**The Goodyear Tire & Rubber Company,
an Ohio corporation**

By: _____

Andrew Juvan

Title: VP Business & Process Integration
North America

ACKNOWLEDGMENT

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Andrew Juvan, to me known to be the identical person who subscribed the name of The Goodyear Tire & Rubber Company, an Ohio Corporation, to the foregoing instrument as its VP Business & Process Integration North America and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My commission expires:

My commission number:

ACCEPTANCE

Accepted by the Lawton City Council for and on behalf of the City of Lawton, Oklahoma, this _____ day of _____, 2024.

CITY OF LAWTON, OKLAHOMA
a municipal corporation

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality on behalf of the City of Lawton this _____ day
of _____, 2024.

Timothy Wilson. Acting City Attorney



City of Lawton

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

Commentary

File #: 24-1291

Agenda Date: 2/27/2024

Agenda No: 14.

ITEM TITLE:

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.

INITIATOR: Police Chief, James T. Smith

STAFF INFORMATION SOURCE: Police Chief, James T. Smith

BACKGROUND: The Korean Presbyterian Church has expressed its desire to contribute to the well-being and safety of our community by making a \$1,000 donation by check to the Lawton Police Department. This donation comes as a gesture of appreciation for the dedication and service provided by our officers.

EXHIBIT: None

KEY ISSUES: None

FUNDING SOURCE: Korean Presbyterian Church - Lawton, OK

STAFF RECOMMENDED COUNCIL ACTION: Accept a donation of \$1,000 from the Korean Presbyterian Church to the Lawton Police Department and authorize the deposit of the funds into Account No. 4350000-51000.



City of Lawton

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

Commentary

File #: 24-1283

Agenda Date: 2/27/2024

Agenda No: 15.

ITEM TITLE:

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.

INITIATOR: Larry Wolcott, P.E., Public Works

STAFF INFORMATION SOURCE: Cynthia Williams, Deputy Public Works Director

BACKGROUND: The FEMA Hazard Mitigation Grant Program (HMGP) provides grants to states and local governments to implement long-term hazard mitigation measures. The purpose of the HMGP is to reduce the loss of life and property due to natural disaster. The acquisition of flood-prone property can be an effective way to move people and property away from high-risk areas. Acquisition projects funded through the HMGP are voluntary and homeowners are never forced to sell their property. Once an acquisition project is approved by the state and FEMA, the community uses Federal funds to purchase the home or building, and the land is restricted to open space, recreation, or wetlands in perpetuity. This acquisition grant would be used toward purchase of thirteen (13) flood prone properties in the Numu Creek Watershed. Acquisition of flood-prone properties is one of the mitigation projects identified in the FEMA approved City of Lawton Hazard Mitigation Plan.

EXHIBIT: FEMA Award Letter, OEM Award Letter, State and Local Agreement, FEMA Property List

KEY ISSUES: The FEMA approved City of Lawton Hazard Mitigation Plan set a goal of acquiring two flood-prone properties. The property acquisition project aligns with the True North Culture by mitigating flood risks, protecting life and property and providing a safe environment for citizens to thrive.

FUNDING SOURCE: Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) 90% and City of Lawton Stormwater Management and Drainage Maintenance Divisions 10% through in-kind services. Stormwater Management Professional Services Account: 1105501-52025. Account balance \$19,975.00 and Drainage Maintenance Profession Services Account: 2105506-52025. Account balance \$84,750.00

STAFF RECOMMENDED COUNCIL ACTION: Accept 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.

ID #	Name [owner /co-owner(s)]	Address	City	City/State	Latitude	Longitude	Year of Construction	SHPO Effect Determination	SHPO Response Date	FIRM	FIRM Date	Flood Zone	Wetlands Presence	NOTES
1	William Clark	209 SW I	Lawton	Oklahoma	34.5987805	-98.3913773	1930	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
2	William Clark	211 SW I	Lawton	Oklahoma	34.5987400	-98.3914600	1930	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE Floodway	Adjacent to wetland	GPS updated by EHP
3	William Clark	213 SW I	Lawton	Oklahoma	34.5987539	-98.3916275	1934	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE Floodway	Adjacent to wetland	GPS updated by EHP
4	Halico Homes, LLC	306 SW I	Lawton	Oklahoma	34.5983633	-98.3925700	1934	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE Floodway	Adjacent to wetland	GPS updated by EHP
5	Bonnie Blackburn	407 SW I	Lawton	Oklahoma	34.5988201	-98.3942779	1938	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
6	Stevens Rentals, LLC	408 SW I	Lawton	Oklahoma	34.5983968	-98.3942656	1954	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
7	Stevens Rentals, LLC	410 SW I	Lawton	Oklahoma	34.5984431	-98.3947290	1950	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	(2 units) GPS updated by EHP
8	Mike Moon	615 SW I	Lawton	Oklahoma	34.5987943	-98.3977215	1927	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE Floodway	Adjacent to wetland	GPS updated by EHP
9	William Clark	808 SW 3rd	Lawton	Oklahoma	34.5990610	-98.3918816	1928	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
10	Floyd Fry	808 SW 9th	Lawton	Oklahoma	34.5990440	-98.4011638	1941	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
11	Cynthia & Joseph Zuspahn	809 SW 6th	Lawton	Oklahoma	34.5989137	-98.3970988	1927	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
12	William Clark	810 SW 3rd	Lawton	Oklahoma	34.5989173	-98.3917750	1921	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE	Adjacent to wetland	GPS updated by EHP
13	William Clark	812 SW 3rd	Lawton	Oklahoma	34.5987544	-98.3917575	1934	No Historic Properties Affected	4/21/2023	40031C0432E	7/20/2009	AE Floodway	Adjacent to wetland	GPS updated by EHP



**HAZARD MITIGATION ASSISTANCE GRANT
STATE AND LOCAL AGREEMENT**

Between

**STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT and
HOMELAND SECURITY**

And

CITY OF LAWTON, OKLAHOMA

(Local Applicant)

This agreement between the State of Oklahoma Department of Emergency Management and Homeland Security (ODEMHS), and The City of Lawton shall apply to all Hazard Mitigation Assistance funds. These funds are provided through or by the State of Oklahoma pursuant in the amount specified on the obligating document, to support the Hazard Mitigation Grant Program, authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, 42 U.S.C. 5121 et seq.

EXECUTION OF THE AGREEMENT

SIGNATURE AUTHORITY

1. Because your request for Hazard Mitigation Assistance (HMA) Grant funding has been approved, it is now necessary for you, as the Subgrantee/Subrecipient, to enter into the below agreement with the Oklahoma Department of Emergency Management and Homeland Security (ODEMHS), hereafter referred to as the Grantee/Recipient. The following specific officers/officials, or their authorized designees, are required to sign this Agreement on behalf of the specified type of Subgrantee/Subrecipient. (NOTE: If this Agreement is signed by a designee, a duly authenticated delegation of authority evidencing the signer's authority to execute the Agreement for and on behalf of the Sub grantee/Sub recipient must be attached to the Agreement for review by ODEMHS.
 - a. **Corporation:** the Chair of the Board of Directors or President;
 - b. **City:** the Mayor, City Manager, or Town Administrator
 - c. **County:** the Chairman of the Board of County Commissioners
 - d. **School Board:** the Superintendent
 - e. **Fire District:** the District Chief
 - f. **Special Districts:** the Executive Director
 - g. **Institution of Higher Education:** the President of the institution
 - h. **Charter School:** the Chair of the Board of Directors
 - i. **County Sheriff's Office:** the Sheriff
 - j. **State Agencies:** the Director or Deputy Director of the agency
 - k. **All other Sub grantee/Sub recipients:** the Chief Executive Officer of the entity.

The Sub-recipient certifies and acknowledges that:

1. The State of Oklahoma has legal authority to apply for Hazard Mitigation Assistance funding on behalf of the Sub-recipient.
2. The Sub-recipient must use hazard mitigation assistance funds solely for the purposes as stated in the approved project award, provided scope of work, schedule, costs and overall project goals approved by the Federal Emergency Management Agency (FEMA) and the State.

3. The Sub-recipient is aware of and will be responsible for the cost-sharing requirements of federal and state hazard mitigation assistance, specifically, federal assistance is limited to no more than 90% of eligible expenditures, and the Sub-recipient will provide, from the Sub-recipient's funds, the remaining 10% of eligible costs or cost sharing requirements modified as set forth in applicable Federal statutes or laws.
4. Hazard Mitigation Assistance includes but is not limited to the following: Building Resilient Infrastructure and Communities, Pre-Disaster Mitigation, Flood Mitigation Assistance, and the Hazard Mitigation Grant Programs. Additional hazard mitigation grant programs may be available later for assistance requests and may be covered by this agreement.
5. The Sub-recipient will return to the State, within 15 days of such request by the Governors Authorized Representative, any advance funds which are not supported by audit or other Federal or State review of documentation maintained by the Sub-recipient.
6. The Sub-recipient must establish and maintain a proper accounting system to record expenditures of hazard mitigation assistance funds in accordance with generally accepted accounting standards. The accounting system must follow the approved practices as outlined in 2 CFR Part 200.
7. The Sub-recipient is aware all hazard mitigation assistance funding will be provided on a reimbursement basis only and must follow the reimbursement processes established by ODEMHS and FEMA grant guidelines.
8. The Sub-recipient will accurately document the events and expenses incurred in the execution of the hazard mitigation assistance project. All the documentation pertaining to a project shall be filed together with the corresponding grant documentation and be maintained by the Sub-recipient as the permanent record of the project. This process must include all backup and corresponding documentation and be filed with the project. The sub-recipient must provide a copy of the documentation to the State and FEMA for review, reconciliation, claims payment, and archiving upon request.
9. The Sub-recipient's records and supporting documentation relating to claims will be kept for three (3) years after closeout of the award.
10. All records and supporting documentation shall be available for inspection and audit at all reasonable times by the Oklahoma Department of Emergency Management and Homeland Security(ODEMHS), Oklahoma Office of the State Auditor and Inspector (SAI) and the US Department of Homeland Security Office of Inspector General (OIG) or other appropriate State agencies or their vendors, as designated by ODEMHS, access to and the right to examine all records, documents, papers relating to any activity undertaken for funding under this agreement.

11. The Sub-recipient will provide ODEMHS with quarterly project status reports within 10 calendar days following the end of the last day of each quarter.
12. If the Sub-recipient expends \$750,000 or more in total Federal assistance (all programs) in a single year, the Sub-recipient shall accomplish a Single Audit requirement and submit a copy of that audit to ODEMHS in accordance with 2 CFR §§ 200.
13. The Sub-recipient will comply with the U.S. Environmental Protection Agency regulations contained in Title 40 of the Code of Federal Regulations
14. The Sub-recipient will comply with all applicable provisions of Federal, State, and Local laws and regulations in regard to procurement of goods, services, and contracts which conform to federal law and the standards identified in 2 CFR §§200.318 General procurement standards through 200.326 Contract provisions.
15. The Sub-recipient affirms they have not received duplicate benefits from another federal source for the indicated project related to the hazard mitigation assistance request unless exempted by law. If the Sub-recipient receives duplicate benefits from another source for projects related to this application, the Sub-recipient agrees to refund the benefits provided by the State.
16. The Sub-recipient will comply with provisions of the Hatch Act of 1939 limiting the political activities of public employees, as it relates to the programs funded.
17. The Sub-recipient will comply, as applicable, with Federal, State, and Local statutes and regulations pertaining to discrimination and equal opportunity.
18. The Sub-recipient will comply, as applicable, with the provisions of the Davis-Bacon Act relating to labor standards.
19. The Sub-recipient will comply with requirements of the Federal, State, and Local adopted regulations regarding the National Flood Insurance Program and its provisions.
20. The Sub-recipient will not enter any cost-plus percentage of costs or contingency contract for completion of eligible work through the hazard mitigation assistance program.
21. The Sub-recipient will not enter contracts, grants, loans, or cooperative agreements for which payment is contingent upon receipt of state or federal funds.
22. The Sub-recipient must not enter any contract with any party that has been prohibited from participating in Federal or State assistance programs. Entities must be verified by the sub-recipient through SAM.GOV.
23. The Sub-recipient will comply with all applicable Federal, State, and Local codes and standards as it pertains to the hazard mitigation project.

24. As a condition for receipt of State or Federal funds, the Sub-recipient certifies that it has the legal responsibility for the maintenance, upkeep, and implementation of hazard mitigation activities for which it is applying for disaster assistance.
25. The Sub-recipient certifies that it has all necessary lands, easements, rights-of-way, and accesses necessary to complete the Hazard Mitigation Assistance projects for which it has and/or will apply. The Sub-recipient agrees and understands that neither the State nor FEMA will be responsible for obtaining any land, easement, right-of-way and/or access necessary to perform work on an approved project.
26. The Sub-recipient agrees to indemnify and hold the State and FEMA harmless from any damages arising out of the projects funded under this agreement.
27. All required documentation in support of the project costs for the closeout will be **submitted within 30 days** following completion of work on the project.
28. The Sub-recipient understands and will abide by the indicated period of performance as detailed in the FEMA and State Award documents. Period of performance schedule extensions will be granted solely for conditions beyond the Sub-recipient's control which result in an inability to complete approved projects within the approved timeline. All extensions will be subject to approval of the ODEMHS and FEMA and must be requested by the sub-recipient in writing.
29. **By signing this agreement, the Subrecipient further acknowledges that the effective date of this agreement shall be as of the date of the Federal Disaster Declaration DR 4530, dated April 05, 2020.**

I acknowledge by my signature, as an Elected Official or Jurisdiction Representative of the sub-recipient, should any part of this agreement not be in compliance with any or all regulations, funding for this project and future projects maybe denied by ODEMHS.

Signed: _____
(Elected Official or Jurisdiction Representative authorized to enter into governmental agreements)

Printed Name: _____

STATE OF OKLAHOMA

COUNTY OF _____

Signed or attested before me on _____ (date)

by _____ (name(s) of person(s)).

NOTARY PUBLIC or SEAL OF THE JURISDICTION

Title (and Rank):

Print Name:

My Commission Expires:

APPROVED on this _____ Day of _____, 20_____.

Signed: _____
**ANNIE MACK VEST, STATE DIRECTOR, ODEMHS
GOVERNOR’S AUTHORIZED REPRESENTATIVE**



FEMA

January 26, 2024

Annie Vest, Director
 Oklahoma Department of Emergency Management
 And Homeland Security
 P.O. Box 53365
 Oklahoma City, OK 73152-3365

Attn: Ms. Kim Jenson, Interim State Hazard Mitigation Officer

RE: DR-4530-0016-OK
 City of Lawton – Lawton I Ave Buyout
 Approval
 Assistance Listing 97.039 Hazard Mitigation Grant Program

Dear Ms. Vest:

This letter provides official notification that the Federal Emergency Management Agency (FEMA) approves the application submitted by the Oklahoma Department of Emergency Management and Homeland Security for the Lawton I Ave Buyout project. The Federal share is available through the Hazard Mitigation Grant Program (HMGP) under DR-4530-OK. The non-federal match requirement of \$59,257.10 will be provided by City of Lawton.

Pursuant to Section 1215 of the Disaster Recovery Reform Act of 2018, which amended Section 324 of the Robert T. Stafford Disaster Relief and Assistance Act, Subrecipient Management Costs (MC) in the amount of \$29,628.55 are available to the City of Lawton at a Federal Cost Share of 100%.

Summary of funding for the project is illustrated below:

DR-4530-0016-OK	Federal Share	Non-Federal Share	Total
Project Costs	\$533,313.90 (90%)	\$59,257.10 (10%)	\$592,571.00 (100%)
Subrecipient MC	\$29,628.55 (100%)	\$0.00 (0%)	\$29,628.55 (100%)
Total Obligation	\$562,942.45	\$59,257.10	\$622,199.55

The following is the approved Scope of Work (SOW) and MC activities for the above-referenced project:

The City of Lawton proposes the acquisition and demolition of 13 structures on properties located within the special flood hazard area in the City of Lawton, Comanche County, Oklahoma. These 13 structures will be demolished, and the property will be returned to open space area. This project will be implemented in compliance with 44 CFR Part 80 Property Acquisition for Open Space. This project would remove individuals living within the floodway and flood fringe to reduce the chances of future loss of property and life. Furthermore, it would allow property owners that may not have NFIP insurance but have experienced flooding to participate in the voluntary acquisition program and receive fair market value for the property so that they can find safe reliable housing.

Management activities will include overseeing administration of the grant to ensure compliance with all program rules and regulations, project monitoring (tracking metrics), completing quarterly reports, reimbursement requests, and assist with project closeout.

Properties that have been approved as components in the project SOW are attached.

This project has been determined to be Categorically Excluded (CATEX) in accordance with FEMA Instruction 108-1-1 and Department of Homeland Security (DHS) Instruction 023-01-001-01; CATEX n3 from the need to prepare either an Environmental Impact Statement or Environmental Assessment. No extraordinary circumstances in accordance with DHS Instruction 023-01-001-01 have been identified regarding this action. The applicant must comply with all conditions set forth in the attached Record of Environmental Consideration (REC). Failure to comply with these conditions may jeopardize federal assistance including funding.

The milestones included in the application indicate that the time to complete this subaward will be 24-months from the date of this letter. FEMA will not establish activity completion timeframes for individual sub awards. The Period of Performance (POP) for DR-4530-OK is February 1, 2026, which is 36 months from the close of the application period. It is the responsibility of the recipient and subrecipient to ensure all approved activities associated with this subaward are completed by the end of the POP. Any costs incurred prior to the date of this approval or after the POP will be disallowed.

A change to the approved SOW requires prior approval from FEMA. The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP SOW shall be reviewed by all state and federal agencies participating in the NEPA process. NEPA sign-off for all SOW additions or amendments is essential before the revised SOW can be approved by FEMA or implemented by the HMGP subrecipient.

In accordance with FEMA Policy #104-11-1 Interim Hazard Mitigation Grant Program Management Costs, any MC provided will be obligated in increments sufficient to cover recipient and subrecipient needs for no more than one year unless contractual agreements require additional funding. Actual subrecipient MC are to be reconciled quarterly during the review of expenditures submitted by the subrecipient through quarterly report process.

Ms. Vest
January 26, 2024
Page 3

Subrecipient MC can be expended for a maximum time of 180 days after work is completed for the subaward or the end of the POP, whichever is sooner.

The initial quarterly progress reports for the HMGP project are due at the end of the approving quarter. Please include this HMGP project in your future quarterly reports. Note that Title 44 of the Code of Federal Regulations (44 C.F.R.) § 206.438(c) indicates the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded. The report will include any problems or circumstances affecting completion dates, SOW, or project cost that may result in non-compliance with the approved grant conditions.

In accordance with HMGP rules and policy, we require the submittal of all closeout documentation within 90 days of the project completion, not to exceed POP. Section 206.438(d) of 44 C.F.R. requires the Governors Authority Representative to “certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement.”

The Obligation Report, REC, Property List, and Technical Recommendation Report are included for your records.

If you have any questions regarding the information, please contact Yolanda Yancy, Hazard Mitigation Assistance (HMA) Specialist, at (202) 664-4797 or Yolanda.yancy@fema.dhs.gov.

Sincerely,



Brianne Schmidtke
HMA Branch Chief

Enclosures: Obligation Report
REC
Property List
Technical Recommendation Report

ANNIE MACK VEST
State Director



J. KEVIN STITT
Governor

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT
AND HOMELAND SECURITY

February 6, 2024

Honorable Stan Booker
Mayor, City of Lawton
212 SW 9th Street
Lawton, OK 73501-3944

Reference: FEMA DR-4530-0016-OK – Lawton I Ave Buyout Project

Dear Mayor Booker,

Oklahoma Department of Emergency Management and Homeland Security (ODEMHS) is pleased to announce the approval by FEMA Region VI of funds for the above-referenced project. The total approved project cost is \$592,571.00 with a federal share amount of \$533,313.90 and a non-federal match requirement of \$59,257.10

Pursuant to Section 1215 of the Disaster Recovery Reform Act of 2018, which amended Section 324 of the Robert T. Stafford Disaster Relief and Assistance Act, Subrecipient Management Costs (MC) in the amount of \$29,628.55 are available to the City of Lawton at a Federal Cost Share of 100%. Management activities will include overseeing administration of the grant to ensure compliance with all program rules and regulations, project monitoring (tracking metrics), completing quarterly reports, reimbursement requests, and assist with project closeout.

The following is the approved Scope of Work (SOW) for the above-referenced project:

The City of Lawton proposes the acquisition and demolition of 13 structures on properties located within the special flood hazard area in the City of Lawton, Comanche County, Oklahoma. These 13 structures will be demolished, and the property will be returned to open space area. For your reference the properties approved as components in the project Scope of Work (SOW) are attached to this document. This project will be implemented in compliance with 44 CFR Part 80 Property Acquisition for Open Space. This project would remove individuals living within the floodway and flood fringe to reduce the chances of future loss of property and life. Furthermore, it would allow property owners that may not have NFIP insurance but have experienced flooding to participate in the voluntary acquisition program and receive fair market value for the property so that they can find safe reliable housing.



ANNIE MACK VEST
State Director



J. KEVIN STITT
Governor

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT
AND HOMELAND SECURITY

This project has been determined to be Categorically Excluded (CATEX) in accordance with FEMA Instruction 108-1-1 and Department of Homeland Security (DHS) Instruction 023-01-001-01; CATEX n3 from the need to prepare either an Environmental Impact Statement or Environmental Assessment. No extraordinary circumstances in accordance with DHS Instruction 023-01-001-01 have been identified regarding this action. The applicant must comply with all conditions set forth in the attached Record of Environmental Consideration (REC). Failure to comply with these conditions may jeopardize federal assistance including funding.

The Period of Performance (POP) for DR-4530-OK is February 1, 2026, which is 36 months from the close of the application period. It is the responsibility of the recipient and subrecipient to ensure all approved activities associated with this subaward are completed by the end of the POP. Any costs incurred prior to the date of this approval or after the POP will be disallowed.

A change to the approved SOW requires prior approval from FEMA. The National Environmental Policy Act (NEPA) stipulates additions or amendments to a HMGP SOW shall be reviewed by all state and federal agencies participating in the NEPA process. NEPA sign-off for all SOW additions or amendments is essential before the revised SOW can be approved by FEMA or implemented by the HMGP subrecipient.

The enclosed State and Local Agreement is required to be signed by the Chief Elected Official or community official who is authorized to apply for and receive Federal Grants. Please submit a signed copy to this office as soon as possible, but no later than March 15, 2024. [Please note: the City of Lawton may not request reimbursement of project costs without signing and returning the above referenced agreement.]

As the work progresses on this project, FEMA and ODEMHS require that you provide Quarterly Project Reports electronically through the OK EMGrants system every quarter until this project is completed and closed out. The initial quarterly progress reports for the HMGP project are due at the end of the approving quarter. Please include this HMGP project in your future quarterly reports. Note that Title 44 of the Code of Federal Regulations (44 C.F.R.) § 206.438(c) indicates the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded. The report will include any problems or circumstances affecting completion dates, SOW, or project cost that may result in non-compliance with the approved grant conditions.

The first Quarterly Report is due April 10, 2024, for the 2nd Quarter of FFY 2024. Remaining quarterly reports will be due according to the schedule below.



ANNIE MACK VEST
State Director



J. KEVIN STITT
Governor

STATE OF OKLAHOMA
DEPARTMENT OF EMERGENCY MANAGEMENT
AND HOMELAND SECURITY

- o 1st Quarter (Oct, Nov, Dec) Report due Jan 10;
- o 2nd Quarter (Jan, Feb, Mar) Report due April 10;
- o 3rd Quarter (Apr, May, Jun) Report due Jul 10;
- o 4th Quarter (Jul, Aug, Sep) Report due Oct 10.

As an applicant and recipient of a Federal Disaster Assistance Grant, the City of Lawton is required to be compliant of current procurement standards under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Rules"), which are codified at 2 C.F.R. §§ 200 and supersede the procurement regulations formerly in effect. This includes specific provisions as required for Non-Federal Entities.

Requests for reimbursement submitted in OK EMGrants must include appropriate invoices to substantiate the amount of the request and within the Line-Item Budget Categories, including the 10% local match applicable to the reimbursement request. Please limit your requests to once a quarter or approximately 20% of the project, except in the most unusual circumstances.

Only those funds that are eligible, reasonable, verified, and completed in performance of the sub-grant will be disbursed during the administration of the project and after the final project close-out. The remaining funds that have not been disbursed or deemed ineligible for reimbursement will be de-obligated and returned to FEMA at the completion and closeout of the project.

If you have questions regarding this project, please contact Tera Mathis at tera.mathis@oem.ok.gov or myself at kim.jenson@oem.ok.gov. You may also reach either of us by phone at 405-521-2481.

Respectfully,

Kim Jenson
Interim State Hazard Mitigation Officer

Enclosures: DR 4530-0016 State and Local Agreement, FEMA Award Notification, and approved Property List.





City of Lawton

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

Commentary

File #: 24-1278

Agenda Date: 2/27/2024

Agenda No: 16.

ITEM TITLE:

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.

INITIATOR: Dewayne Burk, Deputy City Manager

STAFF INFORMATION SOURCE: Dewayne Burk, Deputy City Manager

BACKGROUND: The current Collective Bargaining Agreement between the City and the Police Union contains language within Article 7.15 that authorizes Flex Leave beginning July 1, 2024 for all bargaining unit members covered by the police contract. If approved, this request would authorize the City Manager to grant twenty (20) hours of flex leave specifically to the two Assistant Chief positions within the Police Department prior to the July 1, 2024 date with said leave to be utilized in accordance with the use provisions set forth in Article 7.15 of the agreement. The two Assistant Police Chief positions were converted to exempt employees under the police contract and as such are not eligible for overtime or the ability to earn compensatory time. This request is supported by management and is recommended for approval.

EXHIBIT: IUPA Local #24 Request Letter

KEY ISSUES: If approved, the awarded leave would be use or lose by June 2024.

FUNDING SOURCE: Leave is not subject to buyback.

STAFF RECOMMENDED COUNCIL ACTION: Approve a request from the IUPA Local 24 to authorize 20 hours of use or lose Flex Leave for the two Assistant Police Chief positions with said leave to be utilized by the last pay period in June 2024.



INTERNATIONAL UNION OF POLICE ASSOCIATIONS, AFL-CIO

Speaking with one voice, Moving with one purpose

AFL-CIO Lawton Local #24

To: Deputy City Manager Burk

From: LPOA IUPA Local 24

Date: 02/09/2024

Reference: Flex leave Assistant Chief's

Mr. Burk,

This correspondence is to document our working agreement related to the granting of 20 hrs. of flex leave to the two (2) Assistant Chiefs. (Eric Carter and Alvin Winham). This was discussed in detail with Deputy City Manager DeWayne Burk and the IUPA Local 24 and it is understood that this action would need Council and City Manager approval. If the approval is granted, the two Assistant Chiefs will be granted early approval for flex leave running from approval date _____ to last payroll period in June 2024. Starting July 1, 2024 per contract (Article 7 – Leaves, 7.15 Flexible Holiday Leave), all commissioned Police Officers will be allot the amount of flex leave stated in the contract with the limitations described in the CBA until changed by any negotiations here after

President - Clay Houseman

IUPA Local #24



City of Lawton

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

Commentary

File #: 24-1215

Agenda Date: 2/27/2024

Agenda No: 17.

ITEM TITLE:

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.

INITIATOR: Larry Wolcott, Public Works Director

STAFF INFORMATION SOURCE: Larry Wolcott, Public Works Director, Cynthia Williams, Deputy Public Works Director

BACKGROUND: Blowing litter is a common problem that causes negative environmental impacts as well as poor aesthetics. Litter vacuum equipment is available to mitigate blowing litter and is five times more efficient than manual litter picking. Propel CIP included funds for beautification improvements including development and implementation of an eight (8) year bulk trash pickup program including the purchase of the equipment to implement the program and mowing of City right of way and easements and abatement of high grass, weeds and trash on private property including the purchase of necessary equipment. Utilization of this equipment will assist with the bulk trash pickup program by collecting blowable litter generated by non-compliant bulky waste set-outs and aid in our pursuit of excellence with efficient delivery of services.

EXHIBIT: Sourcewell quote for MADVAC LP61-G Portable Litter Vacuum Trailer

KEY ISSUES: N/A

FUNDING SOURCE: Propel CIP- Beautification: \$612,000 was budgeted and the projected available balance is \$385,000 for FY23/24, with \$350,000 remaining if purchase approved.

STAFF RECOMMENDED COUNCIL ACTION: Authorize the use of Propel Beautification funds for the purchase of a litter vacuum trailer in an amount not to exceed \$35,000.00.

MADVAC LP61-G PORTABLE LITTER VACUUM

www.madvac.com



12/8/2023 REVISED
Price subject to change

Payment term: Net 30 Days
Freight: Included or explain charges

Quote Number:

Bill Location/Fed Tax ID#		Ship Location/ Contact information	
CUSTOMER	City of Lawton Public Works	Cynthia Williams, CFM	
	212 SW9th Street	Deputy Director	
	Lawton, OK 73501	580-581-3478	
		cynthia.williams@lawtonok.gov	

Sourcewell Member Municipality Contracted Price

Part #	Description	Unit Price	Quantity	Extended Price
Base Model				
LP61-G	LP61 Gasoline Skid Includes the following standard features: * 360° rotating vacuum hose support boom * Exhaust bag dust control system * Emergency stop button * Standard 25 ft. (7620 mm) vacuum hose, Catch Cover for Bags	\$ 22,555	1	\$ 22,555
Available Options				
K61T	Trailer conversion kit	\$ 2,366	1	\$ 2,366
	Available trailer attachment types: Ball 1-7/8" (K60344) Ball 2" (K60345) Pintle (K63117)	N/C	0	N/C
K63087	Spare wheel mounted on trailer	\$ 523	0	\$ -
K9899	Additional 8 in. (203 mm) diameter X 15 ft. (4572 mm) hose extension	\$ 473	0	\$ -
K13063	Additional 8 in. (203 mm) diameter X 25 ft (7620 mm) hose extension	\$ 639	0	\$ -
K11793	2 micron interior cylindrical filter cartridge (for additional dust control)	\$ 706	0	\$ -
63271	Litter collector bags (100 bags)	\$ 311	0	\$ -
64943-ET	DOOR CATCH COVER, For BAGS	\$ 81	0	\$ -
K64945	Bagless debris system (kevlar bin instead of litter collector bags) w/ Catch Cover	\$ 623	0	\$ -
Extended Warranty Options				
	Exprolink Inc. offers a 1-year (1000 hours) limited parts & labor WARRANTY	N/C	1	N/C
WS61-2	Extended warranty coverage: 1 additional year (2-year / 2000 hours)	\$ 1,100	0	\$ -
WS61-3	Extended warranty coverage: 2 additional years (3-year / 3000 hours)	\$ 2,065	0	\$ -
Available Options				
LC400	High capacity electric litter compactor 400 (4 cu.yd.) (including the trailer mount)	\$ 108,275	0	\$ -
LC600	High capacity electric litter compactor 600 (6 cu.yd.) (including the trailer mount)	\$ 111,160	0	\$ -
Sourcewell Spare Part pricing only with a machine order! Parts@exprolink.com for dealer Price quotes for non-Sourcewell part prices				
MV63271	COLLECTOR BAG, OVERSIZE (100 BAGS)	\$ 331	10	\$ 3,312
K12198	BAGLES DEBRIS SYSTEM	\$ 625	0	\$ -
64943-ET	DOOR CATCH COVER, BAGLESS	\$ 81	0	\$ -
64935-ET	DOOR CATCH COVER, BAGS	\$ 81	0	\$ -
MV9422	EXHAUST BAG (Dust control for fan exhaust)	\$ 296	0	\$ -
MV11864	PICKUP NOZZLE, for 6" wander hose	\$ 324	1	\$ 324
MV13062	HOSE, VACUUM, 8" DIA X 25' LG., URETHANE (R1291)	\$ 678	1	\$ 678
MV63883	CONNECTOR, PLASTIC QUICK (3602, CUT 9"1/16)	\$ 166	0	\$ -
MV63235	PILLOW BEARING (Pair of 2)	\$ 43	0	\$ -
MV63299	FAN SHAFT	\$ 324	0	\$ -

End User

Sourcewell M#

Sub Total	\$ 29,234
Applied Discount %	0
Applied Discount \$	\$ -
Dealer PDI or Freight	-
Total USD	\$ 29,234.20

Terms and Conditions

- Quota valid 30 days
- Lead time: **4-5 months** once purchase order has been received
- Applicable taxes not included
- Upon delivery, on-site operator and maintenance training provided by Exprolink / Madvac or authorized Madvac dealer

Sourcewell members:

- Freight is included with the exception of Hawaii and Alaska
- For Hawaii and Alaska, Exprolink will cover \$1500 freight amount per machine, the rest will be paid by Sourcewell member (freight cost quoted upon shipment)
- Freight will be charged to all Sourcewell members for any consumables/parts-only orders

Non-Sourcewell sales:

Freight is not included and will be quoted upon shipment

MADVAC LP61-G PORTABLE LITTER VACUUM

www.madvac.com



12/8/2023 REVISED
Price subject to change

Payment term: Net 30 Days
Freight: Included or explain charges

Quote Number:									
Bill Location/Fed Tax ID#	Ship Location/ Contact information								
CUSTOMER	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">City of Lawton Public Works</td> <td style="width: 50%;">Cynthia Williams, CFM</td> </tr> <tr> <td>212 SW9th Street</td> <td>Deputy Director</td> </tr> <tr> <td>Lawton, OK 73501</td> <td>580-581-3478</td> </tr> <tr> <td></td> <td>cynthia.williams@lawtonok.gov</td> </tr> </table>	City of Lawton Public Works	Cynthia Williams, CFM	212 SW9th Street	Deputy Director	Lawton, OK 73501	580-581-3478		cynthia.williams@lawtonok.gov
City of Lawton Public Works	Cynthia Williams, CFM								
212 SW9th Street	Deputy Director								
Lawton, OK 73501	580-581-3478								
	cynthia.williams@lawtonok.gov								
Sourcewell Member Municiple Contracted Price									

Approved and accepted by (Print Name)

Signature

Date approved

Special Instructions

- | | |
|---|---|
| <ul style="list-style-type: none"> ▪ Purchase order to the attention of Exprolink / Madvac
2170 rue de la Province, Longueuil,
QC J4G 1R7 Canada Tel: 855-651-0444 ▪ Payment via wire transfer | <ul style="list-style-type: none"> ▪ Please indicate on your purchase order: <ul style="list-style-type: none"> ○ Sourcewell member number (if applicable) ○ Exprolink / Madvac Sourcewell contract number 093021-EXP (if applicable) ○ Exprolink / Madvac quote number ○ Complete bill-to and ship-to address with contact name and phone number ○ Specify if ship-to address has a loading dock (or not) for delivery (*important) |
|---|---|

Dave Booth - Caliber Equipment, Inc.888-550-0945
Dave@caliberequipment.com



City of Lawton

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

Commentary

File #: 24-1232

Agenda Date: 2/27/2024

Agenda No: 18.

ITEM TITLE:

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.

INITIATOR: Joe Don Dunham, Finance Director

STAFF INFORMATION SOURCE: Joe Don Dunham, Finance Director

BACKGROUND: In accordance with the True North Culture of transparency, trust, and efficiency a budget amendment is needed to appropriate funds for the following reasons: (1) allocating five hundred twenty-seven thousand, six hundred fifty-five and 94/100 dollars (\$527,655.94) which was received from FEMA to provide additional funding for the Lake Ellsworth Dam Improvement Project, which is the intended use for these funds; (2) allocating three thousand and 00/100 dollars (\$3,000.00) for reimbursement of training funds which were paid from the Cell Phone System Fund; and (3) After a reconciliation of Lawton Enhancement Trust Authority (LETA) a budget amendment is needed to increase the Freedom Festival Celebration and general LETA roll-over funds for a total One Hundred Ninety-Two Thousand Three Hundred Eighty-Six and 04/100 dollars (192,386.04).

EXHIBIT: Resolution No. 24-_____

KEY ISSUES: Does the City Council want to proceed with these adjustments

FUNDING SOURCE: This is a rather routine budget amendment to allocate funds which have been received.

STAFF RECOMMENDED COUNCIL ACTION: Vote to approve 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 General Fund, 2019 Capital Improvement Fund to fund improvements to the Lake Ellsworth Dam, E911 Cellular Phone system, Lawton Freedom Festival and LETA roll-over.

RESOLUTION NO. 24-_____

A RESOLUTION AMENDING RESOLUTION NO. 23-94, WHEREBY THE CITY OF LAWTON, OKLAHOMA BUDGET FOR FISCAL YEAR 2023-2024 WAS ORIGINALLY ADOPTED, AND AS PREVIOUSLY AMENDED BY RESOLUTION NO. 23-126, RESOLUTION NO. 23-127, RESOLUTION NO. 23-150, RESOLUTION NO. 23-157, RESOLUTION NO. 24-003, AND 24-019 TO APPROPRIATE SEVEN HUNDRED TWENTY-THREE THOUSAND FORTY-ONE AND 98/100 DOLLARS (\$723,041.98) TO HOTEL/MOTEL, GENERAL, CELLULAR PHONE SYSTEM AND CAPITAL IMPROVEMENT/PROPEL 2019 FUNDS.

WHEREAS, the City of Lawton has adopted the provisions of the Oklahoma Municipal Budget Act (the Act) in 11 O.S. Sections 17-201 through 17-216; and

WHEREAS the Interim City Manager prepared a budget for the fiscal year ending June 30, 2024 (FY 2023-2024) consistent with the Act; and

WHEREAS the Act in section 17-215 provides for the City Manager of the City, or designee, as authorized by the governing body, to transfer any unexpended and unencumbered appropriation from one department to another within the same fund; and

WHEREAS the budget was formally presented to the Lawton City Council at least 30 days prior to the start of the fiscal year in compliance with Section 17-205; and

WHEREAS the City of Lawton City Council conducted a Public Hearing at least 15 days prior to the start of the fiscal year, and published notice of the Public Hearing in compliance with Section 17-208 of the Act; and

WHEREAS, Resolution No. 23-94 approved the City of Lawton, Oklahoma budget for Fiscal Year 2023-2024, and established budget amendment authority; and

WHEREAS, City Council previously approved Resolution No. 23-126, amending Resolution No. 23-94 by appropriating Thirty-Two Million Four Hundred Ninety-Four Thousand Four Hundred Sixty-Seven Thousand and 23/100 Dollars (\$32,494,467.23) for projects funded by Clean Water and Drinking Water State Revolving Fund loans, and up to Three Million and 00/100 Dollars (\$3,000,000.00) to support projects within the Capital Improvements Project Fund; and

WHEREAS, City Council previously approved Resolution No. 23-127, amending Resolution No. 23-94 by appropriating Nine Thousand Twenty and 00/100 Dollars (\$9,020.00) to the Information Technology Services Division's Computer Supplies account; and

WHEREAS, City Council previously approved Resolution No. 23-150, amending Resolution No. 23-94 by appropriating Three Million Eighty Four Thousand Eight Hundred

Fourteen and 18/100 Dollars (\$3,084,814.18) for loan payments made on the FAP OWRB funded loan for Capital Improvements Project Fund/PROPEL; and

WHEREAS City Council previously approved Resolution No. 23-157 amending Resolution No. 23-94 by appropriating Ten Thousand Seventy-Five and 00/100 Dollars (\$10,075.00) from the Elk Hunt Administrative Fees, and Five Hundred Thirty-Six Thousand Nine Hundred Three and 97/100 Dollars (\$536,903.97) from insurance claims from the Hail Storm on June 15, 2023.

WHEREAS, City Council previously approved Resolution No. 24-003 amending Resolution No. 23-94 by appropriating Seven Million Four Hundred Fourteen Thousand Three Hundred Twenty Nine and 94/100 Dollars (\$7,414,329.94) for the purpose of Industrial Infrastructure construct to benefit WestWin Technologies and Two Million Nine Hundred Forty Thousand and 00/100 Dollars (\$2,940,000.00) to fund the acquisition and improvements in the operation of the water system that provided a benefit to the Lawton Recreation Facilities at Schoolhouse Slough.

WHEREAS, City Council previously approved Resolution No. 24-019 amending Resolution No. 23-94 by One Million and 00/100 Dollars (\$1,000,000.00) from Hotel Tax fund to FISTA for an economic development incentive to R4 Technologies, and One Million One Hundred Three Thousand Three One Hundred Twenty-Eight and 73/100 Dollars (\$1,103,128.73) for FISTA operations and insurance, One Million Five Hundred Twenty-Five Thousand and Three Hundred Fifty 00/100 Dollars (\$1,525,350.00) to the Parks CIP Project for the purpose of Parks improvements as approved during the November 14, 2023 City Council Meeting, One Million 00/100 Dollars (1,000,000.00) to pay industrial development incentive from the Economic Development Project of the CIP Fund, and Two Hundred Thirty-Five Thousand Five Hundred One and 00/100 Dollars (\$235,501.00) for Youth Programs as recommended by the Youth and Family Affairs Committee.

WHEREAS, a budget amendment is needed to appropriate Five Hundred Twenty-Seven Thousand Six Hundred Fifty-Five and 94/100 Dollars (\$527,655.94) to be allocated to the Lake Ellsworth Dam Project, Three Thousand and 00/100 Dollars (\$3,000.00) to be allocated to the Lawton Cellular Phone Fund for E911 Training, One Hundred Fourteen Thousand Four Hundred Fifty-Nine and 00/100 (\$114,459.00) to be allocated to the Freedom Festival Celebration, and Seventy-Seven Thousand Nine Hundred Twenty-Seven and 04/100 (\$77,927.04) for the Lawton Enhancement Trust Authority as per the Support Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA:

SECTION 1. The City Council does hereby amend the FY 2023-2024 Budget originally adopted on the 13th of June 2023, for the purpose of increasing appropriations in account 4400000-54010 by Five Hundred Twenty-Seven Thousand Six Hundred Fifty-Five and 94/100 Dollars (\$527,655.94) for Lake Ellsworth Dam Improvement Project.

SECTION 2. The City Council does hereby amend the FY 2023-2024 Budget originally adopted on the 13th day of June 2023, for the purpose of increasing appropriations in account 2558001-52060 by Three Thousand and 00/100 Dollars (\$3,000.00) for reimbursement of training expense for the E911 Department and paid from the Cellular Phone System Fund.

SECTION 3. The City Council does hereby amend the FY 2023-2024 Budget originally adopted on the 13th day of June 2023, for the purpose of increasing appropriations in account 2301004-52025 by One Hundred Fourteen Thousand Four Hundred Fifty-Nine and 00/100 Dollars (\$114,459.00) for the Freedom Festival Celebration.

SECTION 4. The City Council does hereby amend the FY 2023-2024 Budget originally adopted on the 13th day of June 2023, for the purpose of increasing appropriations in account 2301004-52025 by Seventy-Seven Thousand Nine Hundred Twenty-Seven and 04/100 Dollars (\$77,927.04) for the Lawton Enhancement Trust Authority as per the support agreement.

SECTION 5. The City Council does hereby authorize the City Manager to transfer any unexpended and unencumbered appropriations, at any time throughout FY 2023-2024 from one line item to another, one object category to another within a department, or one department to another within a fund, without further approval by the City Council.

SECTION 6. All supplemental appropriations or decrease in the total appropriation of a fund shall be adopted at a meeting of the City Council and filed with the State Auditor and Inspector.

ADOPTED AND APPROVED, by the City Council of Lawton this 27th day of February 2024.

(SEAL)

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this ____ day of February, 2024.

TIMOTHY E. WILSON, ACTING CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1293

Agenda Date: 2/27/2024

Agenda No: 19.

ITEM TITLE:

Consider approving the minutes of the Lawton City Council special meetings of October 5, 2023 and October 11, 2023.

INITIATOR: Donalynn Blazek-Scherler, City Clerk

STAFF INFORMATION SOURCE: Donalynn Blazek-Scherler, City Clerk

BACKGROUND: The Lawton City Council met on October 5, 2023 and October 11, 2023. Minutes for the meetings have been drafted and are awaiting approval.

EXHIBIT: Draft Minutes of October 5, 2023; Draft Minutes of October 11, 2023.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve the minutes of the Lawton City Council special meetings of October 5, 2023 and October 11, 2023.

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 5, 2023 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:

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

Mayor Pro Tem Randy Warren called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Allan Hampton, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Kelly Harris, Ward Two*
Linda Chapman, Ward Three
George Gill, Ward Four
Allan Hampton, Ward Five
Bob Weger, Ward Six**
Onreka Johnson, Ward Seven***
Randy Warren, Ward Eight

ABSENT:

*Left at 3:31PM

** Left at 3:34PM

*** Arrived at 2:02PM

EXECUTIVE SESSION ITEMS:

1. Pursuant to section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city manager, and, if necessary, take appropriate action in open session.

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

City Council remained in executive session from 2:01PM to 4:24PM.

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

Wilson read the title. No action was necessary.

There being no further business to consider, the meeting adjourned at 4:24 p.m. upon motion,
Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 11, 2023 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
John Ratliff, Acting City Manager
Greg Gibson, Assistant City Attorney
Donalynn Blazek-Scherler, City Clerk

Mayor Booker called the meeting to order at 2:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Allan Hampton, followed by the Pledge of Allegiance

ROLL CALL

PRESENT: Mary Ann Hankins, Ward One
Kelly Harris, Ward Two*
Linda Chapman, Ward Three
George Gill, Ward Four
Allan Hampton, Ward Five
Bob Weger, Ward Six
Randy Warren, Ward Eight**

ABSENT: Onreka Johnson, Ward Seven

*Arrived at 2:38PM
** Arrived at 2:30PM

BUSINESS ITEMS:

1. Receive training from the City’s Disclosure Counsel on the City’s disclosure responsibilities related to the City’s issuance of bonds, etc., under the federal securities laws including Securities & Exchange Commission guidance for council members, overview of disclosure procedures, disclosure standards and the distinction between liability of the City and liability of individual council members.

Gibson stated this is a required training under Council Policy 4-3, and it is also given to some City staff that are involved in bond disclosure activities. Gibson stated we have Brian Garzione with Hawkins, Delafield, and Wood LLP, the City of Lawton’s bond disclosure counsel based in Washington, D.C.

Garzione presented via video conference regarding disclosure responsibilities under the Federal Securities Laws. This presentation is available in the City Clerk’s Office.

No Action was taken.

2. Consider a request from the Lawton Economic Development Authority (LEDA) for financial support in filling the LEDA Executive Director position, with any funds expended by the City of Lawton to LEDA to be paid back by income from various tax increment districts as funds become available, and take action as deemed necessary.

LEDA Chairman Fred Fitch stated that Richard Rogalski previously filled this role from a leadership standpoint because of his knowledge in bond financing and various TIF programs. Fitch went on to explain how a tax increment financing district works, using TIF 2 and Westwin as examples, and stated the TIFs are a lot to keep up with. There is a long process, and the funds go through several entities before arriving to the City, so someone has to keep track of all of this. There is a lot of growth with LEDA and the TIFs that are being done.

Fitch stated there are also retail packages that take time and knowledge to be able to put together to be presented to project managers. Right now, this is being done by the City Finance Department, and it is putting a strain on staff and the product isn't great.

Fitch stated Jeannie Bowden, the Economic Development Director at LEDC, left about 3 months ago to work elsewhere, so that position has to be filled as well. It was decided that the two entities should work together and share the cost of approximately \$140,000.00 to hire an executive director. Fitch stated LEDC would contribute \$63,000.00 and LEDA would contribute \$77,000.00 towards the salary. LEDA would have 55% control of that position. At this time, LEDA and LEDC have both drafted separate contracts that differ on the scope of responsibilities.

Fitch stated there is no particular candidate in mind, and we have contact information on a headhunter experienced in economic development.

Fitch stated he is coming to Council today to request the \$77,000.00 for the salary in a loan from the hotel/motel economic development tax fund. This money would be paid back when the tax increments start coming in.

Motion by Gill, Second by Chapman, to approve a request from the Lawton Economic Development Authority (LEDA) for financial support in filling the LEDA Executive Director position, with any funds expended by the City of Lawton to LEDA to be paid back by income from various tax increment districts as funds become available. AYE: Hankins, Chapman, Gill, Hampton, Weger. NAY: None. ***Motion passed.***

EXECUTIVE SESSION ITEMS:

3. Pursuant to section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss particular candidates who have submitted applications for the position of city manager, and, if necessary, take appropriate action in open session.

Motion by Gill, Second by Warren, to adjourn into executive session. AYE: Hankins, Harris,

Chapman, Gill, Hampton, Weger, Warren. NAY: None. ***Motion Passed.***

City Council remained in executive session from 3:13PM to 4:53PM.

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

Gibson read the title. No action was necessary.

There being no further business to consider, the meeting adjourned at 4:54 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK



City of Lawton

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

Commentary

File #: 24-1301

Agenda Date: 2/27/2024

Agenda No: 20.

ITEM TITLE:

Consider approving appointments to boards and commissions.

INITIATOR: Mayor Stan Booker

STAFF INFORMATION SOURCE: N/A

BACKGROUND: It is recommended that the persons nominated as shown be approved for appointments to the following boards and commissions.

PARKS & RECREATION COMMISSION

Dennis Clippinger - Ward 6 Appointment

Jason Scott- Mayoral Reappointment

Anthony Cox- Mayoral Reappointment

David Tyler- Mayoral Reappointment

Linda Neal- Ward 3 Reappointment

LAWTON ENHANCEMENT TRUST AUTHORITY (LETA)

Chris Rabon - Ward 2 Representative

ENGINEER SELECTION COMMITTEE

Mayor Stan Booker - Chairman

COUNCIL FEE COMMITTEE

Councilman Kelly Harris

INDUSTRIAL DEVELOPMENT AUTHORITY (LIDA)

Councilman George Gill

Councilman Allan Hampton

EXHIBIT: Proposed Appointments

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve the appointments to boards and commissions.



February 27, 2024

PARKS & RECREATION COMMISSION

Dennis Clippinger – Ward 6 Appointment
7513 NW Willow Creek Drive
Lawton, OK 73505
01/01/2026

Jason Scott- Mayoral Reappointment
502 NE 27th Street
Lawton, OK 73507
01/01/2026

Anthony Cox- Mayoral Reappointment
7203 NW Willow Place
Lawton, OK 73505
01/01/2026

David Tyler- Mayoral Reappointment
501 SW 77th Street
Lawton, OK 73505
01/01/2026

Linda Neal- Ward 3 Reappointment
325 NW Ridgeview Way
Lawton, OK 73505
01/01/2026

**LAWTON ENHANCEMENT TRUST
AUTHORITY (LETA)**

Chris Rabon – Ward 2 Representative
1106 NW Laird Avenue
Lawton, OK 73507
02/27/2027

ENGINEER SELECTION COMMITTEE

Mayor Stan Booker – Chairman
212 SW 9th Street
Lawton, OK 73501
Council Term

COUNCIL FEE COMMITTEE

Councilman Kelly Harris
1917 NW Cherry Avenue
Lawton, OK 73507
Council Term

INDUSTRIAL DEVELOPMENT AUTHORITY

Councilman George Gill
3705 NE Eastlake Drive
Lawton, OK 73507
UT 5/25/2024

Councilman Allan Hampton
1202 NW Bell Avenue
Lawton, OK 73507
UT 5/25/2024



City of Lawton

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

Commentary

File #: 24-1242

Agenda Date: 2/27/2024

Agenda No: 21.

ITEM TITLE:

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.

INITIATOR: Charlotte Brown, Director of Community Services Director/Planning

STAFF INFORMATION SOURCE: Joshua White, Neighborhood Services Supervisor

BACKGROUND: This is in accordance with the True North Culture Statement for a Safe Community. We will be relentless in our efforts to provide a safe environment for our citizens to thrive. The structures located at **Ward 1:** 2207 NW Pollard Avenue, 2312 NW Dunstan Lane, 2701 NW 46th Street; **Ward 2:** 1314 NW Taft Avenue, 1402 NW Logan Avenue, 1601 NW Andrews Avenue, 1810 NW Taylor Avenue, 1901 NW Andrews Avenue; **Ward 3:** 815 NW 35th Street; **Ward 4:** 4716 SE Avalon Avenue; **Ward 5:** 511 NW Bell Avenue, 516 SW H Avenue, 918 SW 3rd Street, 1006 SW 28th Street, 1214 SW A Avenue; **Ward 6:** 5632 NW Beechwood Drive; **Ward 7:** 1311 SW 9th Street, 1601 SW Tennessee Avenue, 1709 SW McKinley Avenue; have been inspected and found to meet the criteria to be declared dilapidated pursuant to Lawton City Code, Division 6-5-1. Said structures are in an obvious state of neglect and disrepair such that they are detrimental to the health, safety and welfare of the general public and a blighting influence on the Lawton community. The attached resolutions provide that the structures on the above listed properties are declared to be dilapidated and directs that they be remodeled or demolished by the property owner in compliance with the City's building code requirements. The property owners and any mortgage holders have been notified of this public hearing by mail, with a receipt of mailing obtained from the post office. A Notice of Hearing was also posted on each property. Summary documents, including supporting photographs, reports from the Fire Marshal and City Inspectors, and case histories are on file within the Neighborhood Services Division.

EXHIBIT: Resolution, Exhibits A's and Photos of the Property

KEY ISSUES: Absolve the public of a continued threat to public safety

FUNDING SOURCE: Neighborhood Services Abatement and Demolition Funds

STAFF RECOMMENDED COUNCIL ACTION: Adopt Resolutions declaring the structures 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.

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

North Addition, Block Thirty-Nine (39), Lot Eleven (11), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 511 NW Bell Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: David Spaulding
511 NW Bell Avenue
Lawton, Oklahoma 73507

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

North Addition, Block Thirty-Nine (39), Lot Eleven (11), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 511 NW Bell Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Woods Addition, Block Twenty-Eight (28), Lot Twelve (12), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 516 SW H Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Lawson Q Mathis
511 SW H Avenue
Lawton, Oklahoma 73501

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Woods Addition, Block Twenty-Eight (28), Lot Twelve (12), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 516 SW H Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Greer Addition, Part Five (5), Block Thirteen (13), Lot Nine (9), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 815 NW 35th Street, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: TL Stamper Properties, LLC
803 NW 76th Street
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Greer Addition, Part Five (5), Block Thirteen (13), Lot Nine (9), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 815 NW 35th Street, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Beal Addition, Block Two (2), Lots Sixteen (16) and Seventeen (17), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 918 SW 3rd Street (Secondary Structure), Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Henry J & Sally R Herzig
1102 SE Flower Mound Road
Lawton, Oklahoma 73501

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Beal Addition, Block Two (2), Lots Sixteen (16) and Seventeen (17), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 918 SW 3rd Street (Secondary Structure), Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Patterson Addition, Block One (1), Lot Thirteen (13), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1006 SW 28th Street, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Timothy Dale & Cheyanne M Schaffer
2312 SW E Avenue
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Patterson Addition, Block One (1), Lot Thirteen (13), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1006 SW 28th Street, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner’s expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner’s agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City’s building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner’s agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Butler Addition, Block Five (5), Lots Ten (10) through Twelve (12), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1214 SW A Avenue (Secondary Structure), Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Midwest Cap LLC
C/O Judy Sullivan
PO Box 18979
Spokane Washington 99228

Mortgages: Yorkville Ventures, LLC
Address Unknown

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Butler Addition, Block Five (5), Lots Ten (10) through Twelve (12), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1214 SW A Avenue (Secondary Structure), Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit

issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

McClung Addition, Block Eight (8), Subdivision of Lot Four (4), Lot Three (3), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1311 SW 9th Street, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Pablo & Kim Sandoval
1311 SW 9th Street
Lawton, Oklahoma 73501

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the

health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

McClung Addition, Block Eight (8), Subdivision of Lot Four (4), Lot Three (3), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1311 SW 9th Street, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Subdivision of Lawton Heights Addition, Block Fifty-Eight (58), Lots Seven (7) and Eight (8), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1314 NW Taft Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Shirley Ann Walker
PO Box 947
Oologah Oklahoma 74053

Mortgages: None

Lienholders: Capital One Bank
C/O Love, Beal & Nixon P.C.
PO Box 32738
Oklahoma City Oklahoma 73123

Machol & Johannes LLC
PO Box 21690
Oklahoma City Oklahoma 73156

City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Subdivision of Lawton Heights Addition, Block Fifty-Eight (58), Lots Seven (7) and Eight (8), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1314 NW Taft Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner’s expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner’s agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City’s building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the

applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Longview Addition, Part One (1), Block One (1), Lot One (1), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1402 NW Logan Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Paradise Island Properties LLC
7644 NW Folkstone Way
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s)

and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Longview Addition, Part One (1), Block One (1), Lot One (1), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1402 NW Logan Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit

issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Lawton Heights Addition, Block Sixty-Six (66), Lots Thirty-One (31) and Thirty-Two (32), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1601 NW Andrews Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: John Armstrong and Bamah Raye Beckham
1601 NW Andrews Avenue
Lawton, Oklahoma 73507

Mortgages: None

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Lawton Heights Addition, Block Sixty-Six (66), Lots Thirty-One (31) and Thirty-Two (32), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1601 NW Andrews Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for

so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner’s agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Lawton View Addition, Block One Hundred Two (102), Lots Twenty (20) through Twenty-Four (24), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1601 SW Tennessee Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Connie & Billy R Hicks, et al
Doris Fuller, Johnny B Fuller, Paul Francis, Sheila Francis, Ruby Terry, Ivanhoe Terry, Ruth Ann Mosley and Wyllene Abraham
112 NE 51st Street
Lawton, Oklahoma 73507

Mortgages: None

Lienholders: Auto Advantage LLC
c/o Robinson, Hoover & Fudge, PLLC
119 N Robinson Avenue Suite 1000
Oklahoma City Oklahoma 73102

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Lawton View Addition, Block One Hundred Two (102), Lots Twenty (20) through Twenty-Four (24), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1601 SW Tennessee Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner’s expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner’s agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City’s building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the

applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112, Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Lawton View Addition, Block Forty-Seven (47), Lots Twenty-Three (23) through Twenty-Six (26), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1709 SW McKinley Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Connie I Garth, Louis D Lumpkin, Jr, Margarita Lumpkin, Donnie J Lumpkin,
Cyrstal Miles
16 NW 57th Street
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: None

Other: William and Sukie Forney
3102 NE Heritage Hills
Lawton, Oklahoma 73507

Louis D Lumpkin
Address Unknown

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Lawton View Addition, Block Forty-Seven (47), Lots Twenty-Three (23) through Twenty-Six (26), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1709 SW McKinley Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner’s expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner’s agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City’s building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the

applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112, Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Lawton Heights Addition, Block Eighty-Eight (88), The East Fifty (50) Feet of Lot Two (2), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1810 NW Taylor Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Jean M Vialpando and Dora L Preston
1808 NW Taylor Avenue
Lawton, Oklahoma 73507

Mortgages: None

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Lawton Heights Addition, Block Eighty-Eight (88), The East Fifty (50) Feet of Lot Two (2), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1810 NW Taylor Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Lawton Heights Addition, Beginning in the Southeast Corner of Block Sixty-Nine (69), Thence West a distance of One Hundred (100) Feet; Thence North a distance of Seventy-One point Fifty-Eight (71.58) Feet; Thence East a distance of One Hundred (100) Feet; Thence South a distance of Seventy-One point Fifty-Eight (71.58) Feet, also being part of Lots Twenty-Nine (29) through Thirty-Two (32), into the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1901 NW Andrews Avenue

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Kristen M Bartos
20811 Glen CV
San Antonio Texas 78266

Mortgages: New Residential Mortgage LLC
1345 Avenue of the Americas 45th Floor
New York New York 10105

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Lawton Heights Addition, Beginning in the Southeast Corner of Block Sixty-Nine (69), Thence West a distance of One Hundred (100) Feet; Thence North a distance of Seventy-One point Fifty-Eight (71.58) Feet; Thence East a distance of One Hundred (100) Feet; Thence South a distance of Seventy-One point Fifty-Eight (71.58) Feet, also being part of Lots Twenty-Nine (29) through Thirty-Two (32), into the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 1901 NW Andrews Avenue

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for

so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Sheridan Addition, Part One (1), Block Four (4), Lot Five (5), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2207 NW Pollard Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Midwest Cap, LLC
c/o Judy Sullivan
PO Box 18979
Spokane Washington 99228

Mortgages: Yorkville Ventures, LLC
Address Unknown

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Sheridan Addition, Part One (1), Block Four (4), Lot Five (5), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2207 NW Pollard Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner’s expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City’s Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner’s agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City’s building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner’s agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Sherwood Addition, Part Three (3), Block Three (3), Lot Ten (10), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2312 NW Dunstan Lane, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: James and Crystal Keys
1152 NW Big Bow Road
Indiahoma Oklahoma 73552

Mortgages: Arvest Bank
2602 W Gore Blvd
Lawton Oklahoma 73506

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Sherwood Addition, Part Three (3), Block Three (3), Lot Ten (10), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2312 NW Dunstan Lane, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Rolling Meadows Addition, Part Two (2), Block Eleven (11), Lot Fourteen (14), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2701 NW 46th Street, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: James Henry March
613 SW 60th Street
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: United States of America
Internal Revenue Service
Tenth & Constitution Avenue NW
Washington DC 20530

US Attorney's Office
210 West Park Avenue Suite 400
Oklahoma City Oklahoma 73102

Department of Treasury
Internal Revenue Service
1500 Pennsylvania Avenue NW
Washington DC 20220

City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Rolling Meadows Addition, Part Two (2), Block Eleven (11), Lot Fourteen (14), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 2701 NW 46th Street, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City's agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112, Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Park Lane Addition, Block Two (2), Lot Nineteen (19), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 4716 SE Avalon Avenue, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Shirley Jean Oldham
c/o Kenneth Oldham
4716 SE Avalon Avenue
Lawton, Oklahoma 73501

Mortgages: None

Lienholders: City of Lawton

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Park Lane Addition, Block Two (2), Lot Nineteen (19), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 4716 SE Avalon Avenue, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney

RESOLUTION NO. 24 - _____

A RESOLUTION DECLARING CERTAIN STRUCTURE(S) TO BE DILAPIDATED, DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE CITY OF LAWTON AND ITS INHABITANTS, A BLIGHTING INFLUENCE, AND A PUBLIC NUISANCE; DIRECTING THE OWNER(S) TO OBTAIN A REMODEL OR DEMOLITION PERMIT WITHIN THIRTY (30) DAYS AND ABATE THE NUISANCE; AUTHORIZING SUMMARY ABATEMENT SHOULD THE OWNER(S) FAIL TO ABATE THE NUISANCE; AND ALTERNATIVELY AUTHORIZING THE CITY ATTORNEY TO COMMENCE LEGAL ACTION IN COMANCHE COUNTY DISTRICT COURT TO ABATE SUCH NUISANCE IF SUMMARY ABATEMENT IS NOT ECONOMICALLY PRACTICAL.

WHEREAS, the condition of the structure(s) on the property located at:

Crosby Park Addition, Block Six (6), Lot Twenty-One (21), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 5632 NW Beechwood Drive, Lawton, Oklahoma

has become dilapidated and detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and the property therewith has therefore become a public nuisance; and

WHEREAS, as required by statutes of the State of Oklahoma and the ordinances of the City of Lawton, a City official caused more than ten (10) days' notice to be given to the following-named property owner(s), recorded mortgage holders, lienholders or other persons who may assert a claim thereto:

Title Holder: Sharon F Sutherlin
5632 NW Beechwood Drive
Lawton, Oklahoma 73505

Mortgages: None

Lienholders: None

Other: None

by mailing a copy of said notice by certified mail to each of the aforementioned interested parties on February 14, 2024;

by posting a copy of said notice on the property on February 14, 2024;

and by publishing a copy of said notice in the Lawton Constitution on February 14, 2024;

notifying them that on a day certain the City Council of the City of Lawton, Oklahoma, would hold a public hearing, be presented with evidence concerning the condition of the said structure(s) and then determine whether said structure(s) should be declared dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence and a public nuisance; and

WHEREAS, such notice being given, and said public hearing being held, the Council of the City of Lawton, Oklahoma, determined and found the structure(s) located on the following-described real property:

Crosby Park Addition, Block Six (6), Lot Twenty-One (21), to the City of Lawton, Comanche County, Oklahoma, according to the recorded plat thereof, 5632 NW Beechwood Drive, Lawton, Oklahoma

to be dilapidated, detrimental to the health, safety or welfare of the City of Lawton and its inhabitants, a blighting influence, and a public nuisance; and

WHEREAS, the Council of the City of Lawton, Oklahoma, further found that the dilapidated structure(s) must, at the expense of the property owner, either be repaired and brought up to the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or be torn down and removed by the property owner.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lawton, State of Oklahoma, that:

SECTION 1: The Council of the City of Lawton, Oklahoma, after a public hearing held and evidence being heard, finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, determines the structure(s) located upon the real property hereinbefore described is/are dilapidated, detrimental to the health, safety, or welfare of the community, a blighting influence, and a public nuisance.

SECTION 2: The property owner of said dilapidated structure(s) shall have thirty (30) days from the date of the adoption of this resolution, at said owner's expense, to obtain a permit either (1) to remodel and bring the dilapidated structure(s) within the standards of Chapter 6 of the City's Municipal Code and any other applicable code provisions or (2) to tear down and remove such dilapidated structure(s). No such work shall begin or be done by the owner or said owner's agents without a permit therefor. Any work authorized under a permit to remodel and bring the dilapidated structure(s) within the standards of the City's building code must be completed as outlined in Paragraph D, Section 6-1-1-108, Article One, Chapter 6, of the Lawton City Code. Should the property owner fail to remodel and bring the dilapidated structure(s) within the applicable code standards within the time prescribed in Section 6-1-1-108, said property owner shall then obtain a demolition permit within seven (7) days of the expiration of the time period outlined in Section 6-1-1-108 and demolish and remove the dilapidated structure(s) within four (4) weeks of the issuance of the demolition permit. Further, until all such work is completed and for so long as the structure(s) remain deemed dilapidated and the real property deemed a public nuisance, the owner or said owner's agents shall not allow the premises to be occupied.

SECTION 3: In the event the property owner either (1) fails to obtain a permit as directed in Section 2 of this Resolution or (2) fails to perform in accordance with the conditions of the permit issued, then the City’s agents are authorized to enter upon the property, to abate the nuisance thereon, and to otherwise demolish, dismantle and remove the dilapidated structure(s). Further, Neighborhood Services is authorized to solicit bids to raze and remove the dilapidated structure(s).

SECTION 4: In conjunction with or in lieu of any such abatement, as provided in Section 3 of this Resolution, the City Attorney is hereby authorized, should the same be deemed necessary, to abate the nuisance by the initiation, prosecution, and/or settlement of litigation in Comanche County District Court, pursuant to the provisions of Title 11 O.S. §22-112 , Title 50 O.S. §17, and/or any other applicable law. In addition to the property owner, the City Attorney shall be authorized to name as a party to such litigation any individual or entity having an interest in the property, to include mortgage and lien holders. In lieu of or in conjunction with any such litigation, the City Attorney is authorized to allow a demolition permit to be issued to any individual with legally valid ownership claim to the property.

SECTION 5: All of the costs borne by the City in abating the nuisance shall be charged to the owner of the property as a personal obligation and to the real property itself as provided by law. These costs will include the following: (1) the cost of litigation to include attorney fees, (2) the cost of any notice, mailing, filing, and all administrative and professional expenses incurred, (3) the actual cost of the labor, maintenance and equipment required for the dismantling and removal of the dilapidated structure(s), and (4) any other expenses that may be necessary in conjunction with the demolition, dismantling and removal of the structure(s) and otherwise abating the public nuisance on the property.

SECTION 6: All persons having an interest in property are notified that, pursuant to Title 11 O.S. §22-112, any action to challenge this Resolution must be filed within thirty (30) business days.

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton, Oklahoma, this 27th day of February, 2024.

ATTEST:

Stanley Booker, Mayor

Donalynn Blazek-Scherler, City Clerk

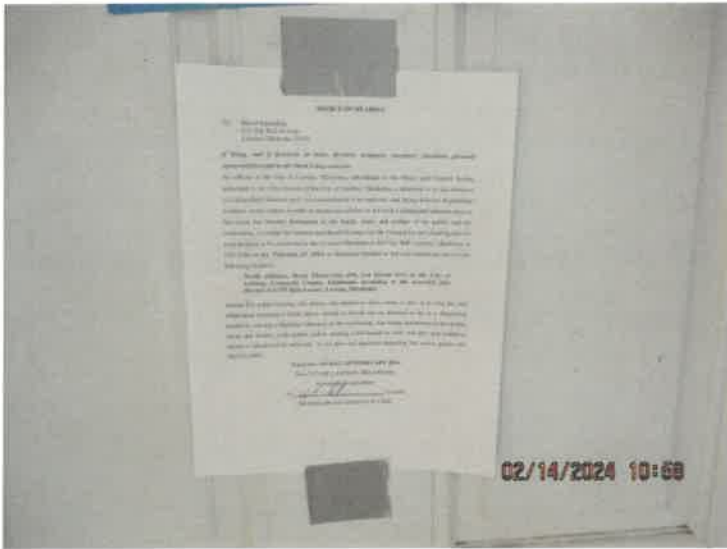
APPROVED as to form and legality this 27th day of February, 2024.

Timothy Wilson, Acting City Attorney



Dilapidated and Dangerous Structures February 27, 2024

511 NW Bell Avenue Ward 5



511 NW Bell Avenue Ward 5



511 NW Bell Avenue Ward 5



516 SW H Avenue

Ward 5

Fire Dates 10/17/23 & 11/15/23



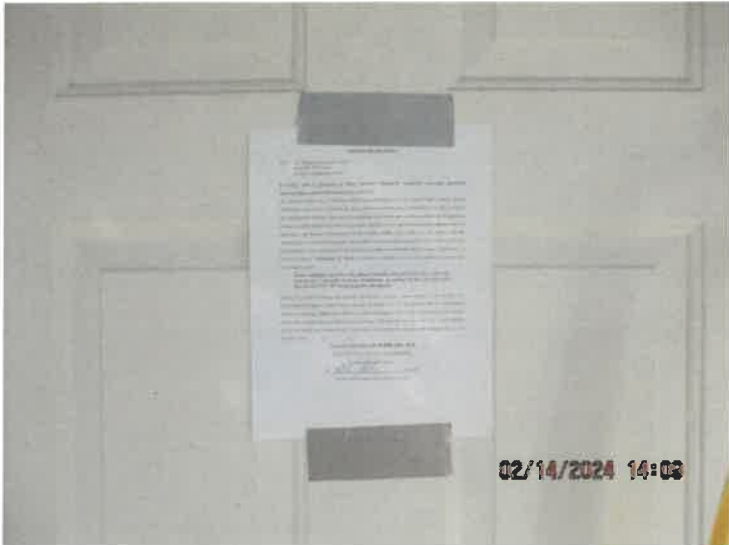
516 SW H Avenue
Ward 5
Fire Dates 10/17/23 & 11/15/23



516 SW H Avenue
Ward 5
Fire Date 10/17/23 & 11/15/23



815 NW 35th Street
Ward 3



815 NW 35th Street Ward 3



815 NW 35th Street Ward 3



918 SW 3rd Street – Secondary Structure Ward 5 Fire Date 7/24/2021



1006 SW 28th Street

Ward 5

Fire Dates 10/21/2023 & 1/2/2024



1006 SW 28th Street

Ward 5

Fire Dates 10/21/2023 & 1/2/2024



1006 SW 28th Street

Ward 5

Fire Dates 10/21/2023 & 1/2/2024



1214 SW A Avenue Secondary Structure Ward 5



1214 SW A Avenue Secondary Structure Ward 5



1311 SW 9th Street
Ward 7
Fire Date 1/29/2024



1311 SW 9th Street
Ward 7
Fire Date 1/29/2024



1311 SW 9th Street
Ward 7
Fire Date 1/29/2024



1311 SW 9th Street
Ward 7
Fire Date 1/29/2024



1314 NW Taft Avenue Ward 2



1314 NW Taft Avenue Ward 2



1314 NW Taft Avenue Ward 2



1402 NW Logan Avenue Ward 2



1402 NW Logan Avenue Ward 2



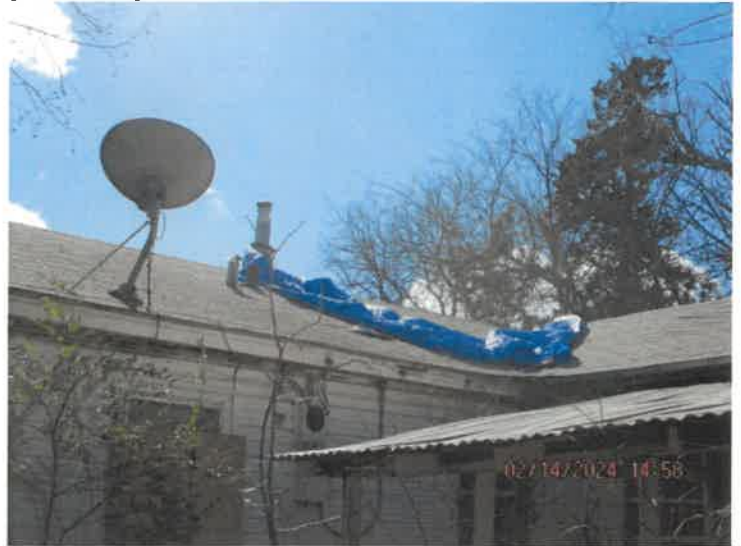
1402 NW Logan Avenue Ward 2



1601 NW Andrews
Ward 2
Fire Date 8/24/2023



1601 NW Andrews Avenue
Ward 2
Fire Date 8/24/2023



1601 NW Andrews
Ward 2
Fire Date 8/24/2023



1601 SW Tennessee Avenue
Ward 7
Fire Date 11/21/2023



1601 SW Tennessee Avenue
Ward 7
Fire Date 11/21/2023



1601 SW Tennessee Avenue
Ward 6
Fire Date 11/21/2023



1709 SW McKinley Avenue Ward 7

Fire Date 4/30/2023



1709 SW McKinley Avenue
Ward 7
Fire Date 4/30/2023



1810 NW Taylor Avenue Ward 2



1810 NW Taylor Avenue Ward 2



1810 NW Taylor Avenue Ward 2



1901 NW Andrews Avenue Ward 2



1901 NW Andrews Avenue Ward 2



1901 NW Andrews Avenue Ward 2



2207 NW Pollard Avenue Ward 1



2207 NW Pollard Avenue Ward 1



2312 NW Dunstan Lane Ward 1



2312 NW Dunstan Lane Ward 1



2312 NW Dunstan Lane Ward 1



2701 NW 46th Street Ward 1



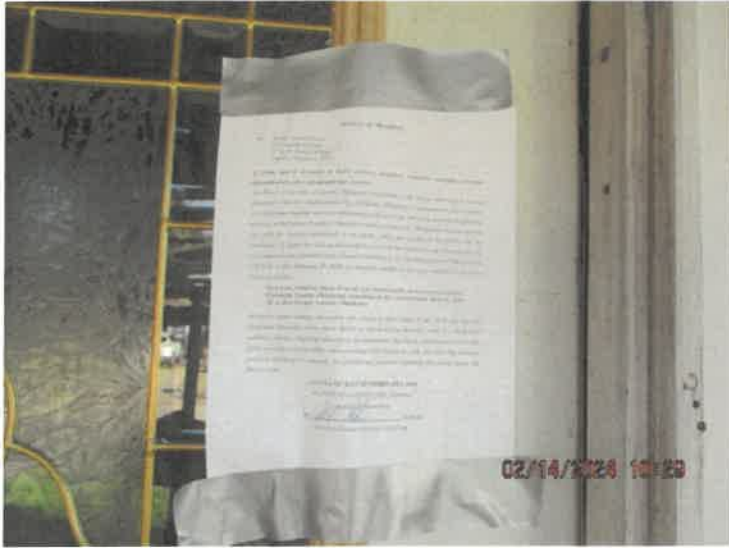
2701 NW 46th Street Ward 1



2701 NW 46th Street Ward 1



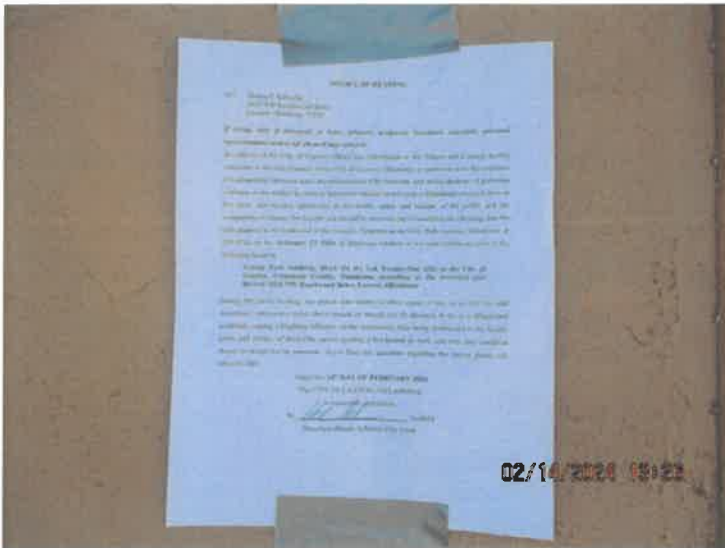
4716 SE Avalon Avenue Ward 4



4716 SE Avalon Avenue Ward 4



5632 NW Beechwood Drive Ward 6



5632 NW Beechwood Drive Ward 6



5632 NW Beechwood Drive
Ward 6





**EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET**

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 511 NW Bell Avenue

Type of Occupancy: Residential – Inactive Water Since November 28, 2017

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 516 SW H Avenue
Fire Date: October 17, 2023 and November 15, 2023
Type of Occupancy: Residential – Inactive Water Since December 30, 2022

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024

Address: 815 NW 35th Street

Type of Occupancy: Residential – Inactive Water Since January 12, 2024

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510

PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024

Address: 918 SW 3rd Street

Fire Date: July 24, 2021

Type of Occupancy: Residential – Active Water – Secondary Structure

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE IS AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 1214 SW A Avenue

Type of Occupancy: Residential – Active Water – Secondary Structure

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE IS AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 1311 SW 9th Street
Fire Date: January 29, 2024
Type of Occupancy: Residential – Inactive Water Since October 15, 2020

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Josh White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024

Address:

1314 NW Taft Avenue

Fire Dates 03-09-2019 & 09-26-2023.

Type of Occupancy: Residential – Inactive Water Since July 17, 2018

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 1402 NW Logan Avenue

Type of Occupancy: Residential – Inactive Water Since January 20, 2023

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 1810 NW Taylor Avenue

Type of Occupancy: Residential – Inactive Water Since November 11, 2020

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 1901 NW Andrews Avenue

Type of Occupancy: Residential -- Inactive Water Since November 1, 2016

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024

Address: 2312 NW Dunstan Lane

Type of Occupancy: Residential – Inactive Water Since March 14, 2017

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 4716 SE Avalon Avenue

Type of Occupancy: Residential – Inactive Water Since November 14, 2014

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Joshua White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



EXHIBIT A
NEIGHBORHOOD SERVICES DIVISION
212 SW 9TH STREET
Lawton, Oklahoma 73501
(580) 581-3467 FAX (580) 581-3510
PROPERTY MAINTENANCE EVALUATION WORKSHEET

The following property is in violation of Lawton City Code 6-5-1; Existing Structures Code, as described in this attachment:

Inspection Date: January 23, 2024 **Address:** 5632 NW Beechwood Drive

Type of Occupancy: Residential – Inactive Water Since November 16, 2016

Vacant structures and premises is not maintained in a clean, safe, secure and sanitary condition; Creating blight problem or adversely affecting the public health and safety. (IPMC 301.3)

Insect and rodent harborage and/or infestation (IPMC 302.5 & 308.1)

Exterior surface lacks protective treatment from the elements, decay and rust; peeling, flaking and chipped paint; missing, cracked or broken siding. (IPMC 304.2)

Exterior walls have holes, breaks, or other loose or rotting materials (IPMC 304.6)

Roof, roof drains, gutters, and downspouts in disrepair, inadequate to prevent dampness or deterioration in walls and interior portion of the structure; roof water discharging in a manner that creates a public nuisance. (IPMC 304.7)

Decorative features (cornices, trim, wall facings, etc.) in disrepair, improperly anchored, unsafe. (IPMC 304.8)

Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto, shall be maintained structurally sound. (IPMC 304.10)

Doors, door assemblies and hardware in poor condition, unlocked, poor condition (IPMC 304.15)

Interior surfaces poorly maintained unclean, unsanitary, decayed wood, peeling paint, cracked or loose plaster. (IPMC 305.3)

Exterior property and premises, and the interior of every structure not free of any accumulation of rubbish and garbage. (IPMC 307.1)

NOTES: VACANT STRUCTURE. THIS STRUCTURE IS NOT HABITABLE AND THERE ISN'T AN ACTIVE WATER ACCOUNT.

Inspected By: Josh White

This inspection sheet is not intended to be all-inclusive and additional items may be identified and corrected to bring the property in compliance with the Lawton City Code.



City of Lawton

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

Commentary

File #: 24-1280

Agenda Date: 2/27/2024

Agenda No: 22.

ITEM TITLE:

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.

INITIATOR: Charlotte Brown, Community Services Director

STAFF INFORMATION SOURCE: Charlotte Brown, Community Services Director
Larry Wolcott, Public Works Director

BACKGROUND: On January 23, 2024, Council gave written permission for staff to start the annexation process as set forth in 11 O.S. Section 21-103(B). The City of Lawton already owns this property, and the property will be utilized by the City Landfill for a landfill gas project that the Public Works Department is currently working on. The property is located at the northwest corner of SW Tinney Road and S Railroad.

Staff is recommending that the property have a Temporary I-4 Heavy Industrial District zoning classification placed on the property. The current landfill is zoned I-4 Heavy Industrial District and Temp A-1 General Agricultural District. Staff will process an administrative rezoning to place a permanent zoning classification on the property as well as a Land Use Classification within the next year.

The public hearing was posted in the Lawton Constitution on February 1, 2024. Notice of public hearing was also mailed out to 4 property owners via certified mail on January 30, 2024, said property owners being all adjacent property owners of property abutting the public right-of-way that forms the boundary of the territory proposed to be annexed.. Notice was also sent to the Oklahoma Sales Tax Commission on February 6, 2024.

EXHIBIT: Ordinance No. 24-_____
Location Map
Newspaper Notice
Mailings Notice
Resolution 24-007

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance No. 24-_____, waive the reading of the ordinance and read the title only.

ORDINANCE NO. 24-_____

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE SOUTHEAST QUARTER OF SECTION THIRTY (30), TOWNSHIP ONE (1) NORTH, RANGE ELEVEN (11) WEST OF THE INDIAN MERIDIAN, COMANCHE COUNTY, OKLAHOMA, INTO THE CORPORATE LIMITS OF THE CITY OF LAWTON, OKLAHOMA; PROVIDING THAT THE ANNEXED TERRITORY BE ZONED AS “TEMPORARY” I-4 (HEAVY INDUSTRIAL DISTRICT) FOR A PERIOD NOT EXCEEDING ONE (1) YEAR; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Emergency Ordinance

WHEREAS, on January 23, 2024, the City Council of the City of Lawton (“City”) passed and approved Resolution 24-007 wherein the City, as owner of the tract of land described in Section 1 of this ordinance: (1) provided written consent for the annexation of the land into the corporate limits of the City; (2) directed notice of the proposed annexation to proceed as required in 11 O.S. Section 21-103(B); and (3) set the public hearing on the proposed annexation for 2:00 p.m. on February 27, 2024, in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Comanche County, Oklahoma for the purpose of considering an ordinance for annexation of the land into the corporate city limits of the City of Lawton, and

NOW, THEREFORE, COMING BEFORE the City Council of the City of Lawton, Oklahoma, is the proposed annexation by the City of Lawton as the owner of the territory in reference to the following:

SECTION 1. JURISDICTIONAL FACTS. A Resolution for Annexation was passed and approved by the City Council of the City of Lawton, Oklahoma, on January 23, 2024, which the City as the owner of the following described property, provided written consent for the annexation and directed the process for annexation to commence by setting a public hearing on the proposed annexation for 2:00 pm on February 27, 2024 in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Comanche County, Oklahoma and directing the publication and mailing of notices for the public hearing to consider the annexation of the following described property into the corporate limits of the City:

The Southeast Quarter (SE/4) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, Indian Meridian, situated in Comanche County, Oklahoma, according to the U.S. Government Survey thereof, containing 160 acres.

Notice of the public hearing for the proposed annexation was published on February 1, 2024, in *The Lawton Constitution*, a newspaper of general circulation in the City. Notice of the public hearing was mailed via certified mail on January 30, 2024 to all adjacent property owners of property abutting the public right-of-way that forms the boundary of the territory proposed to be annexed. Notice was mailed to the Oklahoma State Sales Tax Commission on February 6, 2024. The property to be annexed is adjacent and contiguous to the City and is currently unimproved.

The City finds its action to annex the aforementioned property satisfies all of the applicable requirements of the Oklahoma Municipal Code, including specifically: that said property is adjacent and contiguous to the corporate limits of the City, is not part of any other incorporated

municipality, is wholly owned by the City of Lawton, and the City consents to the annexation; that the notice of the proposed annexation fully complies with Oklahoma law as to form and that said notice has been published and mailed consistent with all applicable requirements for annexation set forth in the Oklahoma Municipal Code.

SECTION 2. ANNEXATION. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA, that pursuant to the laws of the State of Oklahoma, and based on the facts and circumstances herein set forth verifying all procedural requirements have been satisfied, the following described property is annexed by the City of Lawton, Oklahoma into the corporate limits of the City and is added to the territory of the City of Lawton, Oklahoma:

The Southeast Quarter (SE/4) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, Indian Meridian, situated in Comanche County, Oklahoma, according to the U.S. Government Survey thereof, containing 160 acres.

The corporate limits of the City of Lawton, Oklahoma, are extended to include for all purposes the above-described parcel of land, and the Mayor is hereby authorized and directed to file and record a duly certified copy of this Ordinance, together with an accurate map or plat of the annexed property, in the office of the Comanche County Clerk and with the Oklahoma Tax Commission, and to take appropriate measures to implement this Ordinance.

SECTION 3. ZONING. BE IT FURTHER ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LAWTON, OKLAHOMA, that, pursuant to Section 18-1-1-110 of the Code of Ordinances of the City of Lawton, Oklahoma, providing for the temporary assignment of zoning classifications to territory annexed to the City, that the tract of land annexed to the City pursuant to Section 2 of this Ordinance, is classified as “Temporary” I-4 (Heavy Industrial District) zoning classification for a period of time not to exceed one (1) year from the effective date of this Ordinance.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 5. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, and safety of the City of Lawton, Oklahoma, and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take effect and be in full force from and after its passage, as provided by law.

PASSED AND APPROVED by the Mayor and City Council of the City of Lawton this 27th day of February, 2024.

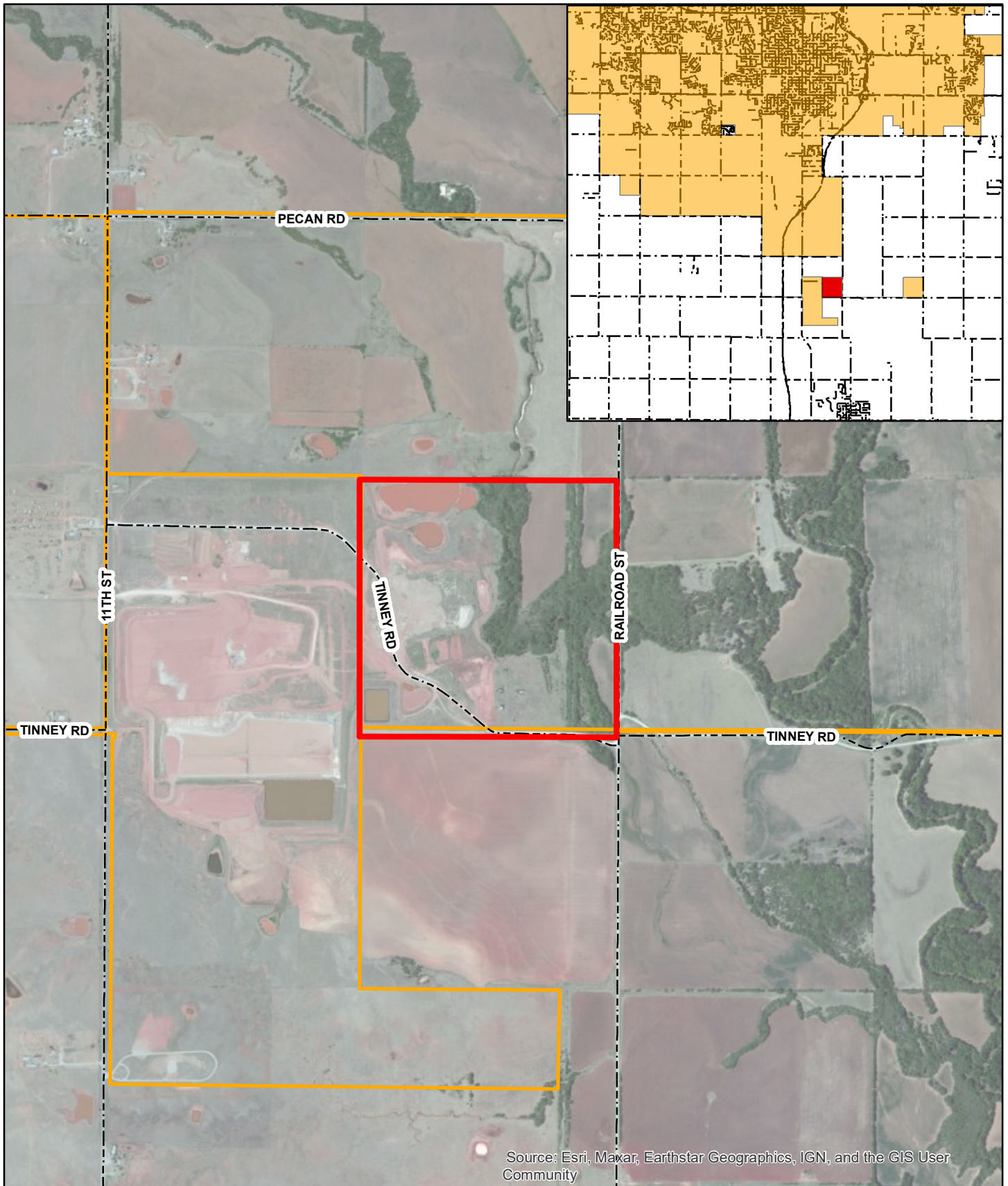
Stanley Booker, Mayor

ATTEST:

Donalynn Blazek-Scherler, City Clerk

APPROVED as to form and legality this ____ day of February, 2024.

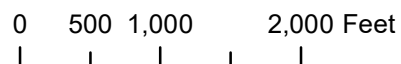
Tim Wilson, Interim City Attorney



Legend

- 30-1-11 SE4
- City Limits Lawton
- Street Centerline

30-1N-11W SE/4



NOTICE OF PUBLIC HEARING FOR ANNEXATION

Notice is hereby given pursuant to 11 O.S. §21-103, Lawton City Council will hold a public hearing at 2:00 pm on February 27, 2024, in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Comanche County, Oklahoma, for the following purpose:

To consider an ordinance for annexation of lands located at 555 SW Tinney Road into corporate city limits of Lawton as shown on maps filed in the office of the City Planning and described as follows:

The Southeast Quarter (SE ¼) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M., Comanche County Oklahoma, according to the US Government Survey thereof.

Any parties in interest and any citizens desiring to be heard shall be afforded an opportunity to be heard at such public hearing.

Given under my hand and seal of the City of Lawton, Oklahoma, this 29th day of January, 2024.

CITY OF LAWTON, OKLAHOMA



Donalynn Blazek-Scherler, CITY CLERK

(Published in *The Lawton Constitution* on 1st day of February 2024.)



CITY OF LAWTON
PLANNING DIVISION
Mailing Address: 212 SW 9th Street, Lawton, Oklahoma 73501
Phone (580) 581-3375 • www.lawtonok.gov

February 1, 2024

NOTICE OF PUBLIC HEARING FOR ANNEXATION REQUEST

The Lawton City Council will conduct a public hearing at 2:00 p.m., Tuesday, February 27, 2024, in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Oklahoma, to consider a request for annexation of lands into corporate city limits of Lawton as shown on maps filed in the office of the City Planning. The request is for property located at 555 SW Tinney Road, Lawton, OK 73501. Below is the legal description for the requested area:

A tract of land described as:

The Southeast Quarter (SE/4) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M., Comanche County, Oklahoma, according to the US Government Survey thereof.

The above-described property is shown on the attached map as the "Area Described." Also attached is a proposed site plan for this request.

You are receiving this notice because your property is abutting the public right-of-way that forms the boundary of the territory proposed to be annexed. If you desire to make a statement for or against said request at this location, you are invited to appear in person, by petition, or by attorney to state your position to the City Council on the above dates.

If you have any questions regarding this notice, please call the Planning Department at (580) 581-3375.

CITY OF LAWTON, OKLAHOMA

A handwritten signature in blue ink, appearing to read "Donalynn Blazek-Scherler", is written over a horizontal line.

DONALYNN BLAZEK-SCHERLER, CITY CLERK

Attachment – Location Map

RESOLUTION 24-007

A RESOLUTION GIVING WRITTEN CONSENT FOR THE ANNEXATION OF CERTAIN PROPERTY OWNED BY THE CITY OF LAWTON LOCATED AT THE SOUTHEAST QUARTER (SE ¼) OF SECTION THIRTY (30), TOWNSHIP ONE (1) NORTH, RANGE ELEVEN (11) WEST, I.M.; SETTING A PUBLIC HEARING FOR FEBRUARY 27, 2024 TO CONSIDER THE ANNEXATION AND DIRECTING NOTICE OF THE PROPOSED ANNEXATION AND PUBLIC HEARING TO BE PUBLISHED AND MAILED AS REQUIRED BY 11 O.S. SECTION 21-103(B).

WHEREAS, the City of Lawton is the owner of property located at the Southeast Quarter (SE ¼) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M, Comanche County, Oklahoma, according to the US Government Survey thereof;

WHEREAS, the city council of the City of Lawton desires to have the aforementioned real property annexed into the corporate city limits of the City of Lawton, and as such desires to give written consent for the annexation;

WHEREAS, the city council of the City of Lawton desires to provide for notice and a public hearing on the proposed annexation as required in 11 O.S. Section 21-103(B), specifically city council desires to direct notice of the proposed annexation of the territory be published as required in Section 21-103(B) in a legally qualified newspaper of general circulation in the territory with said notice to describe the boundaries of the territory to be annexed, and also that notice be mailed as required in Section 21-103(B).

WHEREAS, the city council desires to hold a public hearing on the proposed annexation within the timeframe set forth in 11 O.S. Section 21-103(B).


NOW, THEREFORE, be it resolved by the City Council of the City of Lawton, Oklahoma, that:

1. The city council for the City of Lawton hereby gives written consent for the aforementioned real property that it owns to be annexed into the corporate city limits of the City of Lawton; and
2. The city council for the City of Lawton hereby directs notice of the proposed annexation of the territory be published as required by 11 O.S. Section 21-103(B) in a legally qualified newspaper of general circulation in the territory and that the notice describe the boundaries of the territory to be annexed, and also that notice be mailed as required in Section 21-103(B); and

3. The city council for the City of Lawton hereby sets the public hearing on the proposed annexation for 2:00 pm on February 27, 2024, in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Comanche County, Oklahoma for the purpose of considering an ordinance for annexation of the lands into corporate city limits of City of Lawton as shown on maps filed in the office of the City Planning Division and described as follows:

The Southeast Quarter (SE ¼) of Section Thirty (30), Township One (1) North, Range Eleven (11) West, I.M., Comanche County, Oklahoma, according to the US Government Survey thereof.

ADOPTED and **APPROVED** by the Council of the City of Lawton this 23 day of January 2024.


STANLEY BOOKER, MAYOR

ATTEST:


DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this 29th day of January, 2024.


TIMOTHY WILSON, ACTING CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1217

Agenda Date: 2/27/2024

Agenda No: 23.

ITEM TITLE:

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.

INITIATOR: Charlotte Brown, Community Services Director

STAFF INFORMATION SOURCE: Charlotte Brown, Community Services Director
Rusty Whisenhunt, Public Utilities Director

BACKGROUND: Staff has received several complaints about the time frame to issue demolition permits. The current requirements are that the utility companies send in clearances once the meters have been pulled and that a plumber goes in and caps the water service line at the corporation stop and also caps the sewer main. City inspectors then go out and do the inspection to verify that the lines have been capped accordingly. Some of the contractors have damaged city mains in their attempt to cap them properly. If the water main is under the street, then the contractor has to call the Public Utility Department for Water Distribution to assist them in closing it at the corporation stop. Depending on the workload for Water Distribution, this can cause some delays in getting the demolition permit.

The proposed ordinance will allow for the demolition contractors to get the demo permits faster, by just receiving the electric, gas and the water meter disconnect clearances. Staff will notify Public Utilities of a needed water and sewer main cap and Public Utilities will send out a crew to do the work. The demolition contractor will no longer have to wait on this main capping in order to demolish the house. If a property owner has applied for the demolition permit, the fee for this work will be charged to the demolition permit. If the City has hired a contractor, then the fee for this work will be charged to the property as part of the demolition lien. The proposed ordinance will also require the removal of driveways from the property except for the final 4 feet of the approach that connects to the street. The ordinance will also remove the requirement for sodding or grassing of the property. This requirement has not been enforced in the past.

This ordinance is in accordance with the True North Culture Statement in that we are building a safe community for the citizens, and we do everything for the citizens.

EXHIBIT: Ordinance No. 24-_____

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance No. 24-_____, waive the reading of

the ordinance and read the title only.

ORDINANCE NO. 24- ____

AN ORDINANCE PERTAINING TO BUILDINGS, CONSTRUCTION AND HOUSING BY AMENDING SECTION 6-1-1-118, DIVISION 6-1-1, ARTICLE 6-1, CHAPTER 6, LAWTON CITY CODE, 2015; BY ADDING LANGUAGE REGARDING THE UTILITIES DISCONNECTION THAT WILL ALLOW FOR THE CITY TO CAP THE WATER AND SEWER MAINS AND CHARGE THE PROPERTY OWNER AND ALSO REQUIRE THE REMOVAL OF ALL DRIVEWAYS ON THE PROPERTY EXCEPT THE FINAL FOUR FEET OF THE APPROACH CONNECTING TO THE STREET AND REMOVING THE REQUIREMENT FOR SOD OR GRASSING TO BE INSTALLED ON THE LOTS FOR STABILIZATION, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

Section 1. Section 6-1-1-118 is hereby amended to read as follows:

6-1-1-118 Demolition of buildings and structures—Regulations.

- A. The demolition of the building or structure shall commence within one week and be completed within thirty (30) days after the permit is issued. A thirty (30) day permit extension may be granted upon ~~written~~ application to the building official provided the entire demolition site is secured by a substantial fence or other suitable barrier to preclude accidental or casual entry. The work shall meet all requirements of this section.
- B. Before demolition of the building or structure is started, ~~all-utility~~ electric, gas and water meter service connections will be removed and all storm and sanitary sewers leading from the building or structure shall be sealed. Clearances from the electric, gas and water meter division are required to be submitted prior to the demolition permit being issued. A statement of disconnection of utilities shall be provided to the building official. For water and sewer main disconnects, the City's Public Utilities Department shall be notified of the required disconnection. The City will then send a crew to properly disconnect the water and sewer mains and bill the property owner. This fee will be based upon the fee from the licensed plumber doing the disconnect. The demolition contractor will not be required to wait on the water main or sewer main disconnect to occur before the permit can be issued and work can begin.
- C. For demolitions in which excavating, grading, re-grading, land filling, berming, or diking of land will disturb one acre or more, an earth change permit shall be required in accordance with Section 19A-1-2-128 of this code.
- D. All floors, slabs and foundations which are a part of the building or structure being demolished shall be removed to a depth of one foot below existing grade, and the area shall be backfilled with suitable, uncontaminated dirt, concrete or asphalt. Basements of demolished buildings of structures shall also be backfilled to grade level. All driveways shall be removed from the site except for the final four (4) feet of the approach that connects to the street.

- E. All debris and rubble of demolished buildings or structures shall be disposed at an approved dumping site that meets all local codes and state health department regulations.
- F. Upon completion of demolition and site clearance, the site shall be graded so that it will drain without significant erosion or scour.
- ~~G. All lands disturbed by the demolition shall be re-vegetated and/or stabilized (sodded, seeded, hydro mulched, etc.) such as to achieve "final stabilization" as defined in Section 19A-1-2-122 of this code.~~
- HG. All demolition, site clearance work, site grading and final stabilization shall be inspected by a city official once completed. Inspection fee shall be provided in the fee schedule.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. The provisions of this ordinance shall become effective thirty days after passing of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ___ day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2024.

TIMOTHY WILSON, INTERIM CITY ATTORNEY

ORDINANCE NO. 24- ____

AN ORDINANCE PERTAINING TO BUILDINGS, CONSTRUCTION AND HOUSING BY AMENDING SECTION 6-1-1-118, DIVISION 6-1-1, ARTICLE 6-1, CHAPTER 6, LAWTON CITY CODE, 2015; BY ADDING LANGUAGE REGARDING THE UTILITIES DISCONNECTION THAT WILL ALLOW FOR THE CITY TO CAP THE WATER AND SEWER MAINS AND CHARGE THE PROPERTY OWNER AND ALSO REQUIRE THE REMOVAL OF ALL DRIVEWAYS ON THE PROPERTY EXCEPT THE FINAL FOUR FEET OF THE APPROACH CONNECTING TO THE STREET AND REMOVING THE REQUIREMENT FOR SOD OR GRASSING TO BE INSTALLED ON THE LOTS FOR STABILIZATION, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

BRIEF GIST

This ordinance adds the language that the City’s Public Utilities Department will disconnect the water and sewer mains and bill the cost back to the property owner and also requires the removal of driveways on the property.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ____ day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

(Published in the Lawton Constitution this ____ day of _____, 2024.)



City of Lawton

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

Commentary

File #: 24-1227

Agenda Date: 2/27/2024

Agenda No: 24.

ITEM TITLE:

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.

INITIATOR: Charlotte Brown, Community Services Director

STAFF INFORMATION SOURCE: Charlotte Brown, Community Services Director

BACKGROUND: This resolution is a companion item to the Ordinance amending Section 6-1-1-118 of Lawton City Code. The fees referenced in the ordinance are for the City to send a crew to properly cap the water and sewer mains for properties being demolished. By the City utilizing a crew for this work, the demolition contractor will be able to move forward with the demolition quicker.

Staff had originally looked at hiring a contractor to do the work and we received a quote from a contractor for \$400.00 per utility disconnect. Staff feels like this fee is adequate.

For property owner demolitions, the fees will be charged with the building permit. For demolitions that are being completed by a contractor at the request of the City of Lawton, the fees will be added to the liens filed against the property.

In comparing with our peer cities: Norman and Edmond do not demolish structures, Broken Arrow does their own capping and does not charge for it. We have also reached out to Sand Springs, Ok because they are the most evenly matched with our demolitions. Sand Springs and Moore both do it the way the code was originally set up, the demolition contractor is required to cap the utilities and get it inspected by the City.

This resolution is in accordance with the True North Culture Statement in that we do everything for the citizen.

EXHIBIT: Resolution No. 24-_____

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Resolution No. 24-_____.

RESOLUTION NO. 24-_____

A RESOLUTION AMENDING APPENDIX A, SCHEDULE OF FEES AND CHARGES, LAWTON CITY CODE, 2015, PERTAINING TO CHAPTER 6, BUILDINGS, CONSTRUCTION AND HOUSING, BY AMENDING ARTICLE A-6-1, BUILDING CODE.

WHEREAS, Section 1-205, Chapter 1, Lawton City Code, 2015, provides that fees and charges shall be set by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lawton, Oklahoma, that:

SECTION 1. Article A-6-1 is hereby amended as follows:

Article A-6-1 Building code.

* * *

Other Permit Fees:		
6-113	Building permit fee, gazebos, canopies, and accessory buildings without heating, air-conditioning or plumbing and not attached to the main structure Rate = \$0.115 - (0.000001 × SF) or \$0.0575, whichever is greater Building permit fee = Rate × SF	Rate × SF, minimum \$28.75
6-113	Fence or retaining wall permit fee	0.1725 per LF, minimum 28.75
6-113	Concrete/asphalt flat work permit fee (Unless specifically included elsewhere in 6-113) (Example: parking lot, driveway, approach, sidewalk, patio without cover not attached to building) Rate = \$0.0575 - (0.000001 × SF) or \$0.02875, whichever is greater Permit fee = Rate × SF	Rate × SF, minimum 28.75
6-113	Swimming pool permit fee, 2 feet deep or greater Rate = \$0.2875 - (0.000001 × SF) or \$0.14375, whichever is greater Permit fee = Rate × SF	Rate × SF, minimum 28.75
6-113	Stocking/fixture permit fee	57.50
6-113	Permit fee, other improvements requiring a permit not categorized elsewhere (Plumbing only improvements or repairs, see Article A-6-2) (Electrical only improvements or repairs, see Article A-6-3) (Mechanical only improvements or repairs, see Article A-6-4)	0.46% of project cost, minimum 28.75
6-118	Demolition permit	0.40% of project cost, minimum of 28.75
6-118	Water Main Disconnect Fee	400.00
6-118	Sewer Main Disconnect Fee	400.00
6-145	Temporary road closure permit	258.75
6-164	Moving of structure permit fee:	

	Structure mounted on skids, designed to be moved, up to 16 feet wide and less than 13 feet in height loaded	40.25
	Structure mounted on skids, designed to be moved, over 16 feet wide but not more than 25 feet wide and 18 feet in height loaded	80.50
	Any type of structure from outside of city limits to outside of city limits (passing through city)	115.00
	Structure not classified elsewhere	201.25
6-113	Inspections for all permits listed in "Other Permits"	See "Inspections"

* * *

ADOPTED and APPROVED by the Mayor and Council of the City of Lawton this 13th day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this ____ day of _____, 2024.

TIMOTHY WILSON, INTERIM CITY ATTORNEY



City of Lawton

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

Commentary

File #: 24-1273

Agenda Date: 2/27/2024

Agenda No: 25.

ITEM TITLE:

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.

INITIATOR: Larry Parks, Director of Parks and Recreation.

STAFF INFORMATION SOURCE: Mitchell Dooley, Deputy Director Parks and Recreation.

BACKGROUND: This ordinance defines the difference between co-sponsored and city sponsored events. It also establishes procedures for events organized by groups outside the city of Lawton to be considered for co-sponsorship.

EXHIBIT: Ordinance 24-__

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve 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.

ORDINANCE NO 24-

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 DECLARING AN EFFECTIVE DATE.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT:

CHAPTER 7. SECTION 7-31-1-3103, IS HEREBY AMENDED TO READ AS FOLLOWS:

7-31-1-3103 Permit required.

- A. No group of twenty-five (25) or more people shall use any street, alley, public way, park or other property owned or controlled by the city without first obtaining a permit from the city.
- B. The permits may be approved by the parks and recreation director under such conditions as deemed appropriate by this article.
- C. City sponsored events are events that are planned and operated solely by the City of Lawton. This does not preclude the use of vendors or merchants to support an event. Permits are not required for city sponsored events. Co-sponsored events are events that are planned and operated in partnership with an entity other than the City of Lawton and officially recognized and approved by city council as co-sponsored events. Permits will be required for all city co-sponsored events on city-property even if the city is a co-sponsor of the event.
 - ~~1. The following events are city co-sponsored:~~
 - ~~a. Armed Forces Celebration at Elmer Thomas Park;~~
 - ~~b. Armed Forces Day Parade;~~
 - ~~c. Arts for All Festival;~~
 - ~~d. City of Lawton Housing Authority South Lawton Rally;~~
 - ~~e. Cops and Kids Picnic;~~
 - ~~f. Holiday in the Park;~~
 - ~~g. International Festival;~~
 - ~~h. Lawton Fort Sill Open Streets;~~
 - ~~i. Lawton Rangers Parade;~~
 - ~~j. Lawton Toy Run;~~

- ~~k. Spirit of Survival;~~
- ~~l. Veterans Day Ceremony;~~
- ~~m. Vietnam Veterans Awareness Day; or~~
- ~~n. Other functions through the year that may be approved by city council to be city co-sponsored events.~~

- D. Permits shall be required for events at Elmer Thomas Park, including those that are held pursuant to an approved Elmer Thomas Park/Lake Helen Stage lease agreement.
- E. Private property events shall be permitted under Division 7-12-2 of City Code.
- F. Public facilities rental permits shall be permitted under Article 19-702 of City Code.
- G. Permits shall not be required under this section in the case of indoor events held completely indoors or municipal pool rentals where a public facility rental permit has been obtained.
- H. The following steps must be completed no later than ninety (90) days prior to the event date in order to qualify as a city co-sponsored event.
 - 1. Apply for co-sponsored event status through the Parks and Recreation Administration office.
 - a. Application will contain all pertinent event information, permit applications, facility rentals, and a request for city co-sponsorship.
 - b. Applicants will not be required to pay Event Permit Fees, Reservation Fees, etc. unless request for co-sponsorship is denied.
 - 2. Parks and Recreation staff will route the requests through all departments required for event review and approval.
 - 3. Once departmental review and approvals are complete, Parks and Recreation staff will add co-sponsor request to City Council agenda for consideration.
 - 4. City Council will make final determination on co-sponsor status, and direct staff to make necessary support arrangements.

SECTION 2. Severability Clause. If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 3. Effective Date. The provisions of this ordinance shall become effective thirty (30) days after the date of the ordinance's passage.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lawton, Oklahoma,
that: SAID ORDINANCE IS ADOPTED

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ____ day of
_____ 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK SCHERLER, CITY CLERK

APPROVED as to form and legality this ____ day of _____, 2024.

TIMOTHY WILSON,
ACTING CITY ATTORNEY

ORDINANCE NO. 24-

BRIEF GIST

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 DECLARING AN EFFECTIVE DATE.

This ordinance defines city sponsored events and city co-sponsored events, establishes the process for applying for a city co-sponsored event, removes the list of previous city co-sponsored events, provides for severability, and establishes an effective date.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ____ day of _____, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

(Published in the Lawton Constitution this ____ day of _____, 2024.)



City of Lawton

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

Commentary

File #: 24-1286

Agenda Date: 2/27/2024

Agenda No: 26.

ITEM TITLE:

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.

INITIATOR: Charlotte Brown, Community Services Director

STAFF INFORMATION SOURCE: Charlotte Brown, Community Services Director,
Jon Jernigan, Chief Building Official/Deputy CS Director,
Josh White, Neighborhood Services Supervisor

BACKGROUND: During a recent review of procedures, it was determined that some additional language needed to be added to help clarify the types of hearings for abatement appeals that can be requested. The hearing is for when a property has been abated for weeds, tall grass and/or junk and debris and a cost notice has been mailed to the property owner for payment for the work that has been completed. This ordinance will clarify that the hearing can be requested to be in person, via phone, email request or simply down as a written statement for the appeal. Staff has updated the appeal forms for the citizens to be able to select the type of hearing that they would like to obtain. This ordinance will also require the hearing officer to send a statement in writing what the outcome of the hearing is within 10 days of the hearing.

To try to assist the citizens and create a one-stop shop, all of the steps have been moved down to the Neighborhood Services Division.

EXHIBIT: Ordinance No. 24-_____

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance No. 24-____, waive the reading of the ordinance and read the title only.

ORDINANCE NO. 24- _____

AN ORDINANCE PERTAINING TO NUISANCES AND HEALTH AMENDING SECTION 15-2-206, ARTICLE 15-2, CHAPTER 15, LAWTON CITY CODE, 2015; BY ADDING LANGUAGE ON THE DIFFERENT TYPES OF APPEALS THAT CAN OCCUR, ADDING LANGUAGE THAT STATES THE HEARING OFFICER SHALL SEND NOTICE IN WRITING WITHIN TEN (10) DAYS OF THE HEARING, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

Section 1. Section 15-2-206 is hereby amended to read as follows:

15-2-206 Determination and assessment of costs.

- A. Upon the completion of the work performed under Section 15-204 of this code, the city shall prepare a statement itemizing the actual cost of such cleaning and mowing along with any other expenses as were deemed necessary in connection with each such abatement, together with a demand for payment of the total cost, and forward it by mail, to the property owner.
- B. Immediately following the cleaning and mowing of the property, the city clerk shall file a notice of lien with the county clerk describing the property and the work performed by the city and stating that the city claims a lien on said property for the cost of trash and weeds.
- C. A statement of cost shall be mailed to the property owner with notice that the property owner may request a hearing with the hearing officer on the cost of abatement by filing a notice of appeal with the city clerk within ten (10) days after the date of mailing the statement of costs for each abatement. The hearing shall be held by the hearing officer not later than ten (10) days ~~after~~ of the receipt of the notice of appeal by the city clerk. Unless otherwise determined at the hearing, the cost of such abatement shall be as shown on the statement. The cost so determined shall be a personal obligation of the property owner as well as a lien on the subject property and may be collected by any means provided by law.
 - 1. The appeal hearings can be requested to be in person, telephonic conference, email request or via a letter stating the reason for the appeal.
 - 2. No more than ten (10) days after the appeal hearing, the hearing officer shall mail to the property owner/appellant a written decision of the hearing officer.
- D. By placing refuse at the curb or collection point the customer relinquishes title and disclaims interest in said material, and the city will consider such property placed in the public right-of-way abandoned, and therefore will abate as it deems appropriate and necessary. The customer and furthermore consents to the city collecting the same and assessing any applicable fees for said collection service on the customer's next utility bill.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. The provisions of this ordinance shall become effective thirty days after passing of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this 27th day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2024.

TIMOTHY WILSON, INTERIM CITY ATTORNEY

ORDINANCE NO. 24- ____

AN ORDINANCE PERTAINING TO NUISANCES AND HEALTH AMENDING SECTION 15-2-206, ARTICLE 15-2, CHAPTER 15, LAWTON CITY CODE, 2015; BY ADDING LANGUAGE ON THE DIFFERENT TYPES OF APPEALS THAT CAN OCCUR, ADDING LANGUAGE THAT STATES THE HEARING OFFICER SHALL SEND NOTICE IN WRITING WITHIN TEN (10) DAYS OF THE HEARING, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

BRIEF GIST

This ordinance specifies the types of hearings that can occur, adding language that states that the hearing officer will send notice of the decision of the hearing within 10 days of the hearing.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this 27th day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

(Published in the Lawton Constitution this ____ day of _____, 2024.)



City of Lawton

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

Commentary

File #: 24-1289

Agenda Date: 2/27/2024

Agenda No: 27.

ITEM TITLE:

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.

INITIATOR: Mayor Stan Booker

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney; Gregory Gibson, Assistant City Attorney

BACKGROUND: The Youth and Family Affairs Committee, has recently had difficulty achieving and maintaining a quorum for some of their meetings. This proposed ordinance clarifies absences and adds Participating Alternate members to help the Committee conduct business in a timely fashion.

EXHIBIT: Ordinance 24-

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance 24-____, waive the reading of the ordinance and read the title only.

ORDINANCE NO. 24-

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.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT;

Section 1. Section 2-3-9-362 is hereby amended to read as follows:

E. Members who miss three (3) consecutive meetings without being excused shall automatically cease to serve on the committee, ~~and will not be eligible for renomination to the committee for two (2) years.~~

Section 2. Section 2-3-9-365 is hereby created to read as follows:

2-3-9-365 Participating Alternate Members.

A. Three (3) “at large” Participating Alternate Members (non-Council) shall be nominated to serve by the Mayor and confirmed by the City Council. The Alternate Members shall attend all meetings, and if it appears that the Committee will not have enough members to achieve a quorum, the Chairperson may call on one, two, or all three Alternate Members to achieve a quorum and fill in for the missing members for that meeting.

B. When called on to fill in for an absent Regular Member, Participating Alternate Members will have all the same duties and powers as Regular Members, including participation in discussion and voting. Alternate members will be subject to all Committee by-laws, rules, and governing City Code sections.

C. Alternate Members should be called on by the Chairperson to fill in for a missing Regular Member in order, beginning with the senior Alternate Member, without an Alternate Member serving again until all Alternate Members have served at a meeting. Once all Alternate Members have served at a meeting the order will reset.

D. Alternate Members shall be residents of the City of Lawton who have been determined to have specific qualifications to study and evaluate opportunities for youth of all ages in the city to develop life and career enhancing skills and avoid involvement in the criminal justice system. Alternate Members shall abide by the terms of this Section as well as any By-laws or other rules adopted by the Committee.

E. Alternate Members shall serve their terms as follows: Alternate One shall serve a one (1) year term, Alternate Two shall serve a two (2) year term, and Alternate Three shall serve a three (3) year term. Alternate Members shall be replaced either at the scheduled end of their term or, if an Alternate Member is appointed to be a Regular Member, at the time that appointment becomes effective. When an Alternate Member leaves before the end of their term, the replacement Alternate Member will serve the remainder of term of the person they replaced.

Section 3. Codification. Section 2-3-9-365 shall be codified in Division 2-3-9 of Article 2-3, Chapter 2, Lawton City Code, 2015.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 5. Effective Date. The Provisions of this ordinance shall become effective thirty (30) days after the passage of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this _____ day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of February, 2024.

TIMOTHY WILSON, ACTING CITY ATTORNEY

ORDINANCE NO. 24-

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.

BRIEF GIST

This ordinance amends the attendance requirement for the Youth and Family Affairs Committee, and adds Participating Alternates to the Youth and Family Affairs Committee.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this ____ day of February 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK



City of Lawton

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

Commentary

File #: 24-1304

Agenda Date: 2/27/2024

Agenda No: 28.

ITEM TITLE:

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.

INITIATOR: Mayor Stan Booker

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney; Gregory Gibson, Assistant City Attorney

BACKGROUND: The Parks and Recreation Commission has recently had difficulty achieving and maintaining a quorum for some of their meetings. This proposed ordinance adds Participating Alternate members to help the Commission conduct business in a timely fashion.

EXHIBIT: Ordinance 24-

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance 24-____, waive the reading of the ordinance and read the title only.

ORDINANCE NO. 24-

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.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT;

Section 1. Section 2-3-10-369 is hereby created to read as follows:

2-3-10-369 Participating Alternate Members.

A. Three (3) “at large” Participating Alternate Members (non-Council) shall be nominated to serve by the Mayor and confirmed by the City Council. The Alternate Members shall attend all meetings, and if it appears that the Commission will not have enough members to achieve a quorum, the Chairperson may call on one, two, or all three Alternate Members to achieve a quorum and fill in for the missing members for that meeting.

B. When called on to fill in for an absent Regular Member, Participating Alternate Members will have all the same duties and powers as Regular Members, including participation in discussion and voting. Alternate members will be subject to all Commission by-laws, rules, and governing City Code sections.

C. Alternate Members should be called on by the Chairperson to fill in for a missing Regular Member in order, beginning with the senior Alternate Member, without an Alternate Member serving again until all Alternate Members have served at a meeting. Once all Alternate Members have served at a meeting the order will reset.

D. Alternate Members shall be residents of the City of Lawton and must reside within the corporate limits of the City of Lawton. Alternate Members shall abide by the terms of this Section as well as any By-laws or other rules adopted by the Commission.

E. Alternate Members shall serve their terms as follows: Alternate One shall serve a one (1) year term, Alternate Two shall serve a two (2) year term, and Alternate Three shall serve a three (3) year term. Alternate Members shall be replaced either at the scheduled end of their term or, if an Alternate Member is appointed to be a Regular Member, at the time that appointment becomes effective. When an Alternate Member leaves before the end of their term, the replacement Alternate Member will serve the remainder of term of the person they replaced.

Section 2. Codification. Section 2-3-10-369 shall be codified in Division 2-3-10, of Article 2-3, Chapter 2, Lawton City Code, 2015.

Section 3. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. The Provisions of this ordinance shall become effective thirty (30) days after the passage of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this _____ day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of February, 2024.

TIMOTHY WILSON, ACTING CITY ATTORNEY

ORDINANCE NO. 24-

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.

BRIEF GIST

This ordinance adds Participating Alternates to the Parks and Recreation Commission.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this day of February 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK



City of Lawton

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

Commentary

File #: 24-1305

Agenda Date: 2/27/2024

Agenda No: 29.

ITEM TITLE:

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.

INITIATOR: Mayor Stan Booker

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney; Gregory Gibson, Assistant City Attorney

BACKGROUND: The Race Relations Commission has recently had difficulty achieving and maintaining a quorum for some of their meetings. This proposed ordinance adds Participating Alternate members to help the Commission conduct business in a timely fashion.

EXHIBIT: Ordinance 24-

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve Ordinance 24-____, waive the reading of the ordinance and read the title only.

ORDINANCE NO. 24-

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.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THAT;

Section 1. Section 2-3-12-377 is hereby created to read as follows:

2-3-12-377 Participating Alternate Members.

A. Three (3) “at large” Participating Alternate Members (non-Council) shall be nominated to serve by the Mayor and confirmed by the City Council. The Alternate Members shall attend all meetings, and if it appears that the Commission will not have enough members to achieve a quorum, the Chairperson may call on one, two, or all three Alternate Members to achieve a quorum and fill in for the missing members for that meeting.

B. When called on to fill in for an absent Regular Member, Participating Alternate Members will have all the same duties and powers as Regular Members, including participation in discussion and voting. Alternate members will be subject to all Commission by-laws, rules, and governing City Code sections.

C. Alternate Members should be called on by the Chairperson to fill in for a missing Regular Member in order, beginning with the senior Alternate Member, without an Alternate Member serving again until all Alternate Members have served at a meeting. Once all Alternate Members have served at a meeting the order will reset.

D. Alternate Members shall be residents of the City of Lawton and must reside within the corporate limits of the City of Lawton. Alternate Members shall abide by the terms of this Section as well as any By-laws or other rules adopted by the Commission.

E. Alternate Members shall serve their terms as follows: Alternate One shall serve a one (1) year term, Alternate Two shall serve a two (2) year term, and Alternate Three shall serve a three (3) year term. Alternate Members shall be replaced either at the scheduled end of their term or, if an Alternate Member is appointed to be a Regular Member, at the time that appointment becomes effective. When an Alternate Member leaves before the end of their term, the replacement Alternate Member will serve the remainder of term of the person they replaced.

Section 2. Codification. Section 2-3-12-377 shall be codified in Division 2-3-12, of Article 2-3, Chapter 2, Lawton City Code, 2015.

Section 3. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. The Provisions of this ordinance shall become effective thirty (30) days after the passage of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this _____ day of February, 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of February, 2024.

TIMOTHY WILSON, ACTING CITY ATTORNEY

ORDINANCE NO. 24-

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.

BRIEF GIST

This ordinance adds Participating Alternates to the Race Relations Commission.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this day of February 2024.

STANLEY BOOKER, MAYOR

ATTEST:

DONALYNN BLAZEK-SCHERLER, CITY CLERK



City of Lawton

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

Commentary

File #: 24-1300

Agenda Date: 2/27/2024

Agenda No: 30.

ITEM TITLE:

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.

INITIATOR: Mayor Stan Booker

STAFF INFORMATION SOURCE: John Ratliff, City Manager

BACKGROUND: Recently, the City Council of Lawton has discussed various strategies to address challenges stemming from the transient community. To consolidate these efforts and devise a comprehensive plan, Council will consider forming a dedicated Council Committee. The committee will comprise four council members, with Councilmember Kelly Harris serving as its chairperson, and will work in conjunction with the existing Homeless Task Force. This committee will be assisted by the City Clerk's Office for administrative tasks and will comply with the Oklahoma Open Meeting Act.

EXHIBIT: None.

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Approve 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.



City of Lawton

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

Commentary

File #: 24-1285

Agenda Date: 2/27/2024

Agenda No: 31.

ITEM TITLE:

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.

INITIATOR: Joseph Painter, P.E., Director of Engineering & City Engineer

STAFF INFORMATION SOURCE: Joseph Painter, P.E., Director of Engineering & City Engineer

BACKGROUND: In accordance with the True North Culture Statement by adhering to transparency and trust, provide a presentation on EN2403 Pilot Project - Signal Improvements on Gore Blvd from 2nd to Lawrie Tatum Rd.

EXHIBIT: Presentation

KEY ISSUES: None

FUNDING SOURCE: Presentation only, no funding required.

STAFF RECOMMENDED COUNCIL ACTION: Presentation only, no action required.



City of Lawton

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

Commentary

File #: 23-991

Agenda Date:

Agenda No: 32.

ITEM TITLE:

Provide City Council with an update on the FY 2022 & FY 2023 Audit Process

INITIATOR: Joe Don Dunham, Finance Director

STAFF INFORMATION SOURCE: Joe Don Dunham, Finance Director

BACKGROUND: In accordance with the True North Culture Statement by adhering to transparency and Trust, Provide an update to City Council on the progress of the FY 2022 and the FY 2023 audit process.

EXHIBIT: None

KEY ISSUES: How is staff progressing on the FY 2022 & 2023 Audits

FUNDING SOURCE: Report only no funding required.

STAFF RECOMMENDED COUNCIL ACTION: Report only no action required.

AUDIT REPORT – JANUARY 09,2024

Update on June 30, 2022, Audit:

All the information for the June 30, 2022, audit was turned over to the consultants and auditors at the beginning of December. Currently the consultants, Crawford & Associates, are currently working to get the information supplied to them in December loaded into their reporting program. Unfortunately, the consultant has run into difficulties getting the information into their reporting program due to doing a complete enterprise resource planning (ERP) conversion the City of Lawton did during that budget year. ERP is a software system that helps you run your entire business, supporting automation and processes in finance, human resources, procurement, planning, etc. This has delayed the auditor's ability to prepare the audit report. As of my meeting with the consultants on January 8th, they were unable to give me an estimated time of completion. I have a follow-up meeting on January 11th. Bottom line is they will not be able to meet the projected time of completion of January 23, 2024.

Report on June 30, 2023, Audit:

Staff has been given the direction to complete the work required to submit this to the consultants and auditors by February 29, 2024. This should give the consultants and auditors ample time to complete their work and have the June 30, 2023, Audit presented by June 30, 2024.

Work Completed:

- **Main Bank Account Reconciliation:** This is the more difficult and time consuming part of the process. An example of this difficulty is, the City of Lawton records a deposit on one day, then that deposit will hit our bank account over the next several days. The cash and checks hit on the day of the deposit, but the credit cards will hit at separate times over the next few days and could include money from days that are not related to the deposit day. Credit Cards release money to the City of Lawton within 1 – 3 days of the deposit.

Staff is working to get the main back account reconciled. There are 7 departments that accept credit cards and all 7 of those departments have daily deposit. Staff can currently get through a months' worth of deposits in a week and a half. Utility Billing will take a week to get through by itself.

To date check clearing has been completed up through 12/31/2023, and check reconciliation has been completed through 11/30/2022.

- **The smaller bank account reconciliation:** We have 16 smaller bank accounts that are required to be reconciled. These accounts are reconciled through November 30, 2023.

AUDIT REPORT – JANUARY 09,2024

- **Preparation of June 30, 2023, utility billing:** Staff has 498 accounts, out of the 28,000, remaining to be reconciled to June 30, 2023. This is done to accrue the proper amount of utility billing in the budget year ending June 30, 2023. This accrual calculation will be completed by January 13, 2024.
- **Capital Assets:** Staff has accumulated the majority of the capital asset forms for items purchased in fiscal year ending June 30, 2023. There are approximately 12 purchase orders remaining which finance needs the Form 709 submitted. This will allow staff to prepare the schedule of capital assets for accrual and depreciation.
- **Roll over purchase orders:** Staff has about 80 purchase orders that are being review and monitored to determine if those purchase need to be carried as an encumbrance for the fiscal year ending June 30, 2023 audit.
- **Grants:** There are approximately 90 grants remaining to be reconciled for June 30, 2023. Over the past few weeks staff has been extensively working with CDBG and HOME which is one of the largest grants we have and takes quite a bit of time to reconcile. By January 18, 2024, staff should be completed with required reports through December 31, 2023 on all 100 grants being monitored. Once this reporting is completed, staff will address the remaining reconciliations for the June 30, 2023 audit.
- **Component Units:** Staff has completed the documentation and accruals for the LMPO June 30, 2023 audit. This component unit paperwork has been sent to the Auditor so he can compile his report for LMPO. Staff should be finished with the 4 component's financials in a few days and start LEDA audit work later this week. The LETA work should be started next week if things go as planned. Staff feels the component unit paperwork and documentation will be completed before the deadline of February 29th.

AUDIT REPORT – JANUARY 17, 2024

Update on FY 2022 Audit (383 days late):

The Financial Consultants, Crawford and Associates, have finished their upload of all the City of Lawton general ledger accounts into their reporting software. They are currently working to ensure all the beginning fund balance accounts are in balance and setting up all the transfer entries to close funds which were closed during the FY 2022 budget year.

Report on FY 2023 Audit (18 days late):

The City Staff continues to work toward releasing the City of Lawton financials to the consultants by February 29, 2024.

Work Completed:

- **Main Bank Account Reconciliation:** Staff has reconciled 6,997 checks and an additional 970 electronic funds transfers. Currently staff is processing and reconciling utility billing. This includes reconciling cashier's batches, cash receipt entry, ACH receipts, OSG reports, TMR reports, the insufficient funds checks, and the correction and one-off items. Examples of the corrections are adjustments to account. The contract accountant is tying all the bank transactions to their corresponding GL entries. If anything is off, she's making the corrections now. This prep work will help us get through the utility billing reconciliation, payroll reconciliation, grant reconciliations and the one-off items at a much faster rate. I'm afraid this will be negated by the increased implementation of credit card machines throughout the City, but I can't say for sure yet.
- **Preparation of FY 2023 utility billing schedules:** Staff has finished the calculations required to accrue the revenues from utility billing into the FY 2023 fiscal year. What this entails is calculating all of the usages as of June 30, 2023 and accruing the billing related to that usage in the FY 2023 fiscal year. On June 30, 2023 the City of Lawton had 28,571 active utility account.
- **Capital Assets:** Staff is still waiting on some of the Capital Asset Form 709 from a few departments. They have until Friday, January 19th to remit the completed report to Finance.
- **City of Lawton Debt and Transfers:** Staff has updated and sent to the Financial Consultants all the new debt schedules and documents for the loans acquired during the FY 2023 budget year. And have updated and completed the transfer schedules for the FY 2023 budget year.
- **Compensated Absences:** Staff is working on reconciling the compensated absences. The City of Lawton is required to calculate the leave which was taken during the pay period that bridged the FY 2023 budget year and the FY 2024 budget

AUDIT REPORT – JANUARY 17,2024

year. The dollar amount of leave that occurred during the FY 2023 budget year but not paid until the FY 2024 budget year must be accounted for and expensed out. Also, staff has to accrue the amount of paid leave which existed on June 30, 2023 and record that as a liability. Staff is working on these schedules.

- **Grants:** Staff continues to reconcile the HOME/CDBG Grants. Currently, we are calculating work that was done by FY 2023, but not yet reimbursed by the granting agencies and what is due to the City of Lawton on June 30, 2023
- **Component Units:** Staff is updating bank letters and running required reports which will be turned over to component unit's auditors for the completion of those audits. Staff is currently updating the trial balance and general ledger for LEDA, which should be completed by January 22, 2023. A meeting with the LMPO auditor will be held on January 25, 2023 to discuss the FY 23 audit. The LMPO audit is expected to be presented to that board during the February meeting. The LURA FY23 audit is completed.

AUDIT REPORT – FEBRUARY 09,2024

Update on June 30, 2022, Audit (405 days late):

The Financial Consultants, Crawford and Associates, are down to the last few funds. They were missing the City's OPEB Actuarial Valuation, which has been provided, and they are missing the LATS Articles of Incorporation, we are trying to track this down. During my weekly meeting with the lead auditor at Crawford and Associates, they informed me that once they complete the work planned for the week of February 16th, I will be able to get a date for the June 30, 2022 draft audit. Crawford and Associates have been in communication with Forvis to appraise them of the progress.

Since the last report, staff has been working with Crawford and Associates on the June 30, 2022, beginning balances, GASB 87 questions, A/R, and transfer discrepancies.

Report on June 30, 2023, Audit (39 days late):

The City Staff continues to work toward releasing the City of Lawton financials to the consultants, Crawford and Associates, by February 29, 2024. Staff is currently running into issues that cannot be resolved without the June 30, 2022 audit. Without the June 30, 2022 audit we will not be able to meet the February 29, 2024 deadline which was originally set.

Work Completed:

- **Main Bank Account Reconciliation:** Staff is working on utility billing deposit posting, which is very meticulous work. Currently, staff is working on July 2022. What makes this task difficult is that utility billing deposits are a combination of cash, checks and credit/debit cards when we look at the deposit on the City's payment register. But, when we look at the bank side of the transaction, it won't be just one transaction on a specific day. What happens with the City is that deposit will post to the bank on up to three different days. The cash and checks will hit the banking reports on the day after the initial deposit, but the credit cards may be deposited over the next two or three days. This is a very difficult process to work through. Currently, the city experiences 4,759 lines of data (deposits, checks written, electronic funds transfers or ETF) per year. Of these lines of data, staff has reconciled the accounts payable portion and the payroll portion through June 30, 2023. The remainder of the areas that take or expend cash, i.e. Court, Licenses and Permits, Neighborhood Services, Police and Utility Billing are the main areas which staff reconciles in the main bank which are not completed to June 30, 2023.
- **Smaller Bank Accounts:** The City has 22 smaller bank accounts all of which have been reconciled to June 30, 2023.

- **Transfers:** Staff has updated the transfer schedule, and it is ready to be input into the systems. Staff is just waiting on the completed June 30, 2022, audit update to be turned in so final entries can be made.
- **Audit Schedules:**

Preparation of FY 2023 utility billing schedules: Staff has finished the calculations required to accrue the revenues from utility billing into the FY 2023 fiscal year. What this entails is calculating all the usages as of June 30, 2023, and accruing the billing related to that usage in the FY 2023 fiscal year. On June 30, 2023, the City of Lawton had 28,571 active utility account.

Transfer Schedules: Staff has completed and updated the transfer schedule for June 30, 2023.

Compensated Absences: The compensated absence schedule has been completed, except for needing the June 30, 2022, audit to complete the adjusting entries. We have completed the payroll accrual schedule for June 30, 2023.

Workers Compensation: Staff has started the work to complete the workers comp schedule. We are not far enough along on these schedules to determine when they will be done.

- **Capital Assets:** Staff has tentatively balanced the capital assets, calculated the depreciation and the accounts payable plus any retainage that will be required to account for as of June 30, 2023. The June 30, 2022, general ledger entries that are required to be made before these reconciliations can be completed.
- **City of Lawton Debt:** Staff has updated and sent to the Financial Consultants all the new debt schedules and documents for the loans acquired during the FY 2023 budget year.
- **Grants:** Staff has completed updating CDBG/Home Grant payroll, due to/from transactions have been reconciled for June 30, 2023, and these grants have been updated. The LATS grants are also balanced through June 30, 2023.
- **Component Units:** Staff has prepared LEDA and LETA bank confirmation letters for BOK, CNB, Arvest, and IBC banks. Also, the staff has prepared the LETA and LEDA proof of collateralization with types of investments details and submitted these to the auditors. We have also documented the receipt of state reimbursement matches. Meet with LMPO auditor to provide additional explanation on the MPO 5303 employee reimbursement to the City. Corrected errors which were made within the payroll of LMPO grant reimbursements.



City of Lawton

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

Commentary

File #: 24-1309

Agenda Date: 2/27/2024

Agenda No: 33.

ITEM TITLE:

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.

INITIATOR: Timothy Wilson, Acting City Attorney

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney

BACKGROUND: The City Attorney desires to discuss with the Mayor and Council its ongoing PFAS litigation and if necessary, take action in open session. The City Attorney advises the City Council that the Council should determine that disclosure of confidential communications between the Council and the City Attorney regarding the above referenced claim will seriously impair the ability if the City to defend the City’s interest, and from that determination, the Council should convene in executive to discuss this matter.

EXHIBIT: N/A

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Convene 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.



City of Lawton

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

Commentary

File #: 24-1288

Agenda Date: 2/27/2024

Agenda No: 34.

ITEM TITLE:

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..

INITIATOR: Timothy Wilson, Acting City Attorney

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney; Gregory Gibson, Assistant City Attorney

BACKGROUND: 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. The City Attorney advises the City Council should determine that disclosure of confidential communications between the Council and the City Attorney regarding the above referenced item will seriously impair the ability of the City to process the City's interest in the aforementioned case, and from that determination, the Council should convene in executive session to discuss this matter.

EXHIBIT: N/A

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Convene 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.



City of Lawton

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

Commentary

File #: 24-1298

Agenda Date: 2/27/2024

Agenda No: 35.

ITEM TITLE:

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.

INITIATOR: Timothy Wilson, Acting City Attorney

STAFF INFORMATION SOURCE: Dewayne Burk, Deputy City Manager; Timothy Wilson, Acting City Attorney; and Craig Akard, Human Resources Director

BACKGROUND: Staff, in late 2019, initiated an investigation into the methods used in its employee pension calculations. This investigatory review remains open. The City Attorney / Deputy City Attorney advises the Council that the disclosure of information relating to the ongoing investigation will seriously impair the ability of the public body to conduct said investigatory review and/or defend its interests, and from that determination, the Council should convene in executive session to discuss this matter.

EXHIBIT: N/A

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: Convene in executive session to discuss the status of an ongoing investigation concerning pension calculations, and, if necessary, take appropriate action in open session.



City of Lawton

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

Commentary

File #: 24-1310

Agenda Date: 2/27/2024

Agenda No: 36.

ITEM TITLE:

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.

INITIATOR: Timothy Wilson, Acting City Attorney

STAFF INFORMATION SOURCE: Timothy Wilson, Acting City Attorney

BACKGROUND: The Acting City Attorney desires to discuss with Mayor and Council 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. The City Attorney advises the City Council that the Council should determine that disclosure of confidential communications between the Council and the City Attorney regarding the above referenced item will seriously impair the ability of the City to protect the City's interest in the aforementioned litigation, and from that determination, the Council should convene in executive session to discuss this matter.

EXHIBIT: N/A

KEY ISSUES: N/A

FUNDING SOURCE: N/A

STAFF RECOMMENDED COUNCIL ACTION: 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.