

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
NOVEMBER 9, 2021 – 2:00 P.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Stan Booker, Mayor

Also Present:
Michael Cleghorn, City Manager
John Ratliff, City Attorney
Traci Hushbeck, City Clerk
COL Rhett A. Taylor, Fort Sill Liaison

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 Harold Gaches, Lawton First Baptist West, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Keith Jackson, Ward Two
Linda Chapman, Ward Three
Jay Burk, Ward Four
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT: None

PROCLAMATION:

Veteran's Day Proclamation

Mayor Booker proclaimed November 11, 2021 as Veteran's Day. He presented the proclamation to members of the Comanche County Veterans Council and VFW Post 5253 Auxiliary.

Psi Upsilon Chapter, Omega Psi Phi Fraternity, Inc. Week

Mayor Booker proclaimed November 14-20, 2021 as Psi Upsilon Chapter, Omega Psi Phi Fraternity, Inc. Week with Wednesday, November 17, 2021 as Psi Upsilon Chapter, Omega Psi Phi Fraternity Day. He presented the proclamation to members of the chapter.

National American Indian Heritage Month

Mayor Booker proclaimed November 2021 as National American Indian Heritage Month.

He presented the proclamation to George Keck, Vice Chairman of the Race Relations Commission.

REPORTS: MAYOR/CITY COUNCIL

Hankins stated the neighborhood watch for her ward will be meeting tonight. She stated the revisions on the wards will affect this neighborhood watch group.

Burk congratulated the McArthur High School football team for winning district.

Hampton stated they are having a neighborhood watch meeting at the end of the month. He stated the speed tables are going down in front of Cleveland School.

Johnson stated an organization called Be Extreme will be hosting a community event on Saturday at the coliseum. Community resources will be available.

AUDIENCE PARTICIPATION:

Ray Garcia, 7701 SW Franks Court, read a statement regarding how the tribes have been negatively impacted by the wrongful decisions made by our ancestors who acted out of greed and resulted in severe social illness to our people. He stated they are asking for a formal apology to bring healing to our city and state and even our nation.

CONSENT AGENDA:

Mayor Booker stated items #10 and #16 will be considered separately.

MOVED by Warren SECOND by Chapman to approve the consent agenda with the exception of items #10 and #16. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

1. Consider approval of the minutes of the Lawton City Council regular meeting of October 26, 2021.
2. Consider approving the 2022 Notice of Meeting Schedule for Lawton City Council Meetings and approve a resolution rescheduling the regularly scheduled meetings in November and December 2022. **Resolution 21-203**
3. Consider accepting the ARPA Grant of \$45,580.00 from the Oklahoma Department of Libraries for the purpose of installing an RFID system and upgrading video conferencing in the meeting room at the Lawton Public Library.
4. Consider accepting a grant for the Lawton Police Department from the Lawton Community Foundation for the City of Lawton (Police) Succession Planning and Training in the amount of five thousand dollars (\$5,000).

5. Consider approving a resolution amending the City of Lawton FY21-22 budget, as amended, by appropriating \$331,500.00 to the Solid Waste Division's Machinery and Equipment account for the purchase of a new Solid Waste truck. **Resolution 21-204**
6. Consider accepting approximately 735 linear feet of 12-inch waterline, two fire hydrants, approximately 686 linear feet of concrete pavement for Rex Madeira Road, accepting maintenance bonds for said improvements, releasing the performance bond for the mandrel testing, and accepting a performance bond for remaining construction items to serve the property located at 1310 Rex Madeira Road.
7. Consider authorizing the solicitation of statements of qualifications from qualified firms for Construction Manager At-Risk (CMAR) services on Phase 1 McMahon Auditorium Addition and Renovation Project EN1502B.
8. Consider authorizing the solicitation of statements of qualifications from qualified firms for Construction Manager at Risk (CMAR) services on the City Hall Renovation Project EN2004A.
9. Consider adopting a resolution for the selection of a consulting engineer to conduct the bi-annual inspections required by the National Bridge Inspection Standards (NBIS) Program. **Resolution 21-205**
10. Consider approving Project EN2107 On-call Citywide Sidewalk Contract to select a contractor to construct sidewalk around the city and authorizing staff to advertise for bids.

Joe Painter, Engineering Director, stated their goal is to get a contractor on board so they can then issue orders to start constructing sidewalks throughout the entire city. He stated he will be bringing information back to the council at a later date as far as the list of where they will start.

Burk stated this is being funded by the medical marijuana money through LETA as well as some CIP money. They are trying to determine which areas are most important and can be funded quickly.

MOVED by Burk SECOND by Hankins to approve Project EN2107 On-call Citywide Sidewalk Contract to select a contractor to construct sidewalk around the city and authorizing staff to advertise for bids. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

11. Consider authorizing Public Utilities staff to use CIP funds in an amount not to exceed \$300,000 to contract out the emergency replacement of damaged or historically problematic water main segments.
12. Consider approving Change Order No. 1 for the Lawton WWTP Improvements Project #1 PU21-02 (PU2102) with Wynn Construction.

13. Consider extending the Professional Services Contract for Consultant Brokerage services concerning employee benefits to Higginbotham Insurance Agency.
14. Consider rejecting the bid received for CL22-011 Manhole Lining Product and authorizing staff to re-advertise once market conditions stabilize.
15. Consider awarding RFPCL22-006 Electrical Instrumentation and Control to Worth Hydrochem of Norman, OK.
16. Consider awarding (RFPCL22-008) for banking services to Liberty National Bank.

Maegan Dowlen, Contract Administrator, stated the former contract went for five years and we had a 90-day extension with the former vendor, which was IBC Bank. When the extension was approved they went out for rebid of this contract. Before the bids went out IBC expressed interest in continuing the contract. They sent the notice to bid to the newspaper on September 10 and on September 13 the City Clerk put the information on the City's website. They also placed it on Bid Sync and sent it out, as a courtesy, to all the vendors that had previously bid on this contract. The bid opening was on October 26th and they received one bid, which was from Liberty National Bank.

Cleghorn stated the process was followed, proposals were sent out, courtesy copies were sent, which is not required. There was one responsible bidder and staff's recommendation is to award the contract to Liberty National Bank.

Ratliff stated we met all of our obligations under the competitive bidding act.

MOVED by Hankins SECOND by Burk to award (RFPCL22-008) for banking services to Liberty National Bank.

Mayor Booker stated there is a request to speak on this item.

Kevin Blaney, Attorney, 204 N Robinson, Suite 1250, Oklahoma City, stated IBC intended to bid and they were in communication with the finance department regarding renewing the contract. The contact person at IBC was David Hardy. On September 13th David Hardy resigned and left the bank that morning. He was told that on September 13th at 1:52 p.m. the financial package was emailed to the bank at Mr. Hardy's email. He stated none of the IBC officers ever saw that bid package and therefore no bid was submitted. He requested that the council reopen the bidding and give IBC and others an opportunity to bid. There would be economic benefit in not awarding this bid.

Kyle McElvaney, President of IBC, 3817 NW Expressway, Oklahoma City, stated they have been the financial banking provider for 40 years now with the City of Lawton. He stated there was some bad timing with the email with the bid package and they believe the City deserves more than one bid and he requested the bid be open back up and allow them and others to bid.

VOTE ON MOTION: AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

17. Consider approving appointments to boards and commissions.

Youth and Family Affairs Committee (YFAC)

Davison Virgil
132 Berkshire Way
Lawton, OK 73501
U/T 2/23/2024

Mayor's Commission on the Status of Women

Emily Ellis- Ward 5
515 NW Dearborn Avenue
Lawton, OK 73501
9/20/2023

City Planning Commission (CPC)

Darren Medders- Ward 6
7512 NW Stonegate Drive
Lawton, OK 73505
12/14/2024

Parks & Rec Commission

Susan Hargraves Thompson- Ward 6
2309 NW 75th Street
Lawton, OK 73505
1/1/2024

Jason Scott
502 NE 27th Street
Lawton, OK 73507
1/1/2024

Anthony Cox
7203 NW Willow Place
Lawton, OK 73505
1/1/2024

Brian Henry
NO ADDRESS ON FILE
1/1/2024

Historical Preservation

Paige Michener- Existing or Proposed Historic District
102 Fort Sill Boulevard
Lawton, OK 73507
10/11/2023

Traffic Commission

Willie Smith
2904 NE Mesa Verde
Lawton, OK 73501
8/25/2024

Waurika Master Conservancy District Board

Evan Watson
7610 NW Chelsea Drive
Lawton, OK 73501
Term Starts 1/1/2022 UT Ends 6/6/2022

BUSINESS ITEMS:

18. Hold a public hearing and consider approving the submission and acceptance of the 2021 Department of Justice Edward Byrne Assistance Grant Local (JAG) by the Lawton Police Department.

Will Hines, Deputy Chief of Police, stated this annual grant allows the police department to buy equipment that they typically would not get due to budget constraints. The amount of the grant is \$73,746, which will be split with 20% going to the county and the City receiving 80%.

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

MOVED by Burk SECOND by Warren to approve the submission and acceptance of the 2021 Department of Justice Edward Byrne Assistance Grant Local (JAG) by the Lawton Police Department. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

19. Hold a public hearing and to consider an ordinance to change the zoning from the A-2 Suburban District to RE Residential Estate District on property located at 1810 SE Skyline Drive, Lawton, OK 73501.

Richard Rogalski, Deputy City Manager, stated this request is located at 1810 SE Skyline Drive. The current zoning is A-2. The proposed use is two single family residential lots. The property owner is Jay R. Hunt. The request is to split the property into two 2.32 acre lots. This new lot size would be less than the minimum allowed by the A-2 zoning district. The A-2 zoning

district states there shall be a lot area of not less than two and one-half (2-½) acres.

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

MOVED by Warren SECOND by Hankins to adopt **Ordinance 21-30**, waive the reading of the ordinance, read the title only. AYE: Hankins, Jackson, Chapman, Burk, Hampton, Fortenbaugh, Johnson, Warren. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 21-30

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM THE EXISTING CLASSIFICATION OF A-2 SUBURBAN DISTRICT TO RE RESIDENTIAL ESTATE DISTRICT ZONING CLASSIFICATION ON THE TRACT OF LAND WHICH IS HEREINAFTER MORE PARTICULARLY DESCRIBED IN SECTION ONE (1) HEREOF; AUTHORIZING CHANGES TO BE MADE UPON THE OFFICIAL ZONING MAP IN ACCORDANCE WITH THIS ORDINANCE.

STAFF REPORTS:

Department Roundup – Human Resources

Craig Akard, Human Resources Director, presented information on the Human Resources Department.

The Mayor and Council convened in executive session at 2:57 p.m. and reconvened in regular, open session at 3:15 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEM:

20. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending claim of Jeffrey Temple and, if necessary, take appropriate action in open session.

Ratliff read the title of item #20. No action was taken.

There being no further business to consider, the meeting adjourned at 3:16 p.m. upon motion, Second and roll call vote.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK