



City of Lawton

City Council

MINUTES

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

Tuesday, October 8, 2024

6:00 PM

**Lawton City Hall
Council Chambers/Auditorium**

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Stan Booker called the meeting to order at 6:00 p.m. The invocation was given by Ms. Wyonna Alberty, and all remained standing for the Pledge of Allegiance.

ROLL CALL

PRESENT: Hankins, Chapman, Gill, Hampton, Weger, Williams, Warren

ABSENT: Harris

ALSO PRESENT: Stanley Booker, Mayor; John Ratliff, City Manager; John Andrew, City Attorney; COL Derek Baird, Fort Sill Liaison; Donalynn Blazek-Scherler, City Clerk

PRESENTATION:

True North Award: Matthew Duvall, Animal Welfare Officer

City Manager John Ratliff presented the True North Award to Matthew Duvall. Mr. Duvall received an animal welfare call a couple of weeks ago and responded to a dog stuck in a deep drainage ditch/canal. Officer Duvall had to be lowered down by rope to reach the animal due to the depth. After freeing the animal, they discovered it was microchipped, located the owner, and facilitated a reunion with a dog that had been missing for five years.

Introduction of Cliff Haggemiller, Public Works Deputy Director

City Manager John Ratliff introduced Cliff Haggemiller, who has worked for the City of Lawton for 27 years in the Streets Division. Mr. Haggemiller started at the lowest ranks and worked his way up to become Superintendent for Streets in 2009. He was recently promoted to Deputy Director of Public Works.

PROCLAMATION:

Citizen of the Month - Mountain Metro Ambucs

Mayor Booker presented the Citizen of the Month proclamation to Mountain Metro Ambucs, a national nonprofit organization dedicated to creating mobility and independence for people living with disabilities. The members work tirelessly to improve the lives of countless individuals and their families through the provision of AmTrykes (therapeutic tricycles), scholarships, and other adaptive equipment. President Tasha Perry accepted the proclamation and noted that the organization helps the community in many different ways.

National Businesswomen's Week

Mayor Booker proclaimed October 14-18, 2024, as National Businesswomen's Week, celebrating the achievements of businesswomen who have inspired others through their leadership, mentorship, and dedication. Patricia accepted the proclamation and invited everyone to check out the Lawton Businesswomen Facebook page for upcoming events and to attend their lunch meeting the following day at noon at the Lawton Country Club.

White Cane Day

Mayor Booker proclaimed October 15, 2024, as White Cane Safety Day, recognizing the significance of the white cane both as a symbol of independence and as an impacting technology that enables Oklahoma residents with visual disabilities to participate more fully in the social and economic life of the state. Rocco Bonacci accepted the proclamation and thanked the Mayor, City Council, and the local city government for their support of the local chapter of the Council of the Blind. He noted this was the first year they were doing this without their beloved Kay Love.

REPORTS: MAYOR/CITY COUNCIL

Councilwoman Hankins (Ward 1) - No report.

Councilwoman Chapman (Ward 3) - No report.

Councilman Gill (Ward 4) reported that the road program continues to make good progress, and they will soon start on selecting another 40, possibly 80, streets for the coming year.

Councilman Hampton (Ward 5) encouraged citizens to visit the Farmers Market, noting he had missed it but enjoyed some peach cobbler with smoked Gouda cheese, all locally made. He also announced the Open Streets event on October 19th from 10:00 a.m. to 2:00 p.m. on C Avenue, featuring vendors, games, free giveaways, and participation from the fire department, police department, and a bicycle rodeo.

Councilman Weger (Ward 6) thanked everyone who came out to the event on September 26th at Johnny Cook Barbecue, where they signed up citizens for the Center for Creative Living's free meals program. They received 44 applications, and the first 22 people received a free lunch. The meals will begin being served starting October 14th.

Councilwoman Williams (Ward 7) encouraged everyone to go online to check when their regular weekly trash pickup is scheduled, as well as their bulk pickup, to help keep trash down. She also noted that citizens can check their water usage online through the city's website to determine if they might have leaks.

Councilman Warren (Ward 8) reported he would be requesting one Flock camera for his ward.

Colonel Baird reported they had a successful Oktoberfest with about 400 people in attendance, compared to 90 last year. He announced a Trunk or Treat on October 26th at the Youth Center from 4:30 p.m. to 6:30 p.m., followed by a Zombie Run at 7:00 p.m. at Martha Songbird Park. He thanked the Mayor for attending a meeting about how they can best integrate with Lawton and surrounding communities as they look toward 2040.

Mayor Booker thanked Fort Sill and all the leadership for their open arms toward the Lawton community and for always trying to draw them closer and integrate more.

AUDIENCE PARTICIPATION:

Edward Jensen (4923 SE Churchill Way) spoke about iHelp Lawton, encouraging citizens to use it but noting sometimes it doesn't work properly. He explained issues he's had reporting streetlights that are on day and night at Flower Mound and East Cache Road, which are connected to traffic signals. He also mentioned reporting missing street signs and abandoned shopping carts throughout the city.

Dee Jackson expressed concerns about the Westwin plant being built near Goodyear, asking if the city could ensure it would be safe for the health and well-being of citizens. Mayor Booker noted that since the item was not on the agenda, they could not discuss it or answer questions but referred him to the City Manager.

Joshua Isaac signed up to speak but stated he did not wish to speak.

CONSENT AGENDA:

Mayor Booker stated that items 4, 5, 11, and 17 were being pulled from the Consent Agenda, and item 35 had been stricken.

Motion by Council Member Warren and seconded by Council Member Hampton to approve the Consent Agenda with the exception of items 4, 5, 11, and 17. VOTE: 7-0. Motion carried.

- 1. Consider approving a resolution amending the City of Lawton FY25 Budget, as amended, by appropriating \$50,000.00 from the General Fund to the Lawton Police Department's Machinery and Equipment fund, for the purchase of a police vehicle.**
- 2. Consider partially funding Project PR2309 Elmer Thomas Park Aquatic Center with remaining ARPA funds and, if approved, consider approving a resolution amending the City of Lawton FY25 budget, as amended, by appropriating \$1,490,627.46 to the Grant Fund for ARPA-related projects.**
- 3. Consider approving a resolution amending the City of Lawton FY25 budget, as amended, by increasing estimated 2019 Capital Improvement Fund revenues by \$40,000,000.00 and to appropriate \$10,000,000.00 to the 2019 Capital Improvement Fund for Propel-related expenses.**
- 4. Consider approving a limited support agreement between the City of Lawton and the Lawton Metropolitan Area Airport Authority, contingent upon the Lawton Metropolitan Area Airport Authority also approving the agreement, to provide funding to be used solely for legal expenses related to Fire Station #2 located on airport grounds, and authorize the Mayor and City Clerk to execute the agreement.**

Mayor Booker expressed concerns about the legal fees seeming excessive, with costs over half a million dollars. He felt the Council needed to ask for justification of these funds and let the Authority know that the Council is concerned.

Councilman Gill stated he also had concerns about the excessive costs for the lawsuit given the amount of money involved and the time so far. He felt the Council needed a complete, comprehensive outline of what the fees were for and how they occurred.

Councilman Warren expressed concern about getting the funds back, noting that even if the airport wins, the company they win against might not have any money, leaving the city holding an empty bag. He suggested monthly updates on what's happening and potentially an executive session to get briefed on the matter.

City Manager Ratliff clarified that the agenda item was not approving any new funds, as the Council had already committed \$200,000 in legal expenses several months ago. This was just making that funding available for the new fiscal year. He recommended approving the limited support agreement and directing staff to bring back a presentation to address the Council's concerns.

Motion by Council Member Warren to approve the limited support agreement, direct that this item be brought back to the City Council in executive session so that they can be briefed on matters that have a legal consequence to the city as well as the Authority, and that the City Manager get directly involved in this to find out more information. Seconded by Council Member Gill.

VOTE: 7-0. Motion carried.

5. Consider approving an agreement with the Oklahoma Department of Rehabilitation Services for food and beverage vending machine services at City Hall and authorize the Mayor and City Clerk to execute the agreement.

City Attorney John Andrew explained that he negotiated this agreement with Tara Brown from the Oklahoma Department of Rehabilitation Services. They already provide vending services at Fort Sill, and this program provides jobs and opportunities. The services will include food, hot and cold drinks, with healthy options that comply with the city's wellness policy. Andrew noted that Ms. Brown was excited to get started, and staff wholeheartedly recommended approving the agreement.

Motion by Council Member Gill for approval. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

6. Consider approving an Agreement for Limited Support between the Museum of the Great Plains Trust Authority and the City of Lawton to fund the continued operation of the Museum, contingent upon the Museum of the Great Plains Trust Authority approving the Agreement, and authorize the Mayor and City Clerk to execute the Agreement.

7. Consider and take action in approving Amendment Number 8 to the Master Services Agreement with Jacobs Engineering Group, INC, in the amount not to exceed \$685,423.00 for professional engineering services for flow monitoring assessment, data analysis, and a written report as required in Sewer System Rehabilitation Consent Order 02-397 Addendum C.

8. Consider and take action approving Amendment No. 7 to the Master Services Agreement with Garver, LLC, in the amount not to exceed \$541,400 for Professional Engineering Services for Maps 8 and 44 waterline rehabilitation projects.

9. Consider and take action approving Amendment No. 8 to the Master Services Agreement with Garver, LLC, in the amount not to exceed \$369,950 for Professional Engineering Services for the Lawton Transit Waterline Replacement Project PU2501.

10. Consider and take action approving Amendment No. 1 to the Professional Services Agreement with Traditional Inspection Onsite Services, LLC, in the amount not to exceed \$821,000.00 for professional inspection and Resident Representative services on Public Utilities' water and wastewater projects.

11. Consider approving a Change Order 1 on Project PR2309-Elmer Thomas Park Aquatic Center to reduce the contract amount by \$705,049.00, based on the Value Engineering review.

Scott Vaughn explained that in July, Council directed staff to work with the architect and contractor to reduce the contract amount. He identified four potential cost savings, with two included in the current change order. The two items not included were: 1) eliminating air conditioning in the changing rooms and dressing rooms, which staff wanted to evaluate further, and 2) potential savings in soil work, which won't be known until excavation begins. The two items in the change order are eliminating the paving of the parking lot from this contract and changing the construction of the concession building to a timber frame instead of CMU construction, for a total savings of about \$700,000.

Councilman Warren expressed concern about the language in the change order stating that the north parking lot would be graveled for excess parking, while the presentation indicated plans to pave it under a separate contract. He was concerned about having a gravel parking lot near the Aquatic Center due to dust issues.

Vaughn clarified that Miller Tippens, the contractor for the Aquatic Center, would place some gravel as a base, but paving would be done under a separate contract.

Councilman Gill confirmed that the original plan was to remove the parking lot from the contractor's scope to save money and time on the project. He stated it was never the intention to leave it as gravel.

Deputy City Manager Dwayne Burk offered to correct the wording and bring the item back to the next meeting.

Motion by Council Member Warren to table the item until the next meeting. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

12. Consider extending contract CL23-005 Nuisance Abatement to BT Lawn Maintenance of Lawton, OK.

13. Consider awarding Contract (CL24-018) Nuisance Abatement to Eagle Global Ventures, LLC of Lawton, OK.

14. Consider approving the record drawings and maintenance bonds for an 8-inch sewer to serve Acord Transportation's property located at Lot 3, Block 3, Lawton Industrial Park, Part 2.

15. Consider and take action approving the plans, specifications and authorize advertisement for construction of PU2419 2024 CIPP Liner Project, in various areas across Lawton, to rehabilitate approximately 13,200 linear feet of high maintenance sewer lines.

16. Consider and take action approving the plans, specifications and authorize advertisement for construction of Maps 46 (PU2409), 53 (PU2404), & 58 (PU2410) Waterline Rehabilitation Projects, to rehabilitate approximately 35,000 linear feet of high maintenance water lines.

17. Consider and take action approving the plans, specifications, and authorize advertisement for construction of PU2412 Industrial Water Main Phase II Project, to complete the water line loop

along 112th St from Bishop Rd to Lee Blvd and back to 97th St, providing water service for additional growth in the industrial park area.

Rusty Whisenhunt explained this is the completion of the line installed down Goodyear Boulevard (97th Street) to Bishop, to serve the initial Industrial Park area. This project will loop that line back around to prevent excess water loss from flushing and also serve the rest of the park, providing fire flow for any additional industries.

Robert Ratcliffe (4427 SW Parkway Drive) asked who would pay for this project, expressing concern that taxpayers would receive another charge on their water bills.

Mayor Booker explained that the project is being paid for with Industrial Development funds that will be paid back with property taxes from all property in the industrial zone, not through water bills. He clarified that Westwin would be one of the beneficiaries but not the only one.

Motion by Council Member Hampton for approval. Seconded by Council Member Chapman.

VOTE: 7-0. Motion carried.

18. Consider adopting a resolution authorizing the installation of a "Cross Traffic Does Not Stop" Sign at the corner of NW Euclid and NW Compass Ave.

19. Consider adopting a resolution authorizing the removal of the "Yield" sign at the intersection of NW Willow Creek Dr & NW Mickelgate Blvd. and replace it with the Installation of a "STOP" sign in its place.

20. Consider adopting a resolution authorizing the installation of an "AUTISTIC CHILD" sign at 2416 SW Washington Ave and a "DEAD END" sign on the existing post with the SW Washington Ave street name sign at SW 24th St intersection.

21. Consider adopting a resolution authorizing the installation of a Yield Sign at the intersection of NW Allison Lane and NW Mickelgate Blvd.

22. Consider adopting a resolution authorizing Traffic Control Measures with the installation of an "AUTISTIC CHILD" sign at 6202 NW Cheyenne Drive.

23. Consider adopting a resolution authorizing Traffic Control Measures with the installation of an "AUTISTIC CHILD" sign at 2618 SW B Ave.

24. Consider adopting a resolution authorizing Traffic Control Measures with the installation of a YIELD SIGN at the opening of the SW Salinas Dr at 806 SW Sedalia Ave.

25. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, Pertaining to Chapter 7, Business Licenses, by Repealing Articles A-7-3 and A-7-11, and Amending Articles A-7-20 and A-7-29.

26. Consider a request to pay a fee in lieu of onsite stormwater detention for the Day Spring Church Portable Building permit located at 8612 NW Cache Road in the amount of \$115.00.

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

28. Consider granting the City Manager the discretion to approve payment plans on an as needed basis to assist staff with the collection of outstanding balances due to the City of Lawton.

29. Consider accepting a permanent easement from LWB Holdings, LLC. for the SW 38th Street Waterline Project EN2102A and authorizing the Mayor and City Clerk to execute the documents and payment for the same.

30. Consider approval of an amendment to an easement agreement between Comanche Renewables, LLC and the City of Lawton for the use of the Landfill Gas End Use Program.

31. Consider approving an amendment to Traffic Calming Policy 10-05 in order to clarify the process for traffic calming measures once the two funded devices per ward have been utilized for the fiscal year.

32. Consider waiving Section 17-2-9-205 of Lawton City Code, 2015, to allow the Employee Advisory Committee to hold an election for committee members on the second Tuesday in November in order to provide proper notice of election.

33. Consider approving appointments to boards and commissions.

UNFINISHED BUSINESS:

34. Consider waiving Council Policy 1-6 to reconsider an item within 6 months, consider rescinding Resolution No. 24-187, which declared the structure(s) located at 1913 NW Lincoln Avenue a dilapidated structure, and take action as deemed necessary.

Motion by Council Member Warren to waive Council Policy 1-6. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

Josh explained that 1913 NW Lincoln Avenue was brought to Council and declared dilapidated in the August meeting. He had provided incorrect information at that time, stating it was tabled due to title issues with the previous owner when it was actually due to past due property taxes. Staff discovered that if they tear down the structure, the city is less likely to recover costs at the county tax sale than if the structure remains on the property. The current property owner stated during the public hearing that he plans to remodel the structure, but not until the middle of next year. The unpaid property taxes are from 2022 and 2023.

Ratliff stated it is staff's recommendation to give this an opportunity to go through the tax sale process to give the city a better chance to recoup costs. It is a good test case because the property is not in terrible condition.

Motion by Council Member Warren to rescind Council's previous action on this address. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

BUSINESS ITEMS:

35. Discuss contractor workmanship as it pertains to the installation of the floor coverings included in the City Hall renovation project and take action as deemed necessary.

This item was stricken from the agenda prior to consideration.

36. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan from Residential/Low Density to Residential/High Density for the property located at 801-809 NW Pershing Dr, Lawton, OK, 73507, said amendment is related to a companion rezoning request from Deborah Bell on behalf of Win-Wal Properties LLC to allow for an assisted living home on the property; and take appropriate action as deemed necessary.

Cameron Good, Planning Department, explained this is an amendment to the land use plan that is a partner item to the next item, a rezoning request for properties 801 through 809 NW Pershing. The property owner is Win-Wal Properties LLC, and the parcel is about 0.35 acres. The property has been a commercial building since before the zoning code was put in place in 1964 and is considered existing legal non-conforming. The proposed use is a permitted use within the R-3 Multi-Family District.

The City Planning Commission initially took up the item on July 25th, where five people spoke against it, citing concerns about crime, traffic, property values, vagrancy, negative impact on the character of the neighborhood, and potential future apartment complex development. The applicant informed the Commission the facility would hold 19-20 patients and have quiet hours between 7:00 p.m. and 7:00 a.m.

The item was brought to City Council on August 27th and was recommended to go back to the Planning Commission for a recommendation. The item was re-noticed to everyone within 300 feet (50 owners) on August 30th and posted in the Lawton Constitution on September 1st. It was taken to the City Planning Commission on September 26th, where they made a recommendation to approve with a vote of 6-1.

A petition was submitted to the City Clerk's office with 30 signatures against the rezoning, including 12 property owners within 300 feet, 8 renters, and spouses from the same address.

Good noted this is a binding site plan, meaning if there was a change to the proposed use, it would have to go back through the binding site plan amendment process with public hearings and notices.

Mayor Booker opened the public hearing.

Rhonda Beltard, representing her sister who is the owner, explained they want to provide a safe environment for elderly people in a smaller setting instead of a large commercial assisted living or nursing home. She showed examples of what client rooms would look like, clarifying they would not be apartments but rooms with one or two patients per room, for a total of 10-13 rooms. She described plans for a reception area, main office, multi-purpose room, multiple showers, and kitchen with staff to cook. They plan to have security cameras on all four corners to help deter crime and expect to create at least 16 jobs including a nurse, LPN, and CNAs. Ms. Beltard's full presentation is available in the City Clerk's Office.

Delmon Bloom (1717 Ash, Lawton) stated he has lived in the neighborhood for 34 years. He expressed concerns that the parking lot would not accommodate 20 cars as claimed, and that the nursing home would lower property values in the neighborhood. He noted that streets are small, people park in front of houses, and delivery trucks would cause issues. He also mentioned concern about lights from the parking lot affecting nearby houses.

Steven David (5714 John Cove) identified himself as one of the owners of Win-Wal Properties. He explained they bought the building, which had been vacant for 2-3 years, to improve the neighborhood. They checked zoning requirements, talked to the fire department about regulations, and plan to invest \$200,000 in rehabilitating the building. Mr. David stated he's funding the project himself and wants to move his other businesses (a construction company and home improvement company) to Lawton. He

emphasized that he cares about seniors and wants to create a home-like environment where they can receive proper care.

Cecil Cummings Jr. (1735 Ash, Lawton) said he lives across the street from the property. While he thinks assisted living is a good idea (his mother is at Southwestern and he's working on assisted living for her), he expressed concerns about increased traffic, headlights shining into his home, and emergency vehicles in the neighborhood at night. He mentioned his son-in-law is a firefighter who confirmed that emergency calls to assisted living facilities on the west side happen nightly. He also expressed concern about property values.

David Locke (806 NW Pershing Drive) said he and his wife bought their house on the corner as their "forever home" and hope this doesn't turn out to be a mistake. He stated the neighborhood is not set up to handle what they want to do, suggesting their quoted numbers are unrealistic and not within code. He expressed concerns about extra lighting, traffic, ambulances, and utilities in the area struggling to keep up with just the regular neighborhood. He suggested there are countless other lots and properties in town where this could be operated, calling this the "wrong spot" for an assisted living facility.

Chris Nelms (804 Pershing Drive) said he bought his property 24 years ago for the central location and good school system. He noted previous businesses (a doctor and CPA) closed at night and weren't open on weekends. He expressed concern about the building being only about 3,000 square feet and questioned how they could fit 20 beds plus common areas in that space.

Mayor Booker closed the public hearing.

Councilwoman Hankins noted that the people who spoke tonight had also spoken at the City Planning Commission meeting, which nevertheless voted 6-1 to recommend approval.

Councilwoman Williams asked how many people the facility would hold, to which Ms. Beltard had replied up to 20.

Councilman Gill asked if the owners had a state permit with a specific bed count. Ms. Beltard stated her sister had applied for the license but didn't have it with her. Councilman Gill emphasized that the state issues a license with a specific bed count, but the owners couldn't confirm what that count would be.

Motion by Council Member Warren to deny. Seconded by Council Member Chapman.

VOTE: 6-1 (Williams). Motion to deny carried.

37. Hold a public hearing and consider an Ordinance for a change of zoning from the R-1 Single-Family Dwelling District to the R-3 Multiple-Family District zoning classification for an assisted living home to be located at 801-809 NW Pershing Dr, Lawton, OK, 73507 and take appropriate action as deemed necessary.

This item was stricken due to the denial of Item 36.

38. Receive a presentation summarizing the 2024 Spirit of Survival event and discuss future Spirit of Survival events with the support of the city of Lawton.

Lane Hooten provided an update on the 2024 Spirit of Survival event held on October 5-6, the 16th edition of the event and the first since 2019. The event's goal is to increase awareness of CCMH/CCSO locations, the services they provide, and to raise funds for non-reimbursed expenses associated with transportation, cancer screenings, emergent care, and research programs.

The event was held on the campus of the Cancer Center of Southwest Oklahoma and CCMH, with the Major Taylor Bicycle Club of Oklahoma managing the bike ride. The organizers received cooperation from the Lawton Police Department, Lawton Fire Department, Streets, and Parks departments, as well as Cameron University, which allowed development of a route through their campus.

Mr. Hooten reported that the event had 1,230 participants despite the late start in planning. He shared that a highlight was an 8-year-old girl who was the first woman to cross the finish line in the 5K, running about 21 minutes (7 minutes per mile), and then returned in the afternoon to sing the national anthem for one of the events.

Mr. Hooten stated that CCSO intends to continue the event annually and will return with a formal request for 2025 once a date is projected.

No action required.

39. Receive a presentation and consider approval for a resolution authorizing a City-Wide No-Cart-November event.

Michael Watrous, Director of Public Works, presented a plan for a No-Cart-November event to pick up abandoned shopping carts throughout the city. Commercial businesses with shopping carts would be allowed to collect their carts at their expense, with no charge from the city. The goal is to reduce the number of abandoned shopping carts throughout Lawton.

Residents would be allowed to place shopping carts on the curb during normal bulk waste procedures, and it would not count toward their four cubic yards of bulk waste allowed per month. Carts would need to be emptied; if a cart is full, residents can contact the Solid Waste division to schedule a separate pickup.

The proposed schedule would cover different areas of the city each week, with Week 4 (Thanksgiving week) having an extended two-week period for pickup due to the holiday. Collected carts would be stored behind the Public Works building, and businesses could claim them during normal business hours. Any carts not picked up by January 31st would be considered abandoned, and the city would dispose of them accordingly.

Motion by Council Member Gill to approve. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

40. Hold a public hearing and consider a Resolution for an amendment to the 2030 Land Use Plan to include the parcel as part of the Industrial land use classification on property located at 10925 SW Bishop Lawton, OK 73505, and take action as deemed necessary.

Cameron Good, Planning Department, explained that in January 2024, the city annexed this property and gave it a temporary zoning of I-4, stipulating that permanent zoning be placed within the first year. There is currently no land use plan associated with this parcel, so this item would add it to the 2030 Land Use Plan and classify it as industrial. The property is located at the northeast corner of 112th and Bishop Road.

The item was taken to the Planning Commission on September 26th, where they made a recommendation to approve. Notice was sent to five property owners within 300 feet on August 30th and posted in the Lawton Constitution on September 1st. No phone calls were received for or against the item.

Mayor Booker opened the public hearing.

Kaysa Whitley (7902 NW Echo Road) asked questions about the CPC notes regarding annexation and rezoning process, wondering why the city chose to do a quick path to annex versus including rezoning at the time. Christine James, Planning Director, explained that the current annexation process does not include rezoning; that's something they plan to fix in a couple of meetings by including rezoning in the annexation process. The annexation process follows state statute, which doesn't involve rezoning.

Ms. Whitley also asked about an analysis mentioned in the memorandum based on Title 11, particularly regarding traffic congestion, running water, and fire hydrants for the Westwind facility. Several staff members addressed her questions, with Rusty Whisenhunt explaining that water line construction was completed February 23, 2024, with a 20-inch water main providing 8,000 gallons per minute fire flow at that location. He also noted that while the facility has a septic system currently, plans for a lift station and force main to support the site with public sewer will be brought to Council in about two weeks.

Mayor Booker closed the public hearing.

Motion by Council Member Warren to approve the resolution. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

41. Hold a public hearing and consider an Ordinance for a change of zoning from the Temporary I-4 Heavy Industrial District to I-4 Heavy Industrial District zoning classification on property located at 10925 SW Bishop Lawton, OK 73505, and take action as deemed necessary.

City Planner Cameron advised that this item is the companion to the land use plan amendment in the previous item (Item 40). The property was annexed earlier this year with a temporary I-4 zoning, and this action would make the I-4 zoning permanent. This item was presented to the Planning Commission on September 26, where it received a recommendation for approval. The item was properly noticed to five property owners within 300 feet on August 30 and posted in the Lawton Constitution on September 1. No phone calls were received for or against this item.

Mayor Booker opened the public hearing.

Ms. Kaysa Whitley, 7902 NW Echo Road, stated that her questions had been answered in the previous item.

Mayor Booker closed the public hearing.

MOTION by Council Member Warren, SECOND by Council Member Hampton to approve the ordinance and read the title only.

City Attorney read the title: "AN ORDINANCE CHANGING THE EXISTING ZONING CLASSIFICATION FROM THE TEMPORARY I-4 HEAVY INDUSTRIAL DISTRICT TO I-4 HEAVY INDUSTRIAL DISTRICT ZONING CLASSIFICATION ON THE TRACT OF LAND WHICH IS HEREINAFTER MORE PARTICULARLY DESCRIBED IN SECTION ONE HEREOF."

VOTE ON MOTION: 7-0. Motion Carried.

42. Consider approving an ordinance pertaining to Business Licenses by amending Sections 7-9-1-901, 7-9-1-902, 7-9-1-903, 7-9-1-904, 7-9-1-905, 7-9-1-906, 7-9-1-907, 7-9-1-908, 7-9-1-909, and 7-9-1-910, Division 7-9-1, Article 7-9; Repealing and Reserving Sections 7-9-1-911, 7-9-1-912, 7-9-1-913, 7-9-1-914, 7-9-1-915, and 7-9-1-916, Division 7-9-1, Article 7-9, Chapter 7, Lawton City Code, 2015; by re-titling the Article to Estate Sales, by removing the requirement for businesses to obtain distress/closing out sales, re-titling the Division to Estate Sales, requiring a permit for estate

sales, listing the applications requirements for estate sales, listing requirements for auctions as part of estate sales, listing issuance and transferability of estate sale permits, term of estate sale permits, estate sale permit fees, stating reasons for refusal to issue a permit or revocation of an estate sale permit, listing violations, accessory activities prohibited, listing exemptions from obtaining estate sale permits, providing for severability, establishing an effective date and allowing for floor amendments.

Charlotte Brown, Community Services, explained that this ordinance is part of a comprehensive update to Chapter 7. This particular ordinance removes all references to distress and closeout sales, which are rarely utilized, and replaces them with provisions for estate sales. She borrowed language from Midwest City's code and included provisions regarding auctions at estate sales, requiring auctioneers to be licensed in accordance with existing code. Sections of the code related to distress and closeout sales that are no longer needed are being repealed and reserved.

MOTION by Council Member Warren, SECOND by Council Member Williams to approve the ordinance and read the title only.

City Attorney read the title: "AN ORDINANCE PERTAINING TO BUSINESS LICENSES BY AMENDING SECTIONS 7-9-1-901, 7-9-1-902, 7-9-1-903, 7-9-1-904, 7-9-1-905, 7-9-1-906, 7-9-1-907, 7-9-1-908, 7-9-1-909, AND 7-9-1-910, DIVISION 7-9-1, ARTICLE 7-9; REPEALING AND RESERVING SECTIONS 7-9-1-911, 7-9-1-912, 7-9-1-913, 7-9-1-914, 7-9-1-915, AND 7-9-1-916, DIVISION 7-9-1, ARTICLE 7-9, CHAPTER 7, LAWTON CITY CODE, 2015; BY REMOVING THE REQUIREMENT FOR BUSINESSES TO OBTAIN DISTRESS/CLOSING OUT SALES, RETITLING THE ARTICLE TO ESTATE SALES, RETITLING THE DIVISION TO ESTATE SALES, DEFINING ESTATE SALES, REQUIRING A PERMIT FOR ESTATE SALES, LISTING THE APPLICATION REQUIREMENTS FOR ESTATE SALES, LISTING REQUIREMENTS FOR AUCTIONS AS PART OF ESTATE SALES, LISTING ISSUANCE AND TRANSFERABILITY OF ESTATE SALE PERMITS, TERM OF ESTATE SALE PERMITS, ESTATE SALE PERMIT FEES, STATING REASONS FOR REFUSAL TO ISSUE A PERMIT OR REVOCATION OF AN ESTATE SALE PERMIT, LISTING VIOLATIONS, ACCESSORY ACTIVITIES PROHIBITED, LISTING EXEMPTIONS FROM OBTAINING ESTATE SALE PERMITS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE."

VOTE ON MOTION: 7-0. Motion Carried.

43. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, pertaining to Chapter 7, Business Licenses, by amending Article A-7-9 and establishing an effective date.

Charlotte Brown, Community Services, advised that this is the companion item to the ordinance in Item 42. It changes references from distress and closeout sales to estate sales in the fee schedule and sets the fee at \$10, which mirrors the residential/garage sale fee.

MOTION by Council Member Warren, SECOND by Council Member Hankins to approve the resolution.

VOTE ON MOTION: AYE: 7-0. Motion Carried.

44. Consider whether to approve the property owner to continue remodeling the structure located at 1515 SW H Avenue, per Section 6-1-1-108 Section D that states after 180 days the property will go back to City council for specific authorization by the Council.

Josh White, Neighborhood Services, advised that the property at 1515 SW H Avenue was originally declared dilapidated on January 18, 2022. A new owner began remodeling the property on April 20, 2023. The owner is now close to completing the remodeling work, and staff recommends issuing an additional 6 months to complete the project.

Council Member Hampton commented that this is a good example of the City working with citizens who are making good faith efforts to rehabilitate properties that have been placed on the dilapidated and dangerous list.

MOTION by Council Member Hampton, SECOND by Council Member Warren to approve the extension for remodeling the structure.

VOTE ON MOTION: 7-0. Motion Carried.

45. Direct staff to provide a comprehensive, step-by-step process for the potential sale of the Chandler Creek property, including necessary actions to declare the property surplus and protect the city's water supply.

Council Member Warren stated that over the past three to four years, Council has discussed this topic periodically, and the "goalposts seem to keep moving." He requested that staff bring back a comprehensive plan for how to proceed if Council determines it wants to sell the property.

MOTION by Council Member Warren, SECOND by Council Member Williams to direct staff to provide a comprehensive step-by-step process for the potential sale of the Chandler Creek property, including necessary actions to declare the property surplus and protect the city's water supply.

VOTE ON MOTION: 7-0. Motion Carried.

46. Consider approving the addition of SW 38th Street (from West Gore Blvd to SW Lee Blvd) and SW Lee Blvd (from SW 38th Street to SW 67th Street) to the list of roads qualifying for street rehabilitation, including milling, overlaying, and deep depth repair, as recommended by the Streets and Bridges Committee, noting that funding has not been identified.

Council Member Gill advised that these roads are at the top of the Streets and Bridges Committee's list and were approved by the committee approximately two months ago. He noted they are bringing this to Council now as they are getting close to identifying funding.

MOTION by Council Member Gill, SECOND by Council Member Chapman to approve the addition of SW 38th Street (from West Gore Blvd to SW Lee Blvd) and SW Lee Blvd (from SW 38th Street to SW 67th Street) to the list of roads qualifying for street rehabilitation and direct staff to develop a schedule for sidewalks and make an assessment of drainage needs.

Council Member Chapman expressed strong support, noting she has waited five years for this to happen and highlighting the poor impression these roads make on visitors traveling to Cameron University events.

Council Member Warren expressed appreciation for the work of the committee and its chairman. He stated full support for the mill and overlay but emphasized the importance of including funding for sidewalk and drainage improvements to prevent future issues.

Mayor Booker clarified that this would involve full depth repair of areas as needed, in addition to mill and overlay.

Chris Serrano, WSB, advised that staff would conduct a drainage assessment for this corridor and report back to the Streets and Bridges Committee.

VOTE ON MOTION: 7-0. Motion Carried.

47. Receive a report on completion of the "Paws on the Ground" Eagle Scout Project by Bryce Mosely benefiting the Dog Park.

Bryce Mosely reported on his Eagle Scout project, which began on March 29th after being approved on March 26th. The project involved about 538 hours of work with 66 helpers, costing just under \$6,000, less than expected. The work was completed on September 29th.

Improvements included: adding decommissioned fire hydrants for the dogs, replacing about 200 feet of fencing and nine fence posts, replacing two water spigots, adding a gazebo with a concrete pad underneath, better separating the small and big dog areas by moving the fence into the entrance, and conducting general cleanup including debris removal, tree trimming, and trash removal.

Donors included the City of Lawton (donated the pergola), Quality Fence Co. Inc. (donated all fencing), Southwest Ready Mix (donated concrete), Lowe's (donated various items including concrete for fence posts), and individual donors including retired Major General Lee Baxter, Nancy and Steve Arntz, and Mary Owensby.

Mayor Booker thanked Bryce for stepping up and improving the city.

No action required.

47-A. Consider approving the actions of the City Manager & Mayor as it pertains to the authorization of deploying members and equipment of the City of Lawton Fire Department to the state of Florida in anticipation of Hurricane Milton as part of a Type 1 Swiftwater SAR Team.

Fire Chief Jared Williams explained that on Saturday evening, they received notification from the state Office of Emergency Management to check their readiness to deploy to Florida. The city manager approved this, and the team spent Sunday in preparation. Sunday evening, they received the official deployment request from Florida through EMAC (Emergency Management Assistance Compact), which is a governor-to-governor request. All costs associated with the deployment will be recovered from the federal government, including personnel, equipment, and backfilling overtime for personnel who are off.

Motion by Council Member Warren to approve. Seconded by Council Member Hampton.

VOTE: 7-0. Motion carried.

STAFF REPORTS:

48. Receive a report from Lawton Police Department on the status of Body Cameras and other crime fighting technology currently being utilized by the Lawton Police Department.

Eric Carter, LPD, provided an update on the body camera selection process, which has been ongoing for 10-11 months. The department has conducted extensive research, met with several companies, attended conventions, and closely evaluated two major companies: Axon and Motorola. They conducted a 30-day trial with Axon products and software and have selected Axon as their preferred provider. Axon is on the NASPO state contract, allowing the City to piggyback on that contract. The system would allow five

departments (Police, Fire, Animal Welfare, Code Enforcement, and Neighborhood Services) to have body cams and/or dash cams.

Council Member Weger confirmed that Axon provides replacement equipment when cameras break or malfunction, ensuring officers always have working equipment. Carter explained that Axon will provide a 3% overage (five extra body cams), allowing immediate replacement when needed.

Council Member Warren expressed support for the selection of Axon, noting they are cutting-edge in their field.

Will Hines, Assistant Chief, provided an additional report on the Flock camera system, which was implemented beginning April 9, with cameras fully operational by May 14. Since implementation, the system has contributed to over 30 arrests for stolen vehicles, stolen tags, and warrants. It has assisted with multiple homicide investigations, including one on April 21 where a murder suspect from California was located and arrested within 24 hours. The system has also helped with robbery cases, motor vehicle theft, and recovery of stolen property.

When asked how many additional cameras would be beneficial, Hines stated 25 more would be ideal - 15 to cover opposite directions of existing cameras, plus additional cameras to cover routes not currently monitored. He noted funding requests would be included in the CIP and that Council Members can use Ward accounts for security infrastructure.

Warren requested that a flock camera be purchased using his ward funds.

49. Provide City Council with an update on the FY 2024 Audit Process.

Finance Director Rebecca Johnson reported that the FY 2023 audit is nearing completion with a target date of October 18. For FY 2024, staff is currently providing reports to auditors, who are expected to be on-site the first week of November.

Mayor Booker commended the Finance Director and her staff for their work on the audits.

50. Receive a report from staff regarding the status of the program to install signage regarding panhandling and take action as deemed necessary.

Public Works Director Michael Watrous reported that all initially approved panhandling signs have been installed. The Homeless Action Committee approved locations for additional signs at their last meeting, and these signs are in stock and ready to be installed once Council approves the locations.

MOTION by Council Member Hampton, SECOND by Council Member Gill to approve the additional sign locations as recommended by the Homeless Action Committee.

VOTE ON MOTION: 7-0. Motion Carried.

EXECUTIVE SESSION ITEMS:

MOTION by Council Member Gill, SECOND by Council Member Hampton to convene in executive session.

VOTE 7-0. Motion Carried.

Council remained in executive session from 8:20 p.m. to 9:35 p.m.

MOTION by Council Member Gill, SECOND by Council Member Hampton to return from executive session.

VOTE (ROLL CALL): 7-0. Motion Carried.

51. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a possible pending action with Great Plains Improvement Foundation concerning a HOME Program Finding Report received from U.S. Department of Housing and Urban Development to the City of Lawton on July 26, 2024, and if necessary, take appropriate action in open session.

Andrew reported that the governing body convened in executive session to discuss a possible pending action with Great Plains Improvement Foundation concerning a HOME Program Finding Report received from U.S. Department of Housing and Urban Development to the City of Lawton on July 26, 2024.

MOTION by Council Member Warren, SECOND by Council Member Weger to direct the City Attorney's office to begin foreclosure proceedings on the properties transferred improperly by Great Plains Improvement Foundation and to begin an investigation into the process of what occurred.

VOTE: 7-0. Motion Carried.

52. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim for potential litigation against the real property owners of the demolished nursing home located at 1301 NW Andrews Avenue, and take appropriate action in open session.

Andrew reported that the governing body convened in executive session to discuss a pending claim for potential litigation against the real property owners of the demolished nursing home located at 1301 NW Andrews Avenue. No action was taken in open session.

53. Pursuant to 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 Isaac 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.

Andrew reported that the governing body convened 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 Isaac D'Wayne Parker, deceased v. City of Lawton, et al, Case Number CIV-24-178-JD.

MOTION by Council Member Gill, SECOND by Council Member Williams that the current City Jail Administrator, having been added to this lawsuit as a defendant in their individual and official capacity and having made a request for representation, that the Council find said individual was acting in good faith and in the course of their employment pursuant to 11 O.S. Section 23-102 and is therefore entitled to representation, and waive the contracting/purchasing requirements in City Code and Council Policy and direct the City Attorney to contract as he deems necessary on behalf of the City with an outside law firm to represent the Jail Administrator, with said representation to be retroactive to October 3, 2024.

VOTE 7-0. Motion Carried.

54. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FYE 2026 between the International Association of Firefighters (IAFF), Local 1882, and the City of Lawton, and, if necessary, take appropriate action in open session.

Andrew reported that the governing body convened in executive session to discuss negotiations for a Collective Bargaining Agreement for FYE 2026 between the International Association of Firefighters (IAFF), Local 1882, and the City of Lawton. No action was taken in open session.

55. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Donalynn Blazek-Scherler as City Clerk, and in open session take other action as necessary.

Andrew reported that the governing body convened in executive session to review the employment of Donalynn Blazek-Scherler as City Clerk.

MOTION by Council Member Warren, SECOND by Council Member Chapman to continue the City Clerk's contract as currently written with the exception of a salary increase to \$95,000 per year.

VOTE 7-0. Motion Carried.

ADJOURNMENT:

MOTION by Council Member Hampton, SECOND by Council Member Williams to adjourn.

VOTE: 7-0. Motion Carried.

The meeting adjourned at 9:39 p.m.

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."