



City of Lawton

City Council

Agenda

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

Tuesday, September 28, 2021

2:00 PM

Lawton City Hall
Council Chambers/Auditorium

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION: Receive the annual update of the Hotel/Motel tax funded activities for FY 2020-2021 from the Lawton Economic Development Corporation.

PROCLAMATION: Hispanic Heritage Month

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.

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 approval of the minutes of the Lawton City Council regular meeting of September 14, 2021. [21-99](#)

Attachments: [14Sept21](#)

2. Consider the following damage claims recommended for denial: Frank Walker, on behalf of the YMCA in the amount of \$24,567.39, Wayne Willis, on behalf of Galilee Missionary Baptist Church in the amount of \$12,940.00, Delores McFarland in the amount of \$433.43 and Martin Morales in the amount of \$1,750.00. [21-509](#)

Attachments: [DC-2021-019, YMCA-Memorandum](#)
[DC-2021-020, Galilee Missionary Baptist Church-Memorandum](#)
[DC-2021-021, McFarland, Delores-Memorandum](#)
[DC-2021-024, Morales, Martin-Memorandum](#)

3. Consider approving Council Policy 1-1, Employee Travel, dated September 28, 2021 to replace Council Policy 1-1, Employee Travel dated October 10, 2006. [21-502](#)
Attachments: [Travel policy 09282021](#)
4. Consider approving a resolution amending the City of Lawton FY21-22 budget, as amended, by appropriating \$16,755.00 from the General Fund to the Streets Division's Construction, Improvements, and Additions account for the completion of the Farmer's Market parking lot. [21-492](#)
Attachments: [Farmer's Market Parking Lot Resolution](#)
5. Consider approving a resolution amending the City of Lawton FY21-22 budget, as amended, by appropriating \$3,665.73 from the General Fund to the Police Uniform Division's Maintenance Material-Motive Equipment account. [21-511](#)
Attachments: [Unit #6653 Repairs Resolution](#)
6. Consider renewing a professional services agreement with BKD, LLP (BKD) for the City's annual auditing services for FY 2020-2021, including the City's required single audit of expenditures from federal financial awards. [21-488](#)
Attachments: [City of Lawton - Contract - Annual Audit - Gov GAGAS and Single Audits](#)
[City of Lawton - Contract Addendum - Change of Service](#)
[City of Lawton Contract - Agreed-Upon Procedures](#)
7. Consider approving a resolution that ratifies the National Incident Management System (NIMS) as the continuing incident management system at the City of Lawton and designating Comanche County Emergency Management Director Clint Langford as the new Local Point of Contact (LPOC) for NIMS compliance. [21-490](#)
Attachments: [Emergency Management Resolution 2021](#)
8. Consider directing staff to review the current approval and siting process of memorials and tributes such as statues, monuments, pavilions, gardens, fountains, trees, etc. and to develop a formal process for the endorsement. [21-487](#)
9. Consider accepting a Temporary Construction Easement from The Jim & Kay Johnson Trust for right of way needed for the W. Gore Blvd Reconstruction from SW 67th ST to SW 82nd ST, Project #2012-08, and authorizing the Mayor and City Clerk to execute the document(s). [21-382](#)

10. Consider accepting a Permanent Roadway and Utility Easement from Michael Todd Wyatt, Mitchell Scott Wyatt, Johnna Kay Parks, and Shana Leigh Wyatt Horton, for right of way needed for the W. Gore Blvd Reconstruction from SW 67th ST to SW 82nd ST, Project #2012-08, and authorizing the Mayor and City Clerk to execute the document(s) and authorizing payment for the same. [21-489](#)
11. Consider approving Amendment No. 1 to the Contract for Right-of-Way Acquisition Services - West Gore Blvd. (82nd ST to 67th ST) - Project No. 2012-08 with Smith-Roberts Land Services, Inc. [21-483](#)
- Attachments:** [Contract Amendment #1 - SLRS signed - Right-of-way.pdf](#)
12. Consider approving plans and specifications for the Larrance Street Drainage Improvements (SW B Ave to SW D Ave) - Project #2014-06A and authorizing staff to advertise for bids. [21-497](#)
13. Approve Amendment No. 1 for the Project No. 2020-04A City Hall Renovation with MA+ Architecture, LLC. [21-506](#)
14. Consider extending the current contracts with BlueCross BlueShield (BCBS) for the purpose of providing health care insurance coverage for City of Lawton retirees over the age of 65 for an additional year, as authorized by the contract. [21-508](#)
15. Consider extending contract for (RFPCL16-034) Banking Services to IBC Bank of Lawton, OK for an additional 90 days. [21-510](#)
- Attachments:** [Recommendation Memo](#)
[Contract Extension](#)
[RFPCL16-034 Proposal Exhibit](#)
16. Consider approving a bid with Air Solutions, LLC for the City HVAC Maintenance Contract (CL22-002) effective September 30, 2021, and authorizing the Mayor and City Clerk to execute the contract. [21-514](#)
- Attachments:** [P&R Director Recommendation](#)
[Bid Abstract](#)
[HVAC Contract CL22-002 \(003\)](#)

BUSINESS ITEMS:

17. Consider approving a Resolution fixing the amount of Street Improvement General Obligation Bonds, Series 2021, to mature each year; fixing the time and place the bonds are to be sold; designating a paying agent/registrar; approving the preliminary official statement and distribution thereof; ratifying and confirming a continuing disclosure agreement; authorizing the clerk to give notice of said sale as required by law and fixing other details of the issue [21-512](#)

Attachments: [Resolution Authorizing Sale of the Series 2021 Bonds](#)

18. Consider approving an Agreement for Economic Development Assistance - Retail [i.e. Sales Tax Rebate Agreement] with Cache Properties LLC, including any floor amendments that may be made thereto, to assist with the cost of public improvements associated with the development of Phase One the Mathis Center on the property located at 4800 NW Cache Road and authorize the Mayor and City Clerk to execute the agreement. [21-523](#)

Attachments: [16. Sales Tax Rebate Agreement - Mathis Center](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

19. Hold a public hearing and consider approving the Consolidated Annual Performance and Evaluation Report (CAPER) for Federal Fiscal Year 2020, for submission to HUD, and authorize the Mayor to sign all necessary documents required to submit the approved CAPER. [21-499](#)

Attachments: [2020 CAPER numbers](#)

20. Hold a public hearing and consider an ordinance to amend Chapter 18, Lawton City Code, 2015, that amends Sections 18-1-1-106, 18-5-1-503, 18-5-8-580, 18-5-8-581, 18-5-9-591, 18-5-9-592, 18-6-10-602, 18-6-11-612, 18-6-12-623, 18-6-12-624, 18-6-13-635, 18-6-13-636, 18-6-14-646, 18-6-15-658, 18-6-16-671, and 18-6-18-692, Chapter 18, Lawton City Code, 2015, by adding definitions and establish zoning requirements for medical marijuana growing, processing, and dispensary facilities, providing for severability and allowing floor amendments. [21-494](#)

Attachments: [Proposed MM Zoning w-Processing Tiers Ordinance](#)

21. Hold a public hearing and consider an ordinance changing the zoning of the property located at 1925 West Gore Blvd Suite A, Lawton, OK 73505 from the C-1 Local Commercial District to the C-5 General Commercial District zoning classification with a binding site plan, and also consider a request for a Use Permitted on Review for medical marijuana processing (non-chemical) in conjunction with a dispensary. [21-495](#)

Attachments: [Site Plan \(1925 W Gore\) 2021-0907](#)
[Location Map for Rezoning\(1925 W Gore\) 2021-0907](#)
[Application for Rezoning\(1925 W Gore\) 2021-0907](#)
[Opposition Letter](#)
[Ordinance \(1925 West Gore Blvd Suite A\) 2021-0907](#)

22. Consider approving an ordinance, including any floor amendment related thereto, pertaining to Public Health and Safety, renaming the title of Chapter 8 of Lawton City Code from “Civil Defense” to “Public Health and Safety”; amending Sections 8-1-101, 8-1-102, 8-1-103, 8-1-104, 8-1-105, 8-1-106, 8-1-107, 8-1-108, 8-1-110, 8-1-112, 8-1-113, 8-1-114, 8-1-115, 8-1-118, 8-1-119; repealing and reserving Sections 8-1-109, 8-1-111, 8-1-116, 8-1-117; creating Sections 8-1-122 and 8-1-123, Article 8-1, Chapter 8, Lawton City Code, 2015; updating the provisions of the chapter to include revising the scope of said chapter, updating definitions to include adding the definition of “Emergency Management”, removing references to “Civil Defense”, adding other definitions, adding a section on cybersecurity and an emergency operations center, and bringing several sections into compliance with the Oklahoma Emergency Management Act of 2003; providing for severability and establishing an effective date. [21-505](#)

Attachments: [Chapter 8 Ordinance & Brief Gist](#)

23. Consider an ordinance pertaining to collection services for unpaid utility bills, creating Section 22-1-1-105, Article 22-1, Chapter 22, Lawton City Code 2015, authorizing the City to enter into a contract with a collection agency for the provision of collection services for debts and accounts receivable, which includes unpaid utility bills, to refer utility bill indebtedness to the collection agency for collection, and authorizing the collection agency to collect a fee in an amount not to exceed thirty-five percent (35%) of the indebtedness, and establishing an effective date. [21-516](#)

Attachments: [Utility Collection Services Ordinance](#)

24. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, by authorizing the addition of a collection fee in an amount not to exceed thirty-five percent (35%) for debts and accounts receivables including, but not limited to, unpaid fees, penalties, interest, and other sums due to the City for unpaid utility bills and establishing an effective date. [21-517](#)
- Attachments:** [Utility Collection Services Fees Resolution](#)
25. Consider approving an ordinance pertaining to collection services for court penalties, costs, fines, and fees creating Section 9-1-135, Article 9-1, Chapter 9, Lawton City Code, 2015, authorizing the City to enter into a contract with a collection agency for the provision of collection services for court penalties, costs, fines and fees in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the Court, providing for severability and establishing an effective date. [21-518](#)
- Attachments:** [Court Collection Services Ordinance](#)
26. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, by authorizing the addition of a collection fee in an amount not to exceed thirty-five percent (35%) for unpaid court penalties, costs, fines and fees in municipal court cases in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court and establishing an effective date. [21-519](#)
- Attachments:** [Court Collection Services Fees Resolution](#)
27. Consider approving a professional services agreement for collection services between the City of Lawton and Perdue, Brandon, Fielder, Colling & Mott, L.L.P.; and authorize the Mayor and City Clerk to execute the agreement. [21-520](#)
- Attachments:** [Professional Services Agreement - FINAL](#)
[2021 Informative Packet Perdue](#)

STAFF REPORTS

EXECUTIVE SESSION ITEMS:

28. 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. [21-513](#)
29. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending claim of Linda Towne and, if necessary, take appropriate action in open session. [21-515](#)

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."