



City of Lawton

City Council

Agenda

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

Tuesday, October 24, 2023

2:00 PM

Lawton City Hall
Council Chambers/Auditorium

MEETING CALLED TO ORDER WITH INVOCATION AND PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION:

Introduction of New Parks & Recreation Director, Ret CSM Larry Parks

Annual Report from Lawton Economic Development Corporation (LEDC)

PROCLAMATION:

September Citizen of the Month- Tony Washington

October Citizen of the Month- Ronda Norrell

Homeless Youth Awareness 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 special meeting of September 7, and the regular meeting of October 10, 2023. [23-950](#)

Attachments: [10Oct23](#)
[07Sept23](#)

2. Consider approving two (2) damage claims (recommended for approval) and resolutions authorizing payments for Ronald Williams in the amount of \$2,244.46, and AEP (American Electric Power) in the amount of \$6,846.00. [23-938](#)
- Attachments:** [Williams, Ronald - Memorandum](#)
[Williams, Ronald - Resolution and Warrant of Attorney](#)
[AEP - Memorandum](#)
[AEP - Resolution and Warrant of Attorney](#)
3. Consider the following damage claim recommended for denial: Last Frontier Council, Boy Scouts of America in an unstated amount. [23-942](#)
- Attachments:** [Last Frontier, Boy Scouts of America - Memorandum](#)
4. Consider approving plans and specifications for Project EN2205 Construction of 29th St Drainage Culvert and Appurtenances (M14-4) over Tributary to Wratten Creek and authorize staff to advertise for bids. This is in accordance with the True North Culture Statement by providing a more efficient service to the citizens of Lawton. [23-939](#)
- Attachments:** [01 20231013 EN2205 - NE 29th Street - Spec Book.pdf](#)
5. Consider accepting the as built drawings and maintenance bond for 903 linear feet of eight (8) inch waterline and a fire hydrant to serve a commercial warehouse building for K & D Construction located at 119 NE 20th Street and acknowledging receipt of a permit from the Oklahoma Department of Environmental Quality. [23-953](#)
- Attachments:** [OFFSITE WATER LINE PLAN RECORD SET](#)
[Maintenance Bond](#)
[ODEQ permit WL000016220850](#)
6. Consider and take action awarding a contract for construction of the 2023 CIPP Liner Project PU2307 to SAK Construction, LLC, of O’Fallon, Missouri, to construct a liner rehabilitation approximately 15,000 feet of sanitary sewer line (15” to 30” in diameter) to continue to strive towards our efforts of a Safe Community as put forth in the “True North Culture Statement”. [23-905](#)
- Attachments:** [2023 CIPP Liner Recommendation of Award_signed](#)
[CIPP Bid Tab](#)
[PU2307 CIPP Contract Document](#)
7. Consider extending contract (CL23-020) Sodium Hypochlorite to Brenntag Southwest, Inc. of Lancaster Texas. [23-920](#)
- Attachments:** [Vendor Extension Form-signed](#)
[Dept. Extension Memo](#)
[Award Letter + CL23-020 Sodium Hypochlorite](#)
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8. Consider extending contract CL23-005 Nuisance Abatement to BT Lawn Maintenance of Lawton, OK. [23-929](#)
- Attachments:** [Dept Recommendation- Extension CL23-005 Award Letter + Contract Vendor Extension Form-Signed Vendor Extension Form1](#)
9. Consider approving the Change Order No. 11 and accepting the Project EN1707P1A 2017 Ad Valorem Street and Roads Program (Residential), Phase I-A - 40th Street & 24th Street as constructed by A.E. Construction, LLC and placing the Maintenance Bond into effect. This is in accordance with the True North Culture Statement by providing a more efficient service to the citizens of Lawton. [23-933](#)
- Attachments:** [Change Order No. 11 - FINAL Change Order Phase I-A.pdf](#)
[Pay App No. 17 R1 - Phase I-A - Project EN1707 - Engineer Signed.pdf](#)
[Contractors Release & Payment Certificate.pdf](#)
[Subcontractor Lien waiver.pdf](#)
10. Consider approving an Agreement between the Lawton Enhancement Trust Authority and the City of Lawton, subject to approval by the Authority, to fund activities designed to encourage, promote and foster economic development in the City of Lawton and authorize the Mayor and City Clerk to execute the Agreement. [23-923](#)
- Attachments:** [LETA Agreement with Budget](#)
11. Consider approving an Agreement between City of Lawton and The Oklahoma Development Finance Authority, for funding for Goodyear Boulevard Reconstruction from Lee Boulevard to Cache Road, Project No. EN2002B, which is in accordance with the True North Culture Statement by providing a more efficient service to the citizens of Lawton. [23-932](#)
- Attachments:** [City of Lawton Funding Agreement.pdf](#)
12. Consider approving an Agreement between the McMahon Auditorium Authority and the City of Lawton, subject to approval by the Authority, to fund tourism and Arts and Humanities activities and authorize the Mayor and City Clerk to execute the Agreement. [23-945](#)
- Attachments:** [MAA Support Agreement and Attachment](#)

13. Consider granting a revocable permit for parking and maneuvering on a portion of the City's utility easement located on the Northwest side of Cache Road Square for US COC of Greater Oklahoma, LLC (US Cellular) to access their cell tower. [23-934](#)

Attachments: [Revocable Permit Application](#)
[Site Plan](#)

14. Consider approving a request from the United Way of Southwest Oklahoma to waive permit requirements and the permitting fee in the amount of \$57.50, and allow a temporary campaign banner to be placed on City right-of-way and take action as necessary. [23-940](#)

15. Consider approving the record plat for Bulldog Subdivision located at 7210 NW Cache Road. [23-944](#)

Attachments: [RECORD PLAT](#)
[Easement Document](#)
[CPC Minutes 08.24.23](#)

16. Consider approving the filing of a Claim form in the Class Action lawsuit In re: Local TV Advertising Antitrust Litigation, case # 18-C-06785 (Northern District of Illinois), in which several national media broadcasters have been accused of a "price fixing" conspiracy between January 1, 2014 and December 31, 2018. [23-967](#)

Attachments: [TV Advertising Antitrust Class Action](#)

UNFINISHED BUSINESS:

17. Discuss the future of Central Fire Station and the Ad Valorem CIP funds currently dedicated toward the renovation of the station and direct staff or take any action arising from the discussion. [23-824](#)

18. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2015, increasing the fee for uncovered/unsecured loads, establishing an effective date, and allowing floor amendments along with discussing other methods to improve compliance with Lawton City Code requirements to cover and secure all transported refuse and direct staff as deemed necessary. [23-936](#)

Sponsors: Warren

Attachments: [10.10.23 Solid Waste Fees Uncovered Resolution](#)

BUSINESS ITEMS:

19. Hold a public hearing and consider approving an Ordinance for a request to amend the binding site plan for property located at 1050 NW 38th Street, Lawton, OK 73505. [23-954](#)
- Attachments:** [Ordinance No. 23-CPC Minutes 9 28 23](#)
[Location Map](#)
[Site Plan](#)
[Letter - Amendment Request](#)
20. Consideration and action upon Resolution of the City of Lawton, Oklahoma (the “City”) authorizing and approving the incurring of indebtedness by the trustees of the Lawton Water Authority (herein the “Authority”) to be accomplished by the issuance of its Utilities Revenue Note, Series 2023 or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed Two Million, Nine Hundred Eighty-Five Thousand Dollars (\$2,985,000) (herein the “Note”) for the purpose of financing all or a portion of the cost of the acquisition and improving of certain capital improvements in the operation of the water system that provides recreational benefit to the citizens of the City; and pay costs of issuance related thereto; providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Note; approving the award of the sale of said Note on a negotiated basis, approving the waiver of competitive bidding with respect to the sale of said Note; and all matters related thereto, including execution of all related documents thereto; and declaring an emergency. [23-961](#)
- Attachments:** [5. City Council Resolution Authorizing Indebtedness - Final](#)
21. Provide a presentation and update on current Engineering Department Road Projects that are in accordance with the True North Culture Statement by providing a more efficient service to the citizens of Lawton and take action as deemed necessary. [23-928](#)
22. Receive a report and discuss firefighter retention issues and take action as deemed necessary. [23-964](#)
- Attachments:** [LFD Manning Issues](#)
23. Per the recommendation of the Streets & Bridges Council Committee, consider approving a list of thirteen street repair candidates for milling and overlaying to be included in the “Ten Wins for the Citizens, On Target On Time” project, including any floor amendments, and take action as deemed necessary. [23-966](#)
- Attachments:** [Priority List #2](#)

24. Discuss water recreation in the City of Lawton as it pertains to an environment for citizens to thrive, including a discussion on the municipal pool location, splash pads in multiple locations, and directing staff to initiate the bidding process for a splash pad design-build(s) with a time frame on when to go out for bid, and take any other action deemed necessary. [23-958](#)

STAFF REPORTS:

25. Receive a report from Public Works regarding use of Propel CIP beautification funds for the bulky waste program, litter abatement, and mowing. [23-925](#)

Attachments: [Propel CIP Beutification Costs FY 23 24 v.2.pdf](#)

26. Receive a report regarding the most common questions and concerns raised by citizens. [23-951](#)

Attachments: [Common Questions and Concerns](#)

27. Provide City Council with an update on the FY 2022 Audit Process. [23-952](#)

EXECUTIVE SESSION ITEMS:

28. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending action in United States District Court for the Western District of Oklahoma titled Linda Towne and Jeffery Temple vs. City of Lawton, Case No. CIV-23-251, and, if necessary, take appropriate action in open session. [23-916](#)

29. 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. [23-935](#)

30. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss litigation in the case Cintas Corp. No. 2 v. City of Lawton, CJ-2022-598, and, if necessary, take appropriate action in open session. [23-946](#)

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending claim of School House Slough Inc., and, if necessary, take appropriate action in open session. [23-957](#)

32. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of John Ratliff as Acting City Manager, and in open session take other action as necessary. [23-960](#)

33. 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. [23-959](#)

ADJOURNMENT