

MINUTES  
LAWTON CITY COUNCIL REGULAR MEETING  
NOVEMBER 20, 2012 – 6:00 P.M.  
NEW CITY HALL  
COUNCIL CHAMBERS/AUDITORIUM

Mayor Fred L. Fitch  
Presiding

Also Present:  
Bryan Long, Acting City Manager  
Frank V. Jensen, City Attorney  
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Rick Endicott, Finance Director, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bill Shoemate, Ward One  
Michael Tennis, Ward Two  
Rosemary Bellino-Hall, Ward Three  
Jay Burk, Ward Four  
George Moses, Ward Five  
Richard Zarle, Ward Six  
Stanley Haywood, Ward Seven  
Doug Wells, Ward Eight

ABSENT:

None

AUDIENCE PARTICIPATION:

Stan Landers, 207 NW 3<sup>rd</sup> Street, stated he represents Extreme Wireless, LLC, and they go out into the community and gave out government phones. They have had an issue come up regarding permits. They are not selling anything, it is a government program and everything is free. Saturday they had a police officer tell them they needed a permit.

Mayor Fitch stated this is a government program that gives away phones to the needy. He suggested Mr. Landers meet with Long and Doug Wellhouse, License and Permits Division.

Richard Rogalski, Community Services Director, stated he does not have all the details of this case but there are temporary licenses for this kind of use even though they are giving these phones away they still need a permit so that staff knows where this will happen and what part of the parking area will be used and if they have the permission of the property owner. We require ten days notice for a temporary permit.

Mr. Landers stated when the cop came up to them on Saturday he wanted a sales permit. He stated they have to go where the client wants to set up.

Rogalski stated they just want to know beforehand what they are doing and then they can get a permit.

Wells stated Rogalski and Long could work this out. He stated it is a free program.

Long stated they will schedule a meeting with Mr. Landers.

Kit Monassey, 308 SW H Avenue, stated she is also with Extreme Wireless and True Wireless. She stated they do this within the community and they do not know where they will be the next day so they cannot give a ten day notice. She stated they are asked to come set up in specific places.

Rogalski stated they have to have some level of order, but he thinks they can work with them to do this at different locations and narrow the notice down.

Mr. Landers stated the police officer really spooked some of his customers on Saturday when they threatened to throw his people in jail.

Moses stated this is a wonderful program but even a federal program implementing within a city like this has to have some kind of planning. It would be a courtesy to go to the city staff in advance and let them know what you are doing. The police are enforcing the permitting process.

Carlos Sowards stated water is our most precious commodity and he sees it wasted and treated as trash. This is the most wasteful community he has ever seen. He saw water flowing down Cache Creek. If they don't have this water a year from now this community will collapse. They need to teach people conservation.

Mayor Fitch stated they will address some gray water issues later on in the meeting.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF NOVEMBER 6, 2012.

MOVED by Tennis SECOND by Shoemate to approve the minutes of Lawton City Council regular meeting of November 6, 2012. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

CONSENT AGENDA

Mayor Fitch stated item #8 needs to be discussed separately.

MOVED by Shoemate SECOND by Moses to approve the consent agenda with the exception of item #8. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Southwestern Bell Telephone dba AT&T in the amount of \$7,710.79 (**Res. 12-107**), Southwestern Bell Telephone dba AT&T in the amount of \$903.27 (**Res. 12-108**) and Gerald Gardner in the amount of \$1,090.00 (**Res. 12-109**). Exhibits: Legal Opinions/Recommendations, Resolution No. 12-\_\_\_\_, Resolution No. 12-\_\_\_\_, Resolution No. 12-\_\_\_\_.
2. Consider the following damage claim recommended for denial: Southwestern Bell Telephone, dba AT&T Oklahoma in the amount of \$3,687.94. Exhibits: Legal Opinion/Recommendation.
3. Consider authorizing the City Attorney to accept the sum of Sixteen Thousand Six Hundred Sixty-Six and 67/100 Dollars (\$16,666.67) for settlement of the City's subrogation interest in the personal injury case of Timothy Poff. Exhibits: None.
4. Consider approving an Outside Water Sales Contract with Shirley Dunn, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office.
5. Consider renewing the agreement between the Board of County Commissioners of Comanche County and the City of Lawton for library service to Comanche County residents living outside the City of Lawton. Exhibits: Agreement on file in City Clerk's office.
6. Consider granting an extension of time for the letter of credit for the Replat of Lot 3, Block 1, Bilbrey's East Plaza, Part One. Exhibits: Request from the developer.
7. Consider approving plans and specifications for the Water Infrastructure Improvement Phase 1A (Lee Blvd.) 18" Waterline Project #2006-17 and authorizing staff to advertise for bids. Exhibits: None.
8. Consider approving plans and specifications for the Lawton City Offices – Vestibule Entry (New City Hall) Project #2012-10 and authorizing staff to advertise for bids. Exhibits: Plans and specifications are on file in the Engineering Division office.

Long stated the basic premise of this project is to provide for an airlock system between the elements outside and the interior of the atrium. After discussing several options with city council members in the past two weeks, it is apparent that there is another concern that the council has which is sidewalk repair at city hall. He questioned if the council would like to use this funding for sidewalk repair.

Tenis stated he feels the sidewalk repair is more important right now than the vestibule. There have already been some incidences relating to the sidewalks.

Mayor Fitch questioned the amount.

Long stated the money was from \$35,000 to \$50,000. He suggested they use that same amount of money, up to \$45,000 or whatever is available in that account.

Mayor Fitch questioned the cost to repair all of the necessary sidewalks around city hall.

Long stated they have not had time to solicit any cost estimates.

Mayor Fitch questioned if this would delay financial services division from moving to the new city hall.

Long stated yes it could.

Shoemate stated he would like to see how much we would save by having this in the atrium and not having the air rushing out every time one person comes in. Both of these projects are important.

Mayor Fitch stated we have 36% of our paying utility customers that come to city hall to pay their bill, whether it is the drive through or walk in. That is a tremendous amount of traffic in and out of those doors and it will create a problem in extreme conditions. He suggested they bring this issue back and see what the energy costs would be and when they would be able to move financial services over. He would also like to have an amount for the sidewalk/step repair around city hall.

Wells stated if this vestibule project was done revenue services would be able to move into the building. We would be saving energy in new city hall and also saving costs on utilities at old city hall.

Long stated potentially yes.

Wells stated the doors now are not very efficient.

MOVED by Shoemate SECOND by Wells to table. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

9. Consider approving the Second Amendment to the Agreement with Stearns, Conrad and Schmidt Consulting Engineers, Inc. d/b/a SCS Engineers for additional engineering services to conduct a Solid Waste Collection (SWC) and Recyclables Program Assessment Study. Exhibits: Second Amendment to the Agreement.
10. Consider approving appointments to boards and commissions. Exhibits: None.
11. Consider approval of payroll for the period of October 29 – November 11, 2012.

NEW BUSINESS ITEMS:

12. Hold a public hearing and consider an ordinance changing the zoning from C-3 (Planned Community Shopping Center District) to C-4 (Tourist Commercial District) zoning classification located at the northeast corner of NE Flower Mound Road and East Gore Boulevard and prohibiting billboards from being constructed on this tract. Exhibits: Ordinance 12-\_\_, Location Map, Application and CPC Minutes.

Rogalski stated this request is for a 54-acre tract of land located at the northeast corner of NE Flower Mound and East Gore Boulevard. The applicant, Nick Richards on behalf of the Richards Family Group, LLC, is requesting the tract be rezoned from C-3 to C-4 which would allow the next phase of Independence Place Apartments to be constructed. Apartments are not a permitted use in C-3. C-4 zoning would also allow more flexibility in development of the large tract. A binding site plan is not required for this request because the tract is greater than 5 acres and is separated from the adjacent single-family residential district by a section line road. The zoning of the surrounding area is R-4 (High Density Apartment District) to the north; C-1 (Local Commercial District), R-4, and R-3 (Multiple-Family Dwelling District) to the south; C-1, R-4, and A-1 (General Agricultural District) to the east; and C-5 (General Commercial District) and R-1 (Single-Family Dwelling District) to the west. The land use of the surrounding area is a mobile home park to the north; convenience store, church, day care center, and apartments to the south; apartments, community park, and vacant to the east; and bank, single-family residential and vacant to the west. The 2030 Land Use Plan designates this tract as Commercial.

The only drawback for C-4 zoning for staff consideration is the fact that C-4 zoning allows billboards and he related that to the applicant and the applicant has no intention of doing billboards so he asked staff to include in the ordinance the fact that he would not do billboards. The City Planning Commission (CPC) held a public hearing on this request on October 25, 2012. During the public hearing one person, the applicant, spoke in favor of the request, and no one spoke against the request. The CPC, by a vote of 5 – 0, recommended approval subject to no billboards being constructed on the property.

PUBLIC HEARING OPENEND.

Nick Richards, applicant, stated Mr. Rogalski has done a good job describing the details of this rezoning request. He stated he would be happy to answer any questions from the council.

PUBLIC HEARING CLOSED.

MOVED by Burk, SECOND by Zarle to adopt **Ordinance 12-43**, waive the reading of the ordinance, read the title only. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 12-43

An ordinance changing the zoning classification from the existing classification of C-3 (Planned Community Shopping Center District) to C-4 (Tourist Commercial District) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof;

prohibiting the construction of billboards on the tract; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

13. Consider approving the cost sharing agreement for a waterline extension and a fire hydrant to serve Wolfenbarger Law Office located at 707 SW 11<sup>th</sup> Street. Exhibits: Location Map, Application, Agreement and Council Policy 6-4.

Rogalski stated during the building permit review on this project it was determined by the Fire Marshall that a fire hydrant was needed. There was no fire hydrant on the west side of the street within a reasonable distance to this location. The applicant put together the plans for a fire hydrant and was issued the building permit. The applicant did apply for the cost sharing per Council Policy 6-4. They met all the requirements of that policy. The cost for the materials involved come out to be \$2,507.48. The funding source that public works had been using was the 2008 CIP funding. The funding left in that account is \$812.92. Staff is recommending that the additional \$1,694.56 come out of council contingency fund. For a future item the council may want to discuss how to fund this policy.

MOVED by Wells, SECOND by Haywood to approve the cost sharing agreement for a waterline extension and a fire hydrant to serve Wolfenbarger Law Office located at 707 SW 11<sup>th</sup> Street. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

14. Consider an ordinance closing and vacating certain streets, alleys, and easements in the Downtown Redevelopment Project area. Exhibits: Ordinance 12-\_\_\_, Location Map and CCAIC of October 9, 2012.

Mayor Fitch stated this item was discussed at a public hearing two meetings ago and then there was a thirty day appeal period on the property and we have passed that date. He stated there were no objections at the public hearing. He stated Councilmember Haywood had questioned if all the residents in that area were satisfied with what they were doing and they are in accordance with what they had agreed to do with them. He stated this is basically the ordinance to close those streets.

MOVED by Haywood, SECOND by Moses to adopt **Ordinance 12-44**, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 12-44

An ordinance closing, vacating, and discontinuing certain streets, easements and other rights-of-way in portions of the north addition and Lawton Downtown Center, Part 1, to the City of Lawton, Oklahoma, according to the recorded plats thereof, all in accordance with the Lawton D6 urban renewal project plan and the Lawton Downtown Economic Development project plan; and declaring an emergency.

15. Consider an ordinance amending Section 10-16-1604, Article 10-16, Chapter 10, Lawton City Code 2005, pertaining to the Emergency Management Stabilization Arrangement Ordinance, providing for severability, and declaring an emergency. Exhibits: Ordinance 12-\_\_.

Jensen stated there was a request by a councilmember and a request from the interim city manager to expand one of the three categories that we have in our emergency reserve fund. The three categories that were created in the past for this ordinance were they could use the funds for any federal, state or local declared emergency, infrastructure repairs that are critical to protect the public health and they can use the funds for any legally mandated actions stemming from new federal or state regulations. He was asked to add language to the second category which would now say “infrastructure repairs determined to be critical to protect the public health or abatement of dangerous conditions on City-owned or controlled property determined to pose an imminent risk to public safety”.

Burk stated this goes back to our dead tree issue and they are trying to find a funding source to be able to take some of those trees out. He stated there is roughly \$1.8 million in this account. There is no other funding source available. He stated in the last two weeks two trees have come down, one on top of a vehicle and one in a parking lot that did not hurt anyone. He stated according to an opinion from the City Attorney, we do hold some liability if we don't do something to abate these hazardous trees that we know are in our right of ways, public parks and around city buildings. He stated they hope it will be a lot less expensive than they initially planned. Staff has identified a little over 300 trees around the city that need to be removed. Initially estimates were around \$300,000 - \$400,000, but they believe they can do that for half that. He requested they pass this ordinance and then come back and give the City Manager the authority to use this money, which will be put into the City At Large fund. We would use a contractor that is under contract through the neighborhood services division. If they went out to bid they would be talking about the February, March, or April time frame before they could actually get something done. These are funds that came back to the city from funds we spent during the ice storm.

Moses stated he does not have any problem with changing the emergency definitions, but he would like to understand a little more clearly where this money comes from and how do we get it.

Rick Endicott, Finance Director, stated over the years this fund was set up specifically to house reimbursable funds from FEMA as a result from some disaster. This would give us a dedicated, restricted reserve for emergency type situations.

Moses clarified that this is an accumulated reserve from prior disasters that did not get spent.

Mayor Fitch stated that this is a reimbursement from the government of monies that we spent out of the general fund.

Wells stated he thought that council put \$1 million in there a couple years ago out of the budget.

Ihler stated city staff spent money, time, material and equipment. There were a couple of snow storms in 2010 and 2011 and we didn't receive a large amount but the presidential and state declared disasters from those snow storms, but we utilize our equipment to clear the roads, police and fire to rescue, and we go through an extensive effort to keep track of time, material and equipment and we turn that in to FEMA. FEMA reimbursed us 75% from the federal government and the state reimburses us about 12%. The biggest portion of these funds came from the ice storm in 2010, and we received well over \$1 million that came out of individual budgets from police, fire and public works.

Moses questioned what happened to the projects that the money was originally in the budget for in the first place.

Ihler stated some projects were not accomplished. Precedence and priority came to cleaning up the disaster.

Moses questioned why the money from FEMA did not go back into the budget to complete those projects.

Ihler stated those projects were budgeted in subsequent year and perhaps they picked them up.

Endicott stated one of the things they were concerned about for the future is that they did not have a restricted dedicated fund to take care of these kinds of emergencies.

Burk stated this is basically language to allow them to get the \$170,000 out of this fund. There would be no cost to a citizen that has a dead tree in the right of way. It is total removal and clean up of the area. This was the best option they could find.

Long stated that council should not be concerned that they are going to go out and spend money. There is still one last step which is they have to identify the trees and he will come back to council and petition for a certain amount of money to include a number of trees.

Mayor Fitch questioned what notification we were giving when we put an X on a tree in the easement of a person's yard.

Long stated we are not established to the point where we are going to start sending out notifications. That will occur and they will develop that program over the next two weeks to the next month.

Burk stated they realize some of these trees are marginal and they will go back and look at those. They will work with the homeowners. The plan is to send out notices to every homeowner and make them aware that they do have a hazardous tree in their yard and we would be in the process of talking with them about removing it.



MOVED by Burk, SECOND by Moses to adopt **Ordinance 12-45**, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Shoemate, Tennis, Bellino-Hall, Burk, Moses, Haywood, Wells. NAY: Zarle. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 12-45

An ordinance amending Section 10-16-1604, Article 10-16, Chapter 10, Lawton City Code, 2005, pertaining to the emergency management stabilization arrangement ordinance, providing for severability, and declaring an emergency.

ADDENDUM:

1. Discuss the announced closing of Municipal Golf Course. Exhibits: None.

Mayor Fitch stated he had received several requests to discuss this item. He has been briefed by the Lawton Airport Authority. The lease on the golf course now with the Nunn family runs through 2019. They have requested to end the lease at this time because it is costing too much to run. He stated we do need a municipal golf course in a town this size but there is a situation where there is a detention pond there that has geese that fly in the flight path of the airport. The FFA is concerned about this issue. The Airport Authority has come up with a scenario to try to lease that as a golf course but use the retention pond as a detention pond and it would not be a holding lake like it is now for irrigation for the golf course. That creates a problem for the golf course because that is what they have been using to water their greens and fairways. The lake level is at 25% now and they basically have enough to water the greens but not the fairways. The solution is to use city water which is expensive and the Nunn's cannot continue to do this. The Airport Authority has met several times to discuss this issue and they are trying to satisfy the FFA but still utilize this land as a golf course. They are trying to put together a package for a lease. He stated he has met with Jerry Ihler, Public Works Director, and they are looking at gray water that comes out of the wastewater treatment plant and medicine creek and where Fort Sill dumps refiltered water into the creek system. This water would be very good for irrigation purposes. A water line which would capture this gray water would run over to the soccer fields on the south side of Lee and on the east side of I-44. We currently have a water arrangement with them and that would solve that issue. This line could go on a total of 1.3 miles to the golf course and could be taken on out further west to the 38<sup>th</sup> Street ball parks and utilized there. It could also be utilized at Cameron, Memorial Hospital and the ballparks on 38<sup>th</sup> Street for irrigation. He stated the Country Club would also be interested in buying that gray water. He stated Mr. Ihler is going to try and put some things together to see what we can do. The problem is when they terminate their lease at the end of December, they are trying to sell off their equipment, and the decision is what to do about the greens. It costs \$30,000 to replace a green and there are 18 out there. You don't want to let it deteriorate and determine later on you should have had a golf course. He discussed the possibility with the Parks and Recreation Director about maintaining the greens until something can be worked out. It will have to be utilized with either city water or gray water.

Ihler stated there is reused water which comes from the wastewater treatment plant and there is gray water which comes from washing machines and showers from your home before it gets to

the wastewater plant. They are looking at using reused water from the wastewater treatment plant. He stated he contacted Garver Engineering and they are doing a similar project at Fort Sill and taking the wastewater and looking at utilizing it at the Fort Sill golf course. He stated just recently the State of Oklahoma came up with standards with the ODEQ that would allow us to use reused water. Garver Engineering was one of the firms that worked very closely with ODEQ to establish those standards. He stated they have asked Garver to provide a proposal that covers two areas. One would be for the cost, feasibility and requirements to provide reused water from the wastewater treatment plant to the municipal golf site. A second part of the proposal would be a reuse master plan on the feasibility of potential users and then meet with those potential users and determine what would be the cost of the reused water and how much demand each of these different areas require. He stated they are putting the proposal together now and they should have it by the middle of next week and staff should be able to provide the council with some concrete numbers as to what the feasibility study would cost. The timeframe to do the feasibility study would be approximately two months.

Haywood questioned if the pipeline would come down Coombs Road.

Ihler stated part of the feasibility study would be to determine the best route. Currently they have easements for their large trunk main sewer lines that goes right through the airport, under the runway, that run to the wastewater treatment plant. It would make sense to utilize those same easements to be able to put a force main in to take the water back. Right now the discharge goes to Nine Mile Creek which then gets to East Cache Creek.

Haywood questioned how many miles it would be to send this water to the golf course.

Ihler stated it would be approximately five to six miles. He stated it would be a good reuse and recycling of our water.

Shoemate stated he was told there was an artesian well just a few miles west of there and there is an aquifer to the east of there.

Ihler stated staff had found an engineering report that the Airport Authority had done in 1998 and they did identify an aquifer and there is potential groundwater. The study indicated the wells would be anywhere from 0-150 feet deep. The amount of water that could be yielded from those wells is estimated from 25 gallons a minute to possibly up to 150 gallons per minute. Garver indicated that with the feasibility study, after they came up with the cost, they could go ahead and compare that cost with the cost of trying to drill wells, depending on the amount of users that they come up with in the master plan.

Mayor Fitch stated that Jerry Harnshire and Keith Jackson have been involved with this and they have a lot of data put together and it would be a big asset to staff to have some of these figures. He stated he is assuming that it is the responsibility of the Airport Authority to put together a lease with anyone that would be interested and then it would come back to council for approval. He stated we are trying to save the quality of an asset before it is too late.

Kim Shahan, Parks and Recreation Director, stated his staff looked at the situation and if the golf course closes on December 31<sup>st</sup>, there is a two month period that is a non-mowing season for parks and recreation staff, and if this was a priority of the council they could redirect staff to maintain the greens. They would not be operating the course, the course would be closed. The equipment that exists at the golf course would have to be available to staff.

Mayor Fitch stated he understood that they would like to sell all of the equipment. He thought the buildings would stay.

Haywood stated the Airport Authority built the building.

Moses stated he hopes that someone has a project chart that lays out all the tasks that needs to be done to keep this available until the spring and hopefully someone will step forward and take over the lease. He stated all these tasks need to be coordinated when different agencies are involved and someone needs to take charge of the entire project until the time we are ready to turn it over to the new lease holder.

Mayor Fitch stated that would fall under the Airport Authority at this time.

Haywood stated the Airport Authority has lease of that land until 2046, so everything has come back to the Airport Authority.

Joe English stated he has given a proposal to the Airport Authority to take over the six year lease balance. There were some deadlines that had to do with the pond control and the FAA has given them five years. He is in a position to take over the operations immediately with no cost to the city. He would be willing to come up with a water deal at a gallon rate if they have to go to a detention pond. He has been a member of that golf course and have helped maintain things out there for twenty years and he knows where things are that need to be fixed. He can improve it by 100% with no cost to the city or the airport.

Mayor Fitch stated Mr. English would need to be in touch with the Airport Authority.

Mr. English stated he has been in the middle of it but he just wanted to inform the city where they are and that he would like to throw out the offer. He stated the use of reused water is a great idea but he just can't see it happening quick enough to save the golf course. He thinks he can maintain the golf course and he is willing to buy the water.

Mayor Fitch stated he feels that using the reused water is the answer and the city can utilize it in other facilities, but it is not the immediate answer. Buying water through the city was almost unbearable.

Mr. English stated you cannot operate the golf course and buy water at the rate that they had to pay last summer.

Mayor Fitch stated he will be staying in touch with the Airport Authority.

(Unidentified person) stated on behalf of the Comanche Nation the chairman would like to open up discussion between the city and the Comanche Nation regarding this project.

Mayor Fitch suggested he address the Airport Authority.

#### REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Moses commended the tree committee for getting together a package to get these trees down.

Tenis reported the Fishing for Food event raised 600 lbs of food for the Lawton Food Bank.

Burk reminded everyone that the 7<sup>th</sup> Annual Eye Candy Awards Banquet will be held on December 6, 2012. He stated LETA received the “Affiliate of the Year” award from the Keep Oklahoma Beautiful banquet. He commended Councilmember Tenis for his work for the Fishing for Food event.

Long commended Jarrod Williams, Fire Training Division, who was awarded the Oklahoma Fire Service Instructor of the Year.

Mayor Fitch commended Police Chief Smith for putting together the town hall meeting which was very successful. He stated another meeting is scheduled for December 7<sup>th</sup>.

The Mayor and Council convened in executive session at 7:17 p.m. and reconvened in regular, open session at 8:01 p.m. Roll call reflected all members present excluding Councilmember Tenis.

#### BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

16. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending action involving the School House Slough Concession Lease, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #16. No action was taken.

17. Pursuant to Section 307B3, B4 and C10, Title 25, Oklahoma Statutes, consider convening in executive session for the purposes of conferring on matters pertaining to (1) economic development, including the purchase/transfer of property, incentive proposals, and financing in connection with the Lawton Downtown Redevelopment Project and other development projects under consideration in the City, (2) a pending action with AEP/PSO regarding responsibility for electric utility relocation costs in connection with the Lawton Downtown Redevelopment Project, and take appropriate action in open session as necessary. Exhibits: None.

Jensen read the title of item #17. No action was taken.

There being no further business to consider, the meeting adjourned at 8:02 p.m. upon motion, second and roll call vote.

\_\_\_\_\_  
FRED L. FITCH, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI HUSHBECK, CITY CLERK