

Meeting of 2001-5-31 Special Meeting - Budget

MINUTES  
SPECIAL CALLED MEETING  
LAWTON CITY COUNCIL  
MAY 31, 2001 - 6:00 P.M.  
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell,                      Also Present:  
Presiding                                      Bill Baker, City Manager  
    John Vincent, City Attorney  
    Brenda Smith, City Clerk  
    LTC Anthony Puckett, Fort Sill Liaison

The meeting was called to order at 6:00 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT:                                      James Hanna, Ward Two  
    Glenn Devine, Ward Three  
    John Purcell, Ward Four  
    Robert Shanklin, Ward Five  
    Barbara Moeller, Ward Six  
    Stanley Haywood, Ward Seven  
    Michael Baxter, Ward Eight

ABSENT:                                      Randy Bass, Ward One.

BUSINESS ITEMS:

1. Consider distribution of hotel/motel tax receipts; receive presentations and provide direction to staff. Exhibits: None.

Baker said the contract with the Chamber of Commerce for the hotel/motel tax expires June 30, 2001, and on May 22 Council directed that staff return an item to consider distribution of these funds and indicated agencies interested in obtaining the funds would be allowed to make presentations. He said at least one agency is here to make a presentation and there may be more.

Shanklin said the range of collection of this tax is between \$300,000 and \$400,000. He asked if collections would reach \$350,000 this year or if that could be projected. Steve Livingston, Finance Director, said the Chamber would receive what had been approved in their budget or what is collected if it is less. Shanklin asked what is done with the excess. Livingston said if the collection exceeds the Chamber's budgeted amount, the excess stays in the City's general fund, and there were excess funds in the past and a report was prepared on that.

Marilyn Fever, President of the Chamber of Commerce and Industry, distributed a proposal and requested their 800-member organization be allowed use of the hotel/motel funds next year; the agreement expires June 30, it is a five-year agreement that is renewed annually with a presentation to City Council early each summer. It is better described as a series of options with approval of annual budgets, spending plans and programs of work. The board of directors is listed to show those who provide oversight for the expenditure of funds after they are approved for the program of work each year. There are five full-time management employees, two full-time support employees and one part-time employee. They have expertise in economic development, tourism and convention and recruitment, community development, volunteer management, project management, and the list goes on. The staff are very diverse and receive training to accomplish those jobs they are tasked with.

Fever said they have their 2001-2002 business plan, which was formerly called a program of work; they consider tourism the purest form of economic development and therefore it is included under that category in the business plan. None of the Chamber Affairs programs or long-range planning programs are funded with hotel/motel tax.

Fever proposed using hotel/motel tax funds for a director of economic development and a draft of a job description

was included in the handout, as well as for a director of tourism and convention development and a director of government affairs/military affairs. A proposed spending plan would be done in further detail if Council decides to enter into an agreement with the Chamber.

Fever said in the ballot that voters approved this past March it says that the money is to be used exclusively for the purpose of encouraging, promoting, fostering conventions, tourism, industrial development and economic development for the City, and that is about 80% of what they do at the Chamber. She said with this departure from their normal request it is important to note that in 1992 salaries at the Chamber were at 60% of the total hotel/motel tax to last year's all time low of 21% and they provided a great range of services with very low overhead cost. A few years ago Council asked that less funds be spent on salaries and more funds be spent on programs and they did that but it was to the detriment of the program of work because without sufficient staff to implement the programs, they are suffering, as well as the community. She said they are requesting more money for salaries so they can hire a full-time economic development director and that she knew it was the wish of some Council members for that to occur and that they had not been able to fund that in the past.

Shanklin asked if the Chamber budgets \$400,000 per year whether it is received or not. Fever said yes, they request an appropriation at the beginning of the year and if they do not spend it, it remains with the City. The Chamber is very cautious at the end of the fiscal year as they are a not for profit organization without a lot of discretionary funds available. Shanklin asked the total budget for the Chamber and Fever said it is around \$900,000. Shanklin said the membership dues are more than hotel/motel tax. Fever said their three funding sources are membership dues, hotel/motel tax, and program revenue.

Purcell said the information shows three director positions and asked if the salary for the economic development director will come out of the \$136,415 that is shown in the budget. Fever said yes and they are not sure what it will cost to hire someone. Purcell asked if the salary for the director of tourism and convention recruitment would come out of the \$167,000. Fever said yes. Purcell asked if the salary for the director of government affairs would come out of the \$167,000 and Fever said yes. Purcell said most of the money would be used for personnel and Fever said no. Purcell said since they did not have a budget that may have been an unfair question. Fever said she would not say it was an unfair question because it would get her in trouble but collectively \$136,000 was what they had set aside for those three salaries. Purcell asked if \$136,000 was for all three salaries. Fever said yes, it was 34% of the total collection, assuming that was \$400,000.

Moeller asked what would happen to those whose salaries were funded from this previously, since they were adding other positions. Fever said they would have to be picked up by the Chamber and there will be some minor restructuring because they did not want to be redundant in personnel or services, and there will be only these three salaries from hotel/motel funds.

Purcell said there was a committee five years ago and the shared administrative costs were approved, which is now shown as \$28,900, and that mostly went for a person and was agreed to at the time. Fever said the shared administrative costs are things like postage, equipment and those things. Purcell asked if there was any salary costs in it and Fever said no, there are no hidden salaries in any of the numbers and they are proposing that three, and only three, positions be paid.

Mayor Powell said for clarification, the three persons being discussed will come out of the \$136,415 and asked if that was correct. Fever said no, they show the \$400,000 divided into four categories: economic development, tourism, government and military affairs, and shared administrative costs. A percentage of the \$136,000 from economic development would pay for an economic development professional. Purcell said it seems to be almost coincidental numbers because the pay for the director comes out of the \$136,000, but for the tourism director, some of that \$167,000 was paid for the tourism director.

Fever suggested a search committee structure to find an economic development director, and it would be the executive committee members, a Council representative, CCIDA and other appropriate entities, and it is important to involve all of those who have a stake in economic development to choose the person to fill this position.

Baker said regarding Shanklin's earlier question, the budget this year for hotel/motel was \$380,000 and that is the agreement with LCCI, but that is not to exceed actual collections. He said after ten months of this year, \$300,000 has been collected so it appears the \$380,000 will not be reached as the average is about \$30,000 per month. Baker said it would be the same in next year's contract; the entity will not collect more than the City actually collects from the tax.

Moeller asked the amount projected for collection next year. Baker said \$380,000 is what is projected in the preliminary budget but that may be a little optimistic based on the first ten months of this year but LCCI understands that. Fever said they certainly do and understand the numbers must be adjusted to reflect whatever is agreed upon in the end.

Shanklin said the figures he had were \$245,000 for ten months, so it was around \$25,000 per month for the next two months so it would be around \$300,000 and asked Livingston if that was correct and said we would not reach

\$380,000 or \$350,000 unless the storm caused the motels to be full over the weekend. He said one year we collected around \$380,000 one year and this year it may be \$300,000. Fever said she was not privy to the numbers but trusted what Shanklin was saying. Shanklin said they needed to face the fact that this is another barometer on the economy in Lawton.

Mayor Powell said the Chamber of Commerce adjusts to meet what is received. Shanklin asked when they adjust because they submit a pay voucher every month and Livingston just does not turn over every dime to them, does he. Fever said "no, he does not. She said they have to submit vouchers for those and as she mentioned earlier, the last couple months of their spending year, they are in kind of a wait and see mode. It's kind of dangerous because really if you do collect over what is allocated and we haven't spent it, it's going to go into the general fund and won't be utilized for those purposes that the citizens thought it would be, but she didn't have a solution or any answer for that." Mayor Powell said right now that does not seem to be a problem.

Mayor Powell asked if anyone else would like to make a proposal to seek these funds and there were none. He asked that Council give staff direction and if it would be for staff to negotiate a contract with the Chamber since they were the only ones that made a presentation.

Shanklin said if the Chamber can get by with \$300,000 this year and they are still going to budget \$380,000 next year in case they do get it, he would like to see \$20,000 designated for the Boulevard of Lights which is a tourism money-maker for the City and they are in need of money. He said if any funds are collected next year that exceed this, he would want to see the Boulevard of Lights get \$20,000 of the excess, if there is any. Baxter said he did not understand and it did not seem Boulevard of Lights would get any money because there will be a shortfall this year, and probably next year. Shanklin said he wanted \$20,000 of the excess of the money that is collected this year to go to the Boulevard of Lights. Baxter said there is no excess, there is a shortfall. Shanklin said we are talking about the next fiscal year and that was his motion. Baxter offered a second.

Mayor Powell asked if the motion was for staff to negotiate a contract with the Chamber of Commerce, and that motion also says that the Boulevard of Lights will be given \$20,000 that would be in excess of \$380,000. Shanklin said whatever the budget is they end up with this past fiscal year that will end June 30th, whatever that figure is, next year anything in excess of that, and not to exceed \$20,000, goes to the Boulevard of Lights. Mayor Powell said for clarification, if it comes out this year at \$320,000 this year, then next year it comes out at \$340,000 even though they have asked for \$380,000, they get \$320,000 and the Boulevard of Lights gets \$20,000. Shanklin said that was his motion, and Baxter seconded.

Baker said we will not know if there is an excess until June 2002 so the Boulevard of Lights would not get any money any time soon. Shanklin said we could be looking at it as it goes along and Boulevard of Lights needs to know money will be available. Hanna said if the goal is not reached for the hotel/motel tax, the Boulevard of Lights does not receive any funding. Shanklin said they would have to work with the Chamber and hope they can get something from somebody. Purcell said if the Chamber submits a budget for \$400,000, but the City's budget shows only \$380,000 from hotel/motel tax for next year so the contract with the Chamber can be for only \$380,000 or the maximum amount you can get, and he thought if collections exceeded that \$380,000 next year that the Boulevard of Lights would get the \$20,000 from that but that may not be what Shanklin was saying. Shanklin said we will know after June 30, 2001, how much was collected during this fiscal year, and that is below their estimate of \$400,000, but we will guarantee the Chamber that much or whatever we collect, but anything over that, the first \$20,000 goes to Boulevard of Lights.

SUBSTITUTE MOTION by Moeller, SECOND by Shanklin, that the staff draft a contract, with better accountability for whatever money to whomever and \$20,000 be allotted to the Boulevard of Lights and all remaining money would go to the Chamber.

Mayor Powell asked if the substitute motion was for the Boulevard of Lights to get the first \$20,000 before anybody gets anything. Moeller said somewhere in there before Christmas, when they need it, not necessarily first but when they need it, and all remaining money collected to go to the Chamber.

Devine said he did not doubt the Chamber will do a good job, and one of the biggest attractions in Lawton for any kind of income is the Coliseum, which is overlooked every year. He said he knew the Chamber promised the Coliseum \$15,000 last year. Mayor Powell asked that Fever address that because he thought there was a proposal being developed. Devine said he had not seen the budget so he would not know what they had done. Fever said the Chamber and the Coliseum board and management staff have formed a partnership, and assuming the budget is approved, they have earmarked or set aside \$30,000 for event recruitment and/or marketing purposes for the Coliseum, and David Pope is present tonight and was part of the meeting that was held. Shanklin said the Coliseum belongs to the County and they do not consider us in there. Devine said the Coliseum brings in a great deal of money as far as visitors staying in hotels. Fever said the Chamber has been funding events at the Coliseum all along and they will be trying to step up the marketing efforts for the Coliseum. Devine asked Pope if he was satisfied with the \$30,000. David Pope, County Commissioner, said it is a great first step and he, as one county commissioner, would thoroughly endorse the agreement they had worked out and it was the first year they had

worked with the Chamber to get something done to help promote our Coliseum.

Purcell asked if \$30,000 of the \$167,000 would be set aside for the Coliseum. Fever said yes, and they did that last year in the sum of \$16,000. Purcell asked if \$20,000 of this \$167,000 would be set aside for the Boulevard of Lights. Fever said the motion may have meant for the money to be set aside from the Chamber's budget and they have done that before for the Boulevard of Lights also; obviously you create a bit of a situation when funds are set aside for any different number of entities because if a project comes along that needs to be funded, there may be no funds available. Fever said they do a lot of marketing for the Boulevard of Lights already and sponsoring the run that is a fund-raiser for it and working through the Fort Sill leadership to try to restructure the organization.

Mayor Powell said the substitute motion was to give the first \$20,000 of the hotel/motel tax, or when needed, to the Boulevard of Lights and he asked Moeller if that was correct. Moeller said to designate \$20,000 and it does not matter when it comes in. Shanklin asked if there had been a second to the substitute motion and Mayor Powell said no. Shanklin offered a second to the substitute motion and said he would pull his motion because he liked this one better. Mayor Powell said we have had a substitute motion which is that the Boulevard of Lights will get the first \$20,000, or when they request the \$20,000 as needed. Shanklin suggested pro-rating it out on a monthly basis. Substitute motion became the primary motion at this point as Shanklin withdrew the primary motion.

Jamie Hall, Springhill Suites General Manager, said on the Boulevard of Lights, it is a wonderful program, he works with the Lions Club to help raise funds for the Boulevard of Lights, but as far as it generating more hotel/motel tax, he did not believe it did very much of that. Hall said the Chamber does give quite a bit of money to that program already.

Baker said he wanted to be clear that if Moeller's motion passes, we are looking at drafting a contract with the Boulevard of Lights for \$20,000 from hotel/motel funds, and negotiating another agreement with LCCI for \$360,000, or whatever is collected. Moeller said correct, and it is with accountability.

Shanklin said the Wichita Mountains Livestock Show went to Stillwater and the dog show went to Duncan, so he had a problem with them getting anything.

VOTE ON MOTION by Moeller, Second by Shanklin: AYE: Hanna, Purcell, Shanklin, Moeller, Haywood, Baxter.  
NAY: Devine. MOTION CARRIED.

2. Consider installation of "No Parking" signs at 2105 S 3rd Street. Exhibits: None.

Baker said Councilman Bass called him this afternoon and asked him to speak in his behalf to ask Council to approve this item. He said it did not go to the Traffic Commission due to the time constraints and we apologize to the Commission for that. Baker said Bass wanted it on the agenda as there is an eminent problem on 3rd Street he feels needs to be addressed; there are vehicles parking along the street making it very difficult for trucks to get backed into this business and it is affecting this business, and Bass asked that Council approve it this evening, and the City Attorney's office has prepared a resolution for Council's consideration.

Haywood asked why he was not informed since this is in Ward 7. Mayor Powell said he could not answer that and it was his understanding that someone contacted Bass about it.

Purcell said he had no problem supporting the action but had a problem philosophically because for six plus years any time he needed anything to go to the Traffic Commission, he sent it to the Commission and had something there that was a safety issue for over a month but he did not want to violate the Traffic Commission. He said there have been other instances where things have been brought to Council, by-passing the Traffic Commission. Purcell said the same thing happens with other commissions being by-passed, and he felt this should go to Traffic Commission, and he would have no problem overruling the Commission afterward but the Traffic Commission should not be by-passed. He said if we are going to do that, he would bring an item next time to abolish the Traffic Commission and let everything come to Council. Mayor Powell said there may be some rationale for this they need to hear about. Purcell said the Traffic Commission can have an emergency meeting.

Baxter said he agreed with Purcell to an extent but knew there was a little bit of a special circumstance behind the agenda item because there is a strike going on now and that is where the trucks are coming from and the striking workers, and they have been holding this business owner up from being able to get his normal business done by parking their vehicles along the street. He said this is why it is such an emergency. Purcell asked why the Traffic Commission was not asked to hold a special meeting. Baxter said Bass may not have known about that and it has to do with the strike. Purcell suggested the Traffic Commission call a special meeting. Mayor Powell said the business owner would suffer in the meantime.

MOVED by Devine, SECOND by Baxter, that we go ahead and by-pass the Traffic Commission under the circumstances of time and go ahead and pass this and have the Street Department put up the no parking signs, and adopt the resolution.  
AYE: Devine, Purcell, Shanklin, Moeller, Baxter, Hanna. NAY: None. ABSTAIN: Haywood. MOTION CARRIED.

(Title only)

Resolution No. 01-86

A resolution authorizing the installation of traffic control devices at a designated location within the City of Lawton, Oklahoma. Description: "No Parking" traffic control signs shall be installed on both sides of the street prohibiting parking on the street in front of the commercial premises located at 2105 S 3rd Street, Lawton, Oklahoma.

3. Consider authorizing issuance of a Request for Proposals (RFP's) for MedTrans Services. Exhibits: None.

Baker said the City Council had previously approved \$68,000 in the Consolidated Plan for Community Development Block Grant funds to operate a MedTrans system. The Great Plains Improvement Foundation advised that without an additional \$10,000 they could not continue the program after June 30. Council discussed this at its last meeting and although there was not a formal motion, it appeared staff was directed to seek proposals for these services. He asked that Council authorize issuance of the RFP's if that is how they wish to proceed on the issue. Baker said he could have solicited those proposals without Council authorization but because this is a very sensitive issue, he wanted to get authorization from Council before proceeding. HUD will not require that public hearings be held to change the Consolidated Plan because this was submitted as a project in the plan. Baker said he understood GPIF has obtained the \$10,000 and it is an issue of staying with GPIF or authorizing advertisement for proposals.

MOVED by Hanna, SECOND by Baxter, to go out for RFP's.

Purcell said he was concerned that come 1 July we will not have any MedTrans available, and those who will suffer are those in need of this transportation. He said the amount of service needed in the following year may be less because the bus service should be in place. Purcell said you cannot operate programs with federal funds without keeping a large amount of records in a specified format, so it is not like someone who is brand new will know how to keep track of this. He said a RFP will delay this and we are better off leaving it with Great Plains, and then next year when the amount of service should be less and we can go out in plenty of time with RFP's but he could not support going out for RFP's at this late date.

Hanna asked how long it would take to get the RFP's out and back. Baker said the proposal has been prepared and is ready to be advertised so within 30 days you could have the proposals in and reviewed and brought back to Council, which they would then have to enter into a contract with an organization and they would have to meet whatever guidelines HUD has in place for this type of service. Baker said he did not think there would be any way to have MedTrans in place by July 1 and it might be closer to August 1 if you were very lucky.

Shanklin said the statement was made that some may not need MedTrans as much when the bus system is operable. He asked if a great number of those riding MedTrans are ambulatory or not. Odell Gunter, Great Plains Improvement Foundation, said they got a donation from an anonymous donor of \$10,000, and some of their riders are ambulatory and they do have a wheel chair lift vehicle. Shanklin asked if most of the passengers are ambulatory or not. Gunter said the majority would not be. Shanklin asked if some are being picked up by MedTrans that could use the cab service. Gunter said passengers need assistance on and off the vehicle and that is provided; they are a door to door service and walk them to the doorstep if needed. Shanklin asked if these passengers will be riding the bus line or if the MedTrans service will still be needed. Gunter said yes, and he thought it would be contracted out.

Haywood said this program started in 1991 and Great Plains has been here for 36 years, and that should mean something to this community. He said people are writing to the newspaper stating they care about MedTrans and Great Plains. Haywood said they also care about Meet the Needs and he did as well and they are helping his constituents and many in the school system. He said he did not like to take a program away from one group and give it to another group. Haywood said he could not make anyone change their mind but he would come forward humbly because he thought MedTrans would do a wonderful job.

SUBSTITUTE MOTION by Haywood, SECOND by Purcell, that we not go out for Requests for Proposals and to renegotiate the contract with Great Plains Improvement Foundation.

Devine said we asked Great Plains to take it for \$68,000 and they decided to say no, they would totally end the MedTrans system period if they did not get the additional \$10,000. He said he did not think that was having the citizens at heart and it was not right for them to say they would just shut the system down; why did they not say they would take the \$68,000 and operate as long as they can and maybe we can come up with the extra \$10,000 but they did not want to do that and said as of June 1, that is the end of it and it is over. Devine said if GPIF wants to participate in the RFP's, that is great, but we do have people who are interested, that are not demanding the extra money to do it with, and we should give them a chance although they may not get in the ballpark once they find out what they are going to have to bid against. Devine said we talk about having the citizens at heart but we are going to cancel the program just because we do not get \$10,000, and that is not taking the citizens at heart.

Purcell said there is not a way to have a MedTrans program operating on July 1 if RFP's are going to be requested, so what are the citizens going to do for the month of July that need that service. Devine said he talked with a man

who said if MedTrans does not have someone to pick up people, they would volunteer to do it for nothing until they got the system in place because they did not want to see people without service; Great Plains just flat refused and said it is over with if they do not get the \$10,000.

Odell Gunter presented a copy of the July 11, 1991 board minutes from Great Plains where the board approved accepting the MedTrans program. He said they are not trying to cause any problems for anyone and wanted to provide a service but this is what was said at the meeting, and he would not read all of it. Gunter said the City came to Great Plains and offered them \$49,512 ten years ago, and this year they requested \$78,000 in 2001. He read from the minutes that Ms. McDaniel stated "it was also a reimbursable program and if it did not work out and pay its own way, it could be terminated with a 30 day notice". Gunter said they would take the program based on the fact that they have the \$78,000 to work with; this is ten years later and they are saying the same thing, they know they cannot operate it on \$68,000 and they need the \$78,000 and they now have it so they ask that Council act on that.

Baxter asked what would happen next year when CDBG has \$68,000 for MedTrans and GPIF wants \$80,000. Gunter said they hope to be a part of the transit system and thought it would be contracted out with that and they would probably not come back on CDBG any more but would provide ADA service through the transit system. Baker said the bus system will have a provision for ADA and at that time the Council may direct the CDBG money into a contract.

Baxter said anonymously the \$10,000 showed up after all the pressure was put on the Council to cave in on the \$10,000 and Council did not do it and three days later someone donated \$10,000. He said he wanted to know if that same person would donate \$10,000 again next year. Baxter said the other group said they could do it cheaper and they should be given a chance.

Deborah Jones, Assistant City Planner, said the paratransit contract in the fixed route is for door to door service for people who cannot get to the route and that would be contracted out; that does not mean you would need to discontinue MedTrans. She said this would be an additional service that MedTrans might provide to the fixed route system and it was for a couple of thousand dollars approximately, so it is no where near \$78,000. Mayor Powell said he did not feel GPIF could say they would not be back next year requesting funds.

Bob Carter, Meet the Needs, said they came forward with a proposal to put in to be a provider and thought they would come in at \$60,000. He said they would run it for one month, if it takes that long, and then get the contract signed to get reimbursed. Shanklin said he thought Meet the Needs could run this program without any funds other than around \$20,000 and asked if he was misled. Carter said there was a \$68,000 budget put in for MedTrans; \$17,800 was given to a director for MedTrans; \$24,900 was given for two drivers according to their budget; \$3,600 was for fuel; \$4,000 for maintenance; \$4,000 for insurance, then rent, lights and utilities. Carter said they do not have a director, they are working with two major churches for certified drivers and they have another source of drivers, and their rent is \$250 per month. Carter said he felt their proposal would be much less. Mayor Powell asked if they said they would do it for \$60,000. Carter said no, he said GPIF was talking about \$68,000 and Meet the Needs would be under \$60,000. Devine said they really need to wait if they are going out for RFP's. Mayor Powell agreed and said he was not the one to bring up figures first.

Mayor Powell said there are two parts to the substitute motion by Haywood; the first part is no RFP's and the second part is to come back and negotiate a contract with the Great Plains Improvement Foundation. He asked for roll call on the substitute motion.

VOTE ON SUBSTITUTE MOTION: AYE: Purcell, Shanklin, Haywood. NAY: Moeller, Baxter, Hanna, Devine. SUBSTITUTE MOTION FAILED. (Shanklin passed on initial roll call.)

Mayor Powell asked for roll call on the primary motion. Baker said for clarification, Meet the Needs said they would be willing to run the program voluntarily before a decision is made on a contract and they would seek reimbursement. Baker said the City could not reimburse Meet the Needs for that volunteer work, whether it be for 30 days or 60 days and they subsequently get a contract or not, the City could not give them those funds because there would be no agreement for that time period. Baker said he wanted to be sure it was clear that the City could not reimburse Meet the Needs for those funds. Mayor Powell said Meet the Needs should understand that service would be provided free of charge and the City would not be able to reimburse them for the time they operate without a contract.

Mayor Powell said the motion is to put the people out of business and no way for them to get where they need to go; that is the effect of the motion. Baxter said Meet the Needs said they would get people where they needed to go. Mayor Powell and Purcell disagreed. Purcell said he had nothing against Meet the Needs, but the first priority should be to support the people who need MedTrans come 1 July, and what we are going to do now, regardless of what is said, we will have a lot of people in July and August that will not be able to get where they need to go. Purcell said Meet the Needs thought they would get reimbursed for any expenses they incurred in July and August and we cannot do that because we do not have a contract so they might want to reconsider, but even if they do

that, he thought there would be a real problem trying to run this program with no money for a month or two, so the bottom line is those who need the service will not have it.

Hanna said the comments keep being made that they will put people out of business but MedTrans came to Council at the last meeting and said they would shut the door regardless; they were going to put people out of business and they put that in the paper, so why does that keep getting brought up. Hanna said they were going to stop it anyway until they get the \$10,000. Purcell said the purpose is to provide the service the people need; this is not a service provided by Great Plains Improvement Foundation, it is provided by the City where the City lets a contract with Great Plains Improvement Foundation. Mayor Powell said he appreciated the person who came forward and donated the \$10,000.

Moeller asked if Meet the Needs wanted to reconsider their offer in light of the information that they will not be reimbursed for the time they operate without a contract. Mayor Powell asked if Meet the Needs could provide the service free of charge for two months without being reimbursed, and we do not know the time frame but we do know there would be a period of time where it would have to be free. A Meet the Needs representative in the audience asked if they would be allowed to use the City van or obtain gas at the City's price and the Mayor said no. The representative indicated that would be a problem for their organization.

VOTE ON PRIMARY MOTION to go out for RFP's: AYE: Shanklin, Moeller, Baxter, Hanna, Devine. NAY: Haywood, Purcell. MOTION CARRIED. (Shanklin and Moeller passed on initial roll call.)

Mayor Powell said a letter was received from the Waurika Project Master Conservancy District stating the Board of Directors recently completed an in-house study of the production capability of Waurika Lake based on actual experience over the past 20 years. This study indicates the original estimate of dependable yield from Waurika Lake can be increased, therefore, the Board revised the allocation of each member city showing in a table. Mayor Powell said the amount allotted for Lawton was 5,945,004 originally, and that has now been increased to 14,870,750 gallons, roughly a 9 million gallon increase. Shanklin said it would mean \$8 million if we had to buy it.

ADDENDUM #1: Consider ratifying the Mayor's Emergency Proclamation in order to be eligible for State reimbursement for expenses related to the May 27, 2001 Storm. Exhibits: Disaster Emergency Proclamation.

Gary Jackson, Assistant City Manager, said over the Memorial Day weekend there was a considerable storm resulting in a great amount of debris; both public and private damages were suffered. On Tuesday the Mayor issued an Emergency Disaster Proclamation and Council is requested to ratify that action. The proclamation will be submitted to the State Office of Emergency Management, seeking reimbursement of up to \$100,000 from the State and the City's expenses should be well in excess of that amount. Debris clean up may take 30 days, and that is the primary cost. There was damage to buildings, a number of street signs were knocked down and traffic signals were damaged; these items would be reimbursable through the State but the debris clean up alone will take up the majority of funding, if such is provided.

Jackson said a number of buildings were damaged, such as the Airport and Health Department, which are on the City's insurance policy. He suggested the insurance company be asked to make arrangements for repairs and make payments directly to vendors to speed up the process. The policy in place allows for this to be done, so if Council does not object, staff will contact the insurance agent in that regard. An advance of \$25,000 will be requested from the insurance company to set up an internal fund for departments to access in making relatively minor repairs that were not included in the budget. The City's deductible is \$10,000 total, not per building but overall.

MOVED by Purcell, SECOND by Hanna, to ratify the Mayor's Emergency Proclamation. AYE: Moeller, Haywood, Baxter, Hanna, Purcell, Shanklin. NAY: None. OUT: Devine. MOTION CARRIED.

ADDENDUM #2: Consider ratifying the City Manager's action to waive City's landfill fees for storm related debris removed from inside the Lawton City Limits. Exhibits: None.

Baker said because of the storm and the tremendous damage that occurred, he immediately waived landfill fees for storm debris taken in by our citizens. Citizens taking items to the landfill are saving the collection crews from having to pick up, haul and dispose of it. He requested Council ratify that action. Baker said he wanted to clarify that he was talking about residents taking debris from their residence to the landfill; he was not talking about commercial operations for hire, not for commercial establishments that will be reimbursed for that disposal, but for citizens taking storm debris from their residence. He said the main thing he was asking to waive was the size and type of vehicle; the Code provides that anything over one ton we have to charge whether it is a resident or not, also if it is a commercially marked vehicle we have to charge and he would like to waive that so that if a citizen has access to a two-ton truck and takes refuse out and says it is storm debris, that we let them through and not charge them.

Baker said we have contacted DEQ to waive the \$1.25 surcharge and they verbally advised they have waived that so we will not need to charge that either. Shanklin asked if everything would be weighed in. Baker said yes. Baker

said the materials will be segregated on the east part of the landfill site; we have asked DEQ to authorize a controlled burn at some time in the future so we will not have to grind or chip up all the materials. Baker said we are getting a chipper but it would take two years to chip up all of the debris; if we can get authorization for a controlled burn, let the material dry out, and have the burn during a time of year that it will not effect the air quality and ozone.

Shanklin asked if the vehicles that come in free will go to a designated area. Baker said yes. Baker said yesterday, due to the mud, that area was not accessible but he had been advised it is now. Co-mingled debris will not be dumped in that area because we only need wood products there so that if we decide to chip or burn it in the future, we can do that and it is not in a filled area at the landfill where we will not have to be concerned about a landfill fire. Devine asked if it would be a problem for people to go out there at a later date and cut up fire wood. Baker said that could probably be accommodated, and if it is chipped, it can be made available to residents for use in flower gardens. Mayor Powell said he asked Baker to call DEQ about a controlled burn and he hoped that could be done because it would save a lot of space in the landfill.

MOVED by Moeller, SECOND by Baxter, to ratify the City Manager's actions in waiving the City landfill fees for citizens removing wood products from their residences and storm related debris within the City limits. AYE: Haywood, Baxter, Hanna, Devine, Purcell, Shanklin, Moeller. NAY: None. MOTION CARRIED.

The Mayor and Council recessed at 7:20 p.m. and reconvened at 7:32 p.m. with roll call showing all members present except Bass.

4. Discuss the preliminary City of Lawton budget for fiscal year 2001-2002 and take appropriate action. Exhibits: Preliminary Budget was previously distributed.

Mayor Powell recognized the Employee Advisory Committee and general employees present.

John Thomas, Employee Advisory Committee Chairman, said they represent the general employees and had made the statement that they were looking for a 6% cost of living allowance and an additional holiday, but they were not interested in that any longer as they know the budget is tight. Thomas said the City Manager made a statement in the budget that he would like to see the general employees receive a 3% cost of living allowance effective January 2002 if funds are appropriated. He said that was taken back to the general employees and they are very upset; they know money is tight and they are not comparing themselves to police or fire because they are represented by a union, but that should not be a sticking point when you are talking about general employees. Thomas said just because general employees do not have a union, it does not mean they do not have needs just like police and fire. He said he had friends on both sides and this was not to knock those guys, they do a great job, and the general employees do a great service to the City also and some of his guys are still out picking up limbs, trash and debris as we are speaking.

Thomas said he received a memorandum from the City Manager today saying he would like to recommend that the 3% effective in January be appropriated. He said the morale among general employees is very low because they had to come before Council two years ago when they were told they would get a cost of living raise and it then got pushed back to March, so the general employees had to sit on nine months without receiving an increase and now this year, the City Manager is asking the general employees to go for another six months without receiving a cost of living allowance. Thomas said the general employees want to know why they are the ones who always have to wait and why they cannot get started July 1 along with the fire and police departments. He said the biggest issue now is that it has become a morale problem, it has been done to them before and it will continue to be done again. Thomas said general employees also provide a service to the citizens and no one's job is more important, they are all City employees whether it be police, fire, sanitation, clerical, and we all have needs. He said for the City to give the money to fire and police on July 1 but make the general employees wait six months, he did not think that was fair or equal and he could not be convinced otherwise. Thomas said if funds can be found for fire and police to receive cost of living adjustments in July, it should be found for the general employees also. He said insurance is to go up \$3 per pay period, along with the cost of living, and general employees are being asked to wait six months and he felt that was not fair and there is a morale problem. Thomas said it may be the same thing next year, if a cost of living is considered. He said he needed to have something to tell the people they represent.

Denise Flusche said she is the professional representative and two years ago there was a consultant who did a pay plan, and the reason for that was to try to keep good employees and to entice other people from other areas to come to work here. She said if you continue to not maintain that or provide the needed raises, the whole point of the pay plan is moot and it will have to be redone five years down the road. Flusche said the pay plan should be kept up and when nothing is given for six months, it is not doing that.

Baker said he appreciated the employees' attendance and his recommendation had caused a morale problem with general employees. He said if he thought the City had the funds, he would certainly recommend the pay increase for the entire year. Baker said he thought Thomas had a valid point and many employees expressed to him that if the City is willing to commit to the police and fire for a raise next year, then why will they not commit to general



employees, so he had revised his recommendation to Council, concurrent with approval of the budget, to commit to that increase at mid-year.

Baker said he asked the Human Resources Director and the Finance Department to give information on cost of living adjustments for the last five years, and over the last five years, general employees have got 10.5%, the police have got 10%, the fire have got 9.5%. During those five years, there were other adjustments, general employees got a new pay plan which significantly increased many employees' salaries. Also there were some adjustments to the pay plans in fire and police, and it gets very complicated starting to compare all of those pay plans and what happened in a given year, but based upon the cost of living figures, if Council gives general employees 3% for half a year next year, that would be equivalent to 1.5% for the year and for six years would give general employees 12%. Baker said the cost of living adjustment for police for the coming year is 2.25%, which would give them 12.25%; fire is 4% so that would give them 13.5%. He said over the last five years general employees have kept pretty good pace with police and fire, and Councils in the past as well as this Council have committed to try to make sure employees were treated equitably.

Baker said if Council directs that the pay increase be given for the entire year, we will have to find \$300,000 to cut elsewhere or raise revenues. He said in preparing the preliminary budget he was faced with either going for half a year or going none as far as his recommendation, or laying off additional employees. To come up with \$300,000 would be to cut another 12 or 13 employees and he did not want to do that. Baker said general employees work very hard and are very deserving of what they get, and his recommendation is based upon numbers and the City's ability to pay, and general employees have kept pretty good pace with police and fire.

Thomas said out of those five years the general employees have had to come to Council continually requesting that equitable treatment and those cost of living increases.

Mayor Powell said those wearing orange shirts are Lawton's best ambassadors, and that will not help with the cost of groceries, but the work is appreciated and he had been told that by residents.

Shanklin said ten years ago the maximum salary for a sanitation operator was \$681 and now it is \$1,177 bi-weekly, and there were 19 of them 11 years ago and today there are 18; ten years ago a sanitation worker could make \$623 maximum and now he can make \$947 and there are 26 of them. He said if that is carried out in the same manner over the next ten years, some of the employees will receive over \$6,000 bi-weekly. Shanklin said these employees' salaries have not grown as much as others.

#### PARKS & RECREATION DEPARTMENT BUDGET

Gary Salva, Parks & Recreation Director, distributed budget information, which is on file in the City Clerk's Office. He said staff reviewed the following in preparation of the budget: ways to solve the problems with mowing, installation of recreation software, implementation of certain elements of the strategic plan, an emergency repair fund for 35 public buildings and indirectly over 100 buildings, the significant prairie dog problem in Elmer Thomas Park, expanded use of Town Hall, and increasing youth programs. Due to conditions in this budget year, the focus was placed on solving the problems with mowing. An organizational chart was presented; the Lakes Division is shown under Parks & Recreation, and the other divisions remain the same.

Department staffing levels were reviewed showing a total of 56 full-time employees. The department was asked to eliminate two positions and those will be in Parks & Grounds, a clerical assistant and a park specialist. The department has four clerical positions: the senior secretary for administration only; a clerical assistant in parks and grounds covering the cemetery, landscape ballfield maintenance and park maintenance; a clerical position in leisure services covering recreation services, sports and aquatics and senior services; a clerical position, and federal funds are received for this, for the RSVP program. The building maintenance section does not have clerical assistance. Lakes has clerical assistance at the lakes but since they will be encouraging people to come to the Owens Center, they will try to provide support for the lakes at Owens and try to provide additional clerical assistance for the lakes. Salva said if the parks and grounds clerical position is eliminated, they would propose creating a secretarial pool, which would be unique in the City system and it could be thought of as a prototype for other departments to see if it will work; it will require the reclassification of two individuals but with the loss of the parks and grounds clerical person, two clerical personnel would be upgraded to senior secretaries, right now they are senior clerical assistants, and there will be a pool of three senior secretaries to serve the entire department, with the exception of the auditorium.

Purcell said there would be a cost savings in eliminating one position and the work of that one will be spread out among three employees. He asked how much extra will be spent in promoting two of those three people. Salva said he did not have the exact figure and Council asked that it be provided.

Hanna asked if the employees would go up two step increases or one. Salva said two grades. Hanna asked how there would be a savings by moving employees up two grades, cutting out employees in a lower grade and moving two to a higher grade. Purcell said the savings would be in eliminating a position and there will be a cost for the

other two positions. Shanklin said he asked previously if anyone would get more than one step increase and was told they would not. Salva said the clerical assistants would move up two grades. Baker said this is a reclassification and it would be about \$100 per pay period difference, which is \$2,600 each, so it would cost about \$5,000; eliminating the one position was \$17,500, so the savings is \$12,000 to \$13,000 by making this change.

Hanna said the administrative secretary is likely specialized but when a pool is formed, who would say all the secretaries are equal or could perform the same job or who would say the job would get done right all the time and things do not get lost in the shuffle. He said if an office manager is needed to keep track of everything, it would mean adding another position. Salva said that question had been addressed and the secretarial pool will answer to the Assistant Director. Baxter said the change is shown on Pages 78 and 80 in the preliminary budget.

Salva said the one goal this budget year is mowing, and they oversee the mowing and maintenance of 80 parks, 46 miles of roadways, multiple medians, and the cemetery. Hanna said there are questions as to who should be called for mowing of different areas. Baker said over the years we have consolidated all the mowing under Parks & Recreation, except that associated with the drainage maintenance activity which is part of the street division, and there is a contract for abatement of high weeds and grass. Baker said they had discussed pulling out the mowing assets from drainage maintenance and assigning it to Parks & Recreation and consolidating even more so that anything having to do with mowing could be done through one department director. Baker said he ran out of time to pursue that further and it can be looked at through the year and done at any time by Council approving that transfer. Hanna asked if that would be fair in light of all of the responsibilities in Parks & Recreation. Baker said yes, and they would do a good job, and the funding would have to be kept separate because the \$1 is a dedicated fund and it would be separated between streets and parks.

Salva reviewed the inventory of mowers, how and where they are used, as well as the age and condition of the equipment. Pictures were presented; information is on file in the City Clerk's Office.

Salva said in parks, they proposed eliminating a tractor and a Woods mower, and are substituting a tri-deck mower. The original cost in the budget was \$50,000 but it was later found they could take advantage of the State contract for a John Deere tri-deck, eleven foot, diesel, four wheel drive mower for \$35,000 instead of \$50,000. It is hoped the difference in funding can be used to add a 72 inch mower under the State contract for \$15,000, which stays within the total dollar amount requested. Salva said a similar situation exists in athletic and landscape, and they hoped to spend \$2,000 to repair an existing mower so this would be an additional mower, rather than a replacement. The savings would be used for one mower and two trailers. Mayor Powell asked if the trailers would cost \$3,000 each. Salva said they prepared specifications for dual axle trailers that could handle two small mowers or one of the tri-deck mowers. Hanna suggested staff exercise caution in the specifications because the axles can come apart.

Salva said the lakes division has \$50,000 for construction and improvements, and those improvements have not been identified, although this appropriation has been a standard practice. He said since this is a tough budget year and since there are problems getting the mowing done, they would suggest using \$37,000 of that \$50,000 to buy two mowers, additional radios, an ice machine, air compressor, and water tank, and use \$12,300 for capital improvements. Salva said this is a significant change from the past policy and it was offered as a suggestion to help the division.

Salva said the purchases for the cemetery are funded from the cemetery care fund. It is believed that over \$300,000 can be transferred from the perpetual care fund into the cemetery care fund, which will allow the Cemetery Board to decide if they want to start a capital improvement program or invest the money or purchase new land, and Council would have significant input on that. The cemetery would receive a new backhoe which had been addressed at a previous Council meeting.

Salva said the capital outlay in this current budget year was \$498,000; the request in the preliminary budget was \$698,000 and the preliminary budget shows \$321,850. He said that is obviously a cut, and they can make do with it and asked to be allowed to use it to the very best extent possible.

Administrative received a 17% increase as two employees are being transferred from another activity; RSVP has a 25% decrease as they would be losing a clerical position. Arts & Humanities is plus 6% due to funding for the International Festival in lieu of charging an entrance fee, as well as last year a part time position went to full time. Recreation Services is minus 4% due to a capital outlay reduction and moving a clerical position to administration. McMahon Auditorium is up 16% due to the costs of electricity and fuel, over \$14,000 has been transferred into that budget this year due to high costs for electricity and gas, and there is a \$10,000 repair, tune-up and maintenance cost for the grand piano. Lakes show a 14% decrease due to no major capital improvement program and a capital outlay reduction. Senior Services is plus 9%; one part time position is being moved from Recreation Services to Senior Services, and since this is a new budget they are fine tuning how much is needed to truly serve the needs of the seniors in the program. Park Maintenance is minus 4% due to the loss of two staff members and the reduction in capital outlay. Cemetery is plus 21% due to capital outlay and it does not come out of the general fund. Athletic and Landscape Maintenance is up 12% due to the number of part time positions Council approved to go from three

months to six months, and there is a request for a significant increase in overtime to produce all of the co-sponsored tournaments Council approved.

Hanna asked if an employee who takes care of Athletic and Landscape Maintenance is leaving. Salva asked if he was referring to the supervisor and Hanna said yes. Salva said he spoke with him today and he is sleeping on it, the supervisor of ballfield maintenance, they met today and had a good talk and he is sleeping on it, and it is assumed that his wife is encouraging him and there are other endeavors he wants to take part in and he feels comfortable in leaving and he hopes the job can be transferred to one of his subordinates, but to his knowledge after talking with him at great length today, it is on the best of terms.

Salva said Building Maintenance is down 7% due to capital outlay reductions.

Baker said he had recommended a cut for the Museum, and obviously the Museum does not like it and he is receiving feedback on that, but this was part of the reduction to balance the budget. Purcell asked how much they requested and how much was reduced.

Mayor Powell said this will be the last budget to be reviewed this evening.

David Miller, Chairman of the Museum of the Great Plains Trust Authority, said they requested \$530,000 originally. The budget last year was \$505,000, there was an additional \$10,000 for the replacement of a fire alarm system. In addition, Council allocated \$20,000 to cover utilities, so the total budget last year was \$535,000. Miller said the Trust Authority would like to request the \$505,000 for this coming year, which would be last year's allocation minus the additional expenses funded through the year. He said last year was the first year they had operated the entire museum, both the old and new parts, and they were obviously blindsided by the higher utility costs so that has been built into this year's budget. Staff was reduced by five positions.

Purcell said this is \$30,000 more than was included in the preliminary budget. Shanklin said it should be kept off to the side because it will be funded.

Shanklin asked how many pickups and vans are being replaced in Parks & Recreation. Salva said they are replacing a four wheel drive pickup in the lakes division. Shanklin asked the age of the pickup. Bobby Benoit said it is a 1983 model and he discussed a 1996 model that has required maintenance and suggested it be replaced next year. Devine asked if the vehicles are traded in. Benoit said they are usually auctioned off.

Baker said Council has just received information showing capital outlay was requested by the departments and what has been recommended in the preliminary budget. The items in the gray shaded areas are items Baker deleted from the preliminary budget.

Salva said Mobile Meals is shown under Senior Services for \$40,000 and they requested an additional \$15,000 due to inflation and the cost of the meals being increased. Baker said the Marriott Corporation, which provides the food, is going up on the price of a meal from \$2.20 to \$3.08, so they are requesting the additional funds to continue to serve about 1,900 meals per month, and if they do not get the funds, he assumed from their letter that they could not feed as many people. Shanklin said the quality of the meal may decline. Baker was asked to get additional information prior to the next meeting on the exact cost increases and how they would be impacted by not receiving the additional funding.

There were no questions on the Arts & Humanities budget and they were commended for their work.

On Sports and Aquatics, Purcell asked if the City is able to get eight lifeguards for \$6.90 per hour. Salva said yes. Hanna said Fort Sill pays \$8 per hour. Salva said the City offers more hours than other pools, so others pay more but do not guarantee as many hours as the City.

Hanna asked if scorekeepers are paid \$6.90 per hour and if that includes babysitting. He said he watched a game where the scorekeeper spent more time taking care of children than taking care of scorekeeping. Salva said that would be taken care of.

Mayor Powell said he had written that the Museum needed an additional \$30,000. Shanklin suggested including the Museum request, as well as Mobile Meals, in the budget. There was no disagreement.

Baxter said the Lakes budget was written through with requests for items that apparently were not needed two months ago when the preliminary budget was being done, so he would suggest taking the \$30,000 from the Museum and the \$15,000 for Mobile Meals from that division's budget for the construction and improvements. Shanklin said that \$50,000 was put in to have money to match funding and we did receive some not too long ago after he took Mr. Cofer into Mr. Baker's office and we got about \$130,000, but you have to have the seed money to get that. Baxter asked if the Lakes request for the additional items would not be approved. Purcell said he agreed with Shanklin that the \$50,000 was for matching fund opportunities, and one year we got about three times that

amount back in improvements. Shanklin asked if anyone had been trying to get any grants. Baker said Public Works had been actively pursuing grants for the lakes.

Purcell said he was not in favor of giving the equipment if the \$50,000 is needed for matching funds and did not support using it for equipment if there was a possibility of receiving matching funds. Shanklin suggested Mr. Shahan contact Mr. Cofer to see if there are any grant funds available. Baker recommended leaving the \$50,000 for matching funds and said it has been a long standing commitment of previous Councils and has enabled work to be done that would not have otherwise have been done.

Haywood asked where the ice maker and sofa will be placed in Senior Services. Salva said the ice maker is for the Benjamin O. Davis Center and the sofa is for the Pleasant Valley Center.

Shanklin said he understood Baker was interested in going back to lake rangers, and we are spending \$529,000 on lakes, plus \$180,000 or \$210,000 for police patrol of the lakes. Baker said he was getting information on the actual costs of providing law enforcement at the lakes and would look at options. It was noted that 50 tickets were written last weekend, compared to 50 tickets being written all year at the lakes last year. Baker will continue to research this subject and report to Council at a later date.

Purcell said on Park Maintenance he could not support buying items from rolling stock funds. He asked if Council supported adding the 72 inch mower with the savings to be realized from the tri-deck mower. Shanklin asked if the \$50,000 was just a ball park figure or if that amount was quoted by someone. Salva said Toro quoted it. Hanna said that is the best mower. Council indicated general agreement with staff recommendation.

On the Cemetery budget, Baxter expressed appreciation for the \$50,000 backhoe because no one should have a funeral service held up due to lack of equipment. Mayor Powell noted the extensive damage to the cemetery due to the recent wind storm. Parks & Recreation was allowed to make changes to their budget as indicated due to the savings in cost for tri-deck mowers. Purcell noted his objection throughout to purchase of items from rolling stock funds. Devine noted \$400 was included for a 14 foot aluminum ladder which seemed extreme.

Salva said building maintenance would be spending time inspecting roofs of City buildings and thought they may need to include an appropriation in a 2005 capital improvement program to make repairs and replacements in this area.

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

Mayor Powell encouraged advance purchase of Centennial books tonight at \$37.50 as the price goes to \$42.50 tomorrow.

Purcell asked about future meetings. Mayor Powell said the next budget meeting is June 4, and the June 7 budget meeting, which was cancelled, may be held as the AUSA banquet was cancelled.

Shanklin said the City of Norman includes a fee with the cost of a new home to improve the water and sewer plants and that something like that could be considered in the future for Lawton.

Haywood thanked the Salvation Army, Public Service Company and the City employees for the work done in Ward 7 during the storms.

There being no further business to consider, the meeting adjourned at 8:50 p.m. upon motion, second and roll call vote.