

Meeting of 2003-4-29 Special Meeting

MINUTES
SPECIAL CALLED MEETING
LAWTON CITY COUNCIL
APRIL 29, 2003 5:30 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBERS

Mayor Cecil E. Powell, Also Present:
Presiding Larry Mitchell, City Manager
John Vincent, City Attorney
Melody Cudd, Deputy City Clerk

The meeting was called to order at 5:55 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: Randy Bass, Ward One
James Hanna, Ward Two
Robert Shanklin, Ward Five
Barbara Moeller, Ward Six
Stanley Haywood, Ward Seven
Michael Baxter, Ward Eight

ABSENT: Glenn Devine, Ward Three
Amy Ewing-Holmstrom, Ward Four

BUSINESS ITEMS:

1. Consider approving plans/specifications and awarding a construction contract to the lowest responsible bidder for the Fire Training Center Re-roofing project #2003-8.

Jerry Ihler, Public Works Director, said on March 17, 2003, severe hail damage was caused during a storm to the roof of the fire training center located in the 1700 block of SW Lee Boulevard. Bids were let on the repair of this project which were opened today. Ihler said the entire roof system needs to be reconstructed and in order to prevent further damage, the reconstruction must begin soon. It is the recommendation of Public Works to award the repair work to the lowest responsive bidder, Marlow Roofing of Marlow, Oklahoma, in the amount of \$28,270. Four bids were received and local preference is not considered in construction contracts. John Vincent said State Statute and Lawton City Code do not require local preference on construction contracts. Mayor Powell asked about the emergency on this project and Ihler said the contractor indicated a start date within two to three weeks and it would take that long to get materials ordered and delivered.

MOVED by Haywood, SECOND by Baxter, to award a construction contract to Marlow Roofing, Marlow, Oklahoma, for the Fire Training Center Re-roofing project # 2003-8. AYE: Moeller, Haywood, Baxter, Bass, Hanna, Shanklin. NAY: None. MOTION CARRIED.

2. Continue a consolidated planning workshop, receive briefings from the remainder of the public service organizations on requests for funding in the Consolidated One-Year Action Plan for FFY 2003 (Draft), consider requests for Community Development Block Grant (CDBG) and Home Investment Partnership program (HOME) funding and provide guidance for development of the plan. Exhibits. None. The consolidated One-Year Action Plan for FFY 2003 (Draft) is on file in the City Clerk's office.

Mayor Powell introduced item and read title saying each organization would be allowed five minutes to speak. Court Newkirk was called to speak first.

Court Newkirk spoke on the Lawton View neighborhood regarding the Hagggar building for use by a local audio cabinet maker who was looking to expand his business locally. Newkirk stated this grant would be used for asbestos abatement while the loan would be used to repair the roof and refurbish the interior of the facility saying the loan would be repaid with interest and be available for future City and CDBG projects. Once established, this business would hire low to moderate income citizens of Lawton, with first consideration being given to Lawton View residents. These employees would be trained on site and their hourly rate would be based upon knowledge and ability to perform the duty as required. Newkirk said if the full amount of the grant request was not used, the

balance would be returned to CDBG and not applied to other aspects of the project. This new business would employ fourteen to fifteen citizens. In addition, the manufacturer is debt free and the loans are structured to ensure that his debt payment does not exceed his current capabilities. The project is supported by a number of partners. The mortgage holder is currently the bank while the title is held by the Lawton Industrial Foundation, which is working with other lending institutions, which have agreed to take a second position to the City on the note. This owner desires to expand while consolidating his operations under one roof.

Moeller expressed concern regarding \$25,000 being taken away from the public sector by LIF and asked how the funds were being used in the economic development project. Aplin said additional funds for the public service cap were in the contingency funds and were not being used by the economic development project.

Shanklin asked what the company would produce and Newkirk said they would provide audio cabinets for semis, trucks, automobiles, and home use and explained this to be a one time request.

Annette Dawkins of the North Side Chamber of Commerce spoke saying since 1993 to date their clients are comprised from a group of individuals in which others are uninterested in serving saying their goals are to encourage and assist building productive working relationships and just simply to be the voice for small businesses, woman owned businesses and minority owned businesses. She pointed out that nationally, for every \$35,000 that is lent out to small business, the standard is one job will be created and using the \$72,000 in funding from the CDBG program for this fiscal year, she has created five full-time permanent jobs, retained two full-time permanent jobs, and facilitated \$275,000 of funding while this organization targets low- and moderate-income families, they have delivered every year they received funding which benefits the City of Lawton.

Shanklin asked if this organization would need to be subsidized from now on or are dues are being received.

Dawkins said the organization received CDBG funds, state funds and are funded through the state ethnic minority and can only provide assistance to those who are low to moderate income individuals. She said the seeds program, which is a program for the very low income, is to assist those individuals use their skills and requested this funding for her organization.

Moeller said the requested funding is \$7,000 less than last year and asked how the organization would continue to work with less funding. Dawkins said the organization would be greatly affected but the programs would continue to provide the best possible service.

Charles Webber, Wichita Independent Living Center, said his organization provides a variety of services to the disabled and teaches living skills to individuals with disabilities, as well as loan equipment to those who are unable to purchase needed equipment. Residents who are low to moderate income often have to rent and live in areas not appropriate for their needs which do not allow them to be independent. Wichita Independent Living Center's request was \$ 30,000 to assist the program which will pay a maximum of \$5,000 per project. These numbers compare services to persons and between August 10, 2002, to August 11, 2003, a large number of persons will have been assisted in this program.

WILC is asking for \$30,000 all of which will go into labor and materials in an effort to make housing accessible to consumers which fifty-one percent of them having disabilities. Local businesses have agreed to give discounts on material purchases to help meet budget requirements and the HAMPs program provides many services to low/moderate income citizens. 180 persons have been served from August to March of this year and the board and staff represent a diverse population.

Moeller asked if the \$10,000 approved in last year's Consolidated One-Year Action Plan had been used in the manner he described. Webber stated the money had not been released from the City.

Mayor Powell asked if there was anyone in the audience to provide a presentation and ask for Council to give direction on the plan as presented.

Aplin said the competitive bidding process was used and given the fact \$69,000 had been cut, from the overall CDBG budget; several different areas within the City's CDBG budget were also cut while funding is recommended at the levels reflected on the report and no attempts had been made to allocate all of the funds. This Consolidated One-Year Action Plan reflects the priorities in the City's %-Year Consolidated Plan and there are contingency funds for unplanned allocations.

Shanklin asked about demolition assistance and Aplin said it was listed on the spreadsheet handed out to the Council. The money was for low- and moderate-income property owners. Moeller asked about funding for Meet the Needs on line 24 and stated that according to the staff recommendation, they were not recommending funding for this year. Aplin said that the staff had not ever recommended funding for Meet the Needs, because they provided duplicate services or services not listed in the Consolidated Plan. He further stated that the applications were reviewed by four different people who had given the project a 65 (out of 100). Moeller asked if any other organization in Lawton provided school supplies to the city schools and asked if duplicating services was being

done in other areas and considers this to be a low priority consideration where our children are concerned saying she places children as a high priority where that service provided by Meet the Needs is concerned. Aplin stated he was not aware of any that provided that service. Moeller said to those students receiving the supplies, it was a priority. She said continuing this support to our children was a high priority.

Hanna said food for the needy was also a priority and asked if other agencies were providing food. Baxter said there were a number of agencies in the community providing food for the needy, to include the Lawton Food Bank, the Salvation Army and the Armed Forces YMCA. The Council agreed to spread the money to more organizations.

Baxter said people in the community had to apply for the money in advance and if they didn't apply, the Council could do nothing for them. He added there are people out there not going to be given dollars because they didn't apply. Aplin stated everybody who applied received a portion of the available funds which was reflected on the report and there were more applicants last year and, as a result of the discussion, City Council came to the agreement the competitive bidding process would determine who received funding.

Aplin said if you consider a project this way, it provides a means for you to evaluate each project annually to determine needs of these projects and make decisions on where the money could be best used. Mayor Powell asked if everyone had looked at column K on the funding spreadsheet. Moeller suggested the difference between line 20 and line 31 of column K in the amount of \$26,588 be given to Meet the Needs. (Note: that difference is the difference between the staff's funding recommendation under Proposal #1 and the cap on public service funding).

Discussion was held on the spreadsheet displayed through the computer and projected on the wall. Aplin clarified that columns D, E, and F on the wall spreadsheet corresponded to columns K, L, and M on the handout.

Ms. Eileen Johnson, Executive Director of United Way, expressed disappointment that the Council was considering funding an organization not recommended by staff. She chastised Council for ignoring staff's recommendation, refuting work put in by staff. She asked they reconsider who would receive funding and eliminate those organizations whose stated goals and objectives were not reflected as a priority in the Consolidated Plan.

Baxter stated Meet the Needs scored high enough to be above the minimum required score to receive funding.

Bass asked when the new scoring application had gone into effect. Aplin said this was the first year of the application and stated the application was distributed to each member in late fall. He stated that using the new scoring system and the Consolidated Plan priorities, Meet the Needs had not received a high enough score to recommend funding.

Resident of 2336 NW 46th Street, spoke on behalf of Meet the Needs, commending the organization for helping her keep her family together and keep her job by providing her a car with which she was able to continue working and getting her children back and forth to school. She said it was a worthwhile program, which had benefited her greatly.

Mayor Powell asked the Council to provide guidance and direction to the HCD staff for the preparation of the Consolidated One-Year Action plan. Moeller asked that Northside Chamber of Commerce receive the additional \$7,000 they had originally requested, for a total of \$72,000. Discussion was held to move the additional \$7,000 from the contingency funds to the project. This additional action reduced the total in the contingency fund to \$62,887.

Shanklin suggested no action be taken on the matter at this time in order to allow the new council members the opportunity to vote on the issue. Mayor Powell said this was an issue started by the current Council and he requested it be completed by this Council and reminded Council the plan was due to HUD no later than May 15, 2003. Mayor Powell commended the Housing and Community Development staff for being prepared and providing appropriate information to the Council to assist in the decision-making process.

3. Hold a public hearing to consider the Consolidated One-Year Action Plan (COYAP) for FFY 2003, receive input from citizens, and provide direction for development of the final plan. If appropriate, pass a resolution authorizing the Mayor and City Clerk to execute the documents to submit the plan to the U.S. Department of Housing and Urban Development (HUD), to execute the Grant Agreement upon receipt from HUD, and to execute all related documents required by HUD to implement the CDBG and HOME programs. Exhibits: None. Draft Resolution 2003 - ____ and the Consolidated One-Year Action Plan for FFY 2003 (Draft) is on file in the City Clerk's office.

Baxter asked to verify the numbers on the final record as amended by Council. Aplin said Column K would be revised to show the recommended amounts.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Hanna, SECOND by Baxter to approve Resolution No. 03-78 authorizing the filing of Consolidated One-Year Action Plan for FFY 2003 as amended by Council, and authorize the Mayor and City Clerk to execute the Grant Agreement and implementing documents. AYE: Baxter, Hanna, Shanklin, Moeller. NAY: Bass. ABSTAIN: Haywood. MOTION

FAILED TO ADOPT RESOLUTION.

Vincent said approval of this Resolution required five affirmative votes. Mayor asked for further discussion and consideration. Baxter asked Bass if he preferred voicing a different motion.

MOVED by Baxter, SECOND by Hanna, to reconsider the item and revoke. AYE: Baxter, Bass, Hanna, Shanklin, Moeller. NAY: None. ABSTAIN: Haywood. MOTION CARRIED.

MOVED by Baxter, SECOND by Moeller, to approve Column K as amended, provide funding as requested, and approve Resolution No. 03-78.

(Title read aloud) Resolution No. 2003-78

A Resolution Authorizing the Filing of Consolidated One-Year Action Plan for FFY 2003, with the U.S. Department of Housing and Urban Development (HUD), which applies for Community Development Block Grant and HOME Investment Partnerships (HOME) program funds as provided in Title I of the Community Development Act of 1974, as amended, and authorizing the Mayor and City Clerk to execute the Grant Agreement and implementing documents.

VOTE ON MOTION: AYE: Bass, Hanna, Shanklin, Moeller, Baxter. NAY: None. ABSTAIN: Haywood. MOTION CARRIED.

ADDENDUM:

1. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2003-2004 between the Police Union, IUPA Local 24, and the City of Lawton, and take appropriate action in open session. Exhibits: None.

MOVED by Baxter, SECOND by Moeller, to convene in executive session as shown on the agenda and recommended by the legal staff after a two minute recess. AYE: Hanna, Shanklin, Moeller, Haywood, Baxter, Bass. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at 7:00 p.m. and reconvened in regular, open session at 7:20 p.m. with roll call reflecting all members present except Devine and Ewing-Holmstrom.

Vincent read the title to Item Addendum 1 stating the Council convened in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2003-2004 between the Police Union, IUPA Local 24, and the City of Lawton, and no action required at this time.

ADJOURNMENT.

There being no further business to consider, the meeting adjourned at 7:23 p.m. upon motion, second and roll call vote.