

DEPARTMENT

Chief Harold Thorne introduced Margaret Avery, President of the Citizen s Police Academy Alumni, to a present a donation to the City. He said one program started last year is the Citizen s Police Academy, a program where citizens of Lawton are invited to come into the Police Department and are shown them how the department functions, what they do and why police officers respond to things in a certain manner. This gives us the opportunity to educate the public about us, what citizens pay for and what they give to the police department.

Thorne said at the time of our first academy class, we had to retire two of our patrol dogs. The Citizen s Police Academy Alumni was formed beginning with our first Citizen Police Academy; they, as a fundraiser, undertook the task of soliciting donations from the citizens and businesses of Lawton, for funds to purchase two patrol dogs. The funding was not within the City budget, it s not expected to be in the City budget for some time. Last March, they donated \$7,000 to the City for one patrol dog, which as been purchased and are here tonight, with an additional \$7,000 to purchase a second dog. Thorne said he can t thank the citizens and businesses of Lawton enough for their generosity and assisting us in a time of need, by replacing those dogs, which are invaluable. The dogs can do the work of many officers in a crowd situation. A patrol dog is crossed trained in search, both for persons and also by scent; they re a narcotic detector dog, trained in handler protection and crowd control.

Avery presented the check to Mayor Powell and said this the is the second check for the second dog and wanted everyone to know the Citizen s Police Academy Alumni Association intends to be in this position many more times.

They have a planning party in July and August to plan fundraisers and what they will donate to the police department. They intend to be up here several more times and invited everyone to come join them; the next class is in September.

Powell, on behalf of the City Manager, Council and residents of the Lawton Ft. Sill community, thanked the Citizen s Police Academy Alumni for what they have done. He said those citizens who gave freely to make this happen, to make this a safer city, lead by a great police department, we are indebted to and thank them.

AUDIENCE PARTICIPATION:

Carlos Ard spoke for the support of Lawton City workers. He said he retired in 1969 and the City has been nothing but a friend to him. He comes to City Hall, visits various departments and everybody treats him like a family member. He said he is very grateful to our Fire Department; a couple years ago, he had passed out in his home.

He said he was a fireman once but never thought he d have to call on another fireman to save his life. His wife called 911 and when he woke up the fire department was over his head breathing oxygen and life into him Ard said normally you don t miss a doctor when you re not sick, but wanted to put in a supporting word for our fireman. He said it takes \$20,000 to \$30,000 probably to train a good fireman, it takes a special person. He said it disturbs him when we talk about getting rid of them. We have had more disasters this year in America, than anytime in history, according to records. We never know when we might be another casualty. The fireman, police and other City workers do so much for us; when he left his home in the morning, there was a pile of trash in front of his home, when he got back, it was clean. These people are working for us 24 hours a day and he wanted to come to Council to tell them he appreciates our City workers.

Charlie Gifford spoke on the safety and health of our senior citizens. He said they put Council here to represent the people fair and equally. On Friday, May 19, 2000, he presented a petition to the Mayor for Disabled Americans and our senior citizens; that was three years, one month ago. There were 56 signatures and it was ignored. Here we are, three years later, wanting some respect and needing people who will help. He said we are old, but we vote.

When we call 911, we need a policeman, we don t want to be put on a waiting list saying we ll get you at the next available time. He said our police officers are dedicated and know what they are doing. If one of our senior citizens get down in their apartment or house and can t get up, our firefighters come in there and help them. He said he doesn t ask for respect, but, these senior citizens, give them respect, give them a little bit of courage, give them a little bit of help, let them get out of their apartments, to go to their community centers and communicate with others, do things and be a good citizen to one another. He said he can t speak for everyone, but he hopes Council listens tonight to all the senior citizens, because they will remember them on election day.

An unidentified woman presented two petitions to Council. One was signed by all the members at B.O. Davis, Town Hall and Pleasant Valley in one day, there are 40 signatures. The other petition was signed for the seniors by employees at Southwestern Hospital. She asked why they are always first on the agenda to be cut. She said they have had fewer trips, less crafts and many times bring things from home into the centers to do crafts; we do understand budget crunch, most of us have had our medication doubled or tripled since Medicaid has had trouble.

She said please don t deny them what is their last lifeline; they are all in line for essentially, death or nursing homes and this gets them out of their apartments. This gets uses their creativity; most of their handcrafts are designed for eye and hand coordination.

AUDIENCE PARTICIPATION CLOSED

CONSENT AGENDA: Separate consideration was requested for Item 21.

MOTION by Hanna, SECOND by Patton, , to approve the Consent Agenda items as recommended with the exception of Item 21. AYE: Hanna, Devine, Shanklin, Patton, Warren, Bass. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for denial: Oklahoma Farm Bureau and Louise E. Ford.
2. Consider the following damage claims recommended for approval and consider passage of any resolutions authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00; Tom Pixton, Jr., Susan Anderson, Southwestern Bell, Alfred and Margaret Williams, and Harold and Sonja Rodgers.

(Title Only) Resolution No. 03-98

A Resolution authorizing and directing the City Attorney to assist Susan Anderson in filing a Friendly Suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess Judgment therein in the reduced amount of Six Thousand Eight Hundred Eight and 62/100 Dollars (\$6,808.62).

(Title Only) Resolution No. 03-99

A Resolution authorizing and directing the City Attorney to assist Alfred H. and Margaret F. Williams in Filing a Friendly Suit in the District Court of Comanche County, Oklahoma, against The City of Lawton; and authorizing the City Attorney to confess judgment therein in the amount of Four Hundred Sixty Nine and 72/100 Dollars (\$469.72).

(Title Only) Resolution No. 03-100

A Resolution authorizing and directing the City Attorney to assist Harold D. and Sonja E. Rodgers in filing a Friendly Suit in the District Court of Comanche County, Oklahoma, against the City of Lawton; and authorizing the City Attorney to confess judgment therein in the reduced amount of One Thousand Three Hundred Ninety and 22/100 Dollars (\$1,390.22).

3. Consider ratifying the action of the City Attorney and City Manager in not making an appeal in the Workers' Compensation case of Thierry Schroeder in the Workers' Compensation Court, Case No. 2003-00575-Q.
4. Consider authorizing payment for the parcels of land indicated below which have been previously accepted by the City Council for the NW 38th Street Reconstruction Project.
5. Consider granting a Permanent Easement to Southwestern Bell Telephone Company for an equipment station to be located in Lot 5, Block 1, Country Club West Addition, Part One, and authorize the Mayor and City Clerk to execute the Permanent Easement.
6. Consider awarding a construction contract to Miller Construction & Son's, Inc. for the Ranch Oak Waterline Replacement Project #2002-16.
7. Consider approving Change Order No. 5 for the Eastside Community Park Project #2000-19 with T & G Construction, Inc. Exhibits: None.
8. Consider approving Change Order No. 1 for the Fire Station # 5 Relocation Project 2000-17 with Wicker Construction Co., Inc.
9. Consider authorizing the Mayor and City Clerk to execute a Cooperative Agreement with the Oklahoma Department of Wildlife Conservation (ODWC) for the construction of Lake Helen Fish Habitat and Access Improvement Project #2002-10.
10. Consider approving the Proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board, the U.S. Geological Survey and the City of Lawton and authorizing the Mayor and City Clerk to execute the agreement.
11. Consider approving a Resolution authorizing the installation or removal of traffic control devices on NE Cache Road, NW Pershing, NW Victory Blvd., NW Lindy at 17th Street, NW 24th Street at Ozmun, NE 9th Street and Rogers Lane, 45th Street, NW 67th Street from Quannah Parker Trailway to Rogers Lane, NW 26th Street at "C" Avenue, NW Woodland Drive.
12. Consider denying requests for the installation of traffic control devices at NW Crosby Park Blvd. and Quannah Parker Trailway and at NW Lindy and 22nd Street.
13. Consider accepting donation of funds for purchase of police dog.
14. Consider approving the following contract extensions: Rental of Motor Grader with Hertz Equipment Rental (Item 1) and Kirby-Smith Machinery (Item 2); Group Health and Dental Plan Administration Services with Managed Health Resources; and Fire Hydrants with Oklahoma Contractor's Supply.

15. Consider awarding contract for Employee Physicals/Drug Screen Testing to The Center for Occupational Health, of Lawton, OK.

16. Consider awarding contract for Life Insurance to Canada Life (thru Managed Health Resources Agency) of Oklahoma City, OK.

17. Consider awarding contract for Repair Clamps, Bell Joint Clamps and Steel Couplings to Wichita Pipe and Supply, of Wichita Falls, TX, and Pioneer Supply of Moor

18. Consider awarding contract for Testing Services to QuanTEM Labs, of Oklahoma City, OK.

19. Consider approval of payroll for the period of May 26, to June 8, 2003.

20. Consider approval of Minutes of May 20, 2003, Special Meeting; May 27, 2003, Regular Meeting; May 29, 2003, Special Meeting, and June 3, 2003, Special Meeting.

Vincent said Item 21 was inadvertently put on the Consent Agenda, but this has been tabled twice, it has to do with the sewerline at SW J and 38th Street, this should be under old business.

OLD BUSINESS:

21. Consider a request for a revocable permit to allow the installation of a sanitary sewerline along SW J Avenue near SW 38th Street.

Bass said he spoke with Mr. Ward earlier today and is going to try and get him to go ahead and purchase the property across from there so he can get the easement from them. According to Mr. Bigham, they have a 10-foot right-of-way where the DEQ can't have water and sewer lines together. He asked to table this one more time until Mr. Ward can have a chance to see how much it will cost for the easement.

Powell said the last time this was discussed about a sewer line out there, he mentioned there was a manhole across the street and he just happened to be going down that street and people were out there working and that manhole is dead, however, up the street, within 50-70 feet of it, there is a live manhole. He said the workers on site at that time stated in all probability that was plugged at the end, before it drains into the middle of the street. So there is sewer in that area.

MOTION by Bass, SECOND by Devine, to table Item 21 till the next Council meeting. AYE: Devine, Shanklin, Patton, Warren, Bass, Hanna. NAY: None. MOTION CARRIED.

BUSINESS ITEMS:

****ITEM 31 WAS DISCUSSED AT THIS TIME**

22. Hold a public hearing on the Proposed Budget for the fiscal year July 1, 2003, through June 30, 2004.

Mitchell said he didn't have any additional comments; we've made the presentation on the preliminary budget and follow up workshops for both revenue and expenditure recommendations.

PUBLIC HEARING NOW OPENED

Ann Jennings speaking for the senior citizens centers, suggested a fundraiser twice a year to sell what is made at the centers to bring in money to fund supplies. She read a letter from William and Mary Baxtrum of Jackson, Florida, former residents of Lawton. They stated their support of the senior citizens and centers.

Deborah Sellers, a 30 hour per week Recreation Aide for the Senior Services Division of Parks and Recreation, said the decision being made on the Senior Program is unfair. She said unless invited to a special luncheon, which some Council members have attended, you have no clue as to what goes on in our centers on a daily basis. On more than one occasion, we have heard the words essential and non-essential being used; she asked if Council could honestly tell how they can label one program over the other, essential or non-essential. The Senior Program offered by the City is essential and the hours we dedicate to the program are also essential. She said they may not provide the emergency services the police and fire provide, but do provide an essential service to the senior citizens of Lawton, which keeps them from sitting at home, becoming depressed and waiting to die. Sellers said she currently is the only Recreation Aide floating between three centers. Her workday starts at 8:00 a.m. picking up seniors who have called in for a ride and transporting them to the appropriate centers they wish to participate at for that day. She relieves all three centers for lunches, when needed, and at times is called away from the centers to do other activities for the Parks and Recreation Division. She said at 2:00 p.m. she picks up the seniors

to take them back home. In addition, she checks the upstairs facility of Carnegie Library Town Hall and if anyone has reserved a room, she takes care of the reservation, by booking the appropriate date requested and being in the building on the day of their event. The proposal is to cut her from a 30-hour workweek to a 20-hour workweek, but is still to continue to provide a quality service to the senior citizens and citizens of Lawton on this shortened schedule. Why not look further into the sports division of our department? Why not make the schools responsible for paying the gym custodian for that one night practice, which would save another \$8,000, and make them responsible for their own officials. She said it is the responsibility of a team to provide and pay an official for their soccer game.

Jackie Hendrick, works in the Senior Services Division of Parks and Recreation and spoke for the senior citizens. She has worked with senior citizens for 20 years. She said working with the seniors in the center or on trips, she gets a chance to help improve the quality of life, give them someplace to go, teach them something new, give them a chance to socialize with someone they trust, to do right by them, stand by them, when needed, and referee when required. Hendrick said their seniors makes quilt blankets, put together at the centers, and gives them to nursing homes. She said if you have seen the other side of the door, as she has, in a rehabilitation center, and seen them come in depressed, it is hard. She spoke of one of her seniors, who has come and tried to do what she can, everyday, for the last two years. Bad health has hit her hard; the doctors said she wasn't expected to live past February and she is still here. She shows up on Mondays and that is all, her daughter comes and helps her, Hendrick said she wasn't going to turn her away.

Albert Johnson said when he walked into Patterson Center, he could see the anxiety and frustration on the faces of the senior citizens. He had heard about closing the center from the youths of the neighborhood. He has talked with the Mayor and some of the Council members and understands there are some Council members who are strong on closing the centers. These people have been in this community a long time and have helped the Lawton Ft. Sill Community to become what it is today. He said when you get along in years, they say you don't count, but we do count. There is a realization taking place over this nation; we're having money problems and we all have to be a part of the solution. Johnson said he supported Kim Shahan's plan. He said Lawton is on the move, why do we want to go backwards. The people in this community has elected you and entrusted you to do the right thing about the citizens in this community. Our young people are our future and our hearts; we draw all the wisdom and understanding from our senior citizens because they have been here.

Odessa Dangerfield said everything already said has been great. She suggested the employees who couldn't be furloughed, take the 2% cut. We need to get the sales tax on the ballot and make it sound so good the public will vote for it. Don't let city employees take their cars and trucks home, that is wasting money and wear and tear. If you look at this, you will see there are better ways to save money and not hurt so many people in our activity or recreational department. She reminded Council that they are reaching the senior side of life themselves and most have kids, grandkids and some great grandkids; what do they have to look forward to?

Karolyn Anders said she has worked for the City of Lawton, in Parks and Recreation for the past 11 years. She has worked her way up from a part time recreation aide to a senior center coordinator. There is a misconception about the participation in the senior centers. Many times the centers have been closed to help with recreation events, such as the fishing derby and sports events, such as major ball tournaments. With a small staff, the centers are closed sometimes due to vacations, mandatory classes or staff illness. She said they also go on trips, which uses only gas charged to the city and tolls. Our salaries are the same whether we are in that van taking seniors to Oklahoma City or in town. Anders said at least once a month she tries to plan a trip for the seniors to shop and eat out; they look forward to that, some of them don't have other ways to do this and enjoy the camaraderie of eating out together and being with a group. As for increasing revenues, the seniors are and have been willing to pay usage fees that no one will allow us to charge. The public donates many things in our centers, the city does not buy everything we use. Anders said a Council person asked why Carnegie Library Town Hall couldn't be closed down; that was one solution to cut down operating fees; that staff members could be shifted to another center so we wouldn't have to close so many days, in addition to lower utility costs in the building. She said the coordinator stationed in that center, is not the person responsible for the bookings or working the events, the part-time recreation aide is. Historically, Arts For All was allowed to use an office in the basement, rent free, because they also were in charge of the bookings and being there when people wanted to view the building. That could still happen as she is downstairs to this day.

Mitchell said he couldn't support Shahan's plan because he recommended transferring capitol equipment to his operating budget; he also recommended taking full-time positions and making many of them part-time positions, which isn't that much different than we were recommending.

James Stewart said it is not right to take benefits away from young, aspiring people, the enjoyment of life, in their youth; it is not right to take the aged citizens benefits away and put them in another department. There are two things that could happen with this: 1) if this proceeds and those things spoken about are cut, there will be a class-action suit and 2) a vote of the city would shake the foundations of this city; these people are not prepared to have their benefits and livelihood cut out, when other things could be done. These citizens and the young people are not responsible for the miscarriage of the budgetary and monetary process. Ask the City Council to cut their salaries.

Kathy Mercer said she has been in Lawton since 1991, and her daughter graduated here in 1997 and joined the air force and when asked about moving back to Lawton, she said why would she want to come back to Oklahoma.

Mercer said she loves Oklahoma, loves Lawton, and doesn't know what people don't love about it; there is things to do here, you just have to open your eyes. She said her mother came to Lawton in 1993. Her mother is terminally ill with a heart problem; she has a heart attack once a week and she struggles out of bed every week to go to the senior centers because she has other seniors to visit with. Mercer said she quit her job just to stay home with her. She said to raise her water bill \$4.50, she doesn't care, she'll pay it; raise her state tax, she doesn't care, she'll pay it. When her mother was in pain, she called Hospice of Lawton and they didn't want to come that day, they said we'd have to wait until tomorrow. When she called Duncan, they came right away. She is ashamed that Lawton Hospice did that and has complained about it. Her mother stays in bed for days at a time, then she gets up to go to these centers, so she is speaking on behalf of her mother. She had six months to live; that six months was up in February; now let her at least enjoy the rest of her life with her friends. She said before she quit her job, her mother was eating a hot meal there; at least the centers have a nutrition program where they can feed at least one meal a day. She is asking for a little respect because one day Council is going to be in her spot and will want your children and grandchildren to stand up for you and say let them have some fun before they go; let them have a hot meal instead of a can of dog food.

Claudine Lee spoke on behalf of the centers. They have a tutorial program for the children. If you cut the centers, there is no hope for these children, in addition to the senior citizens. She asked Council not to cut the centers, Lawton will definitely suffer.

Bobbie Morris commented on the reduction force of City employees; let's don't lay off people who are working for the City and doing good work for us, work we need. He said he has heard proposals for a water rate increase and tax increase. He said if Council would put themselves in the place of the people with families who depend on these jobs; think about what would happen if that happened to you. Find a way to raise funds that we can continue proceeding forward as some have already mentioned.

Bob Burger asked what value you do you put on a human life? He spoke about 100 year old lady in Pleasant Valley, that needed medical attention and would not let him call 911 until he called the center first. He said in her mind and as bad a shape she was in, that center was still her lifeline.

Al Caldwell asked about the Black & Veech water study and if it was accurate and if so, why haven't we adhered to it after adopting it last June? It would, in fact, provide a practical answer to our budgetary problems. It would raise the residential rates of all our water and he is willing to pay it, but let's do it fairly, apply it fairly, do it by the study we paid \$50,000 for. He doesn't know what why we haven't adhered to it. He said he asked this question about three weeks ago at another Council meeting and still hasn't had an answer. It certainly would help some of the people here with the problems we have.

Warren said he did get an answer to his question. He said that is a preliminary copy and there was a scribner's error and it should not be cubic feet, it should be gallons.

Caldwell said he has no objections whatsoever to those apartments being remolded; the objection to McShea he has is they are using a \$4 million tax credit and will end up with a \$6 million asset that they paid roughly \$2.8 million for.

Jimmy Lehew said he supports Shahan's proposal and he would be in favor of a 1 sales tax, it won't solve all our problems, but would take care of a lot of them. He said he would hate to loose any policemen, they have enough to do now and if we close these centers, they will have a lot more to do. He thanked Council for the job they are doing.

Renee Plata spoke about suggestions made during last year's budget process and why they have never come forward to this year. She said we seem to be in the same situation as last year. She said she wonders why we wait until the last minute for this to come around. She said Council put us in this situation, it wasn't the employees or people with illnesses, Council decided what was going to be paid and not paid. She said things aren't looked at long term; one situation with the water is the leak situations. When we adjust bills for people who come in and say they have underground leaks. All they have to do is go to a plumber who says they have an underground leak and we give them an adjustment. She said she doesn't know how much money is involved, but, in the past, it has been very abused. Still, it's something we are giving away; just like we are giving money away to the Chamber of Commerce to provide jobs.

Alicia Mitchell, the activity coordinator for Patterson Center, said the center has offered a lot of activities for not just the youth, but everyone in the community. We have three sites that have been in place for many years and to just close them all down, all at once, would be very serious with a lot of consequences and a lot of kids with no place to go. We are looking at youth, senior citizens and a large range of people. Our centers offer socialization, activities and different organizations use these centers everyday, volunteering their time and support whatever

activities we have. To have our kids lose that type of support would be very devastating.

Stacey Lefebvre spoke in support of the police and fire. She said she appreciates them, her father has been in it for 23 years, is engaged to a policeman and his brother is a policeman. She said what is going on is terrible, the first time something bad happens to her, she'll call 911 and hopes there will be enough officers to take care of her, or anybody, soon enough. We are 15 officers short and hears Council wanting problems solved with enforcement. She said if we are that many people short, how can things be enforced. She says at times, what we say is falling onto deaf ears with doodling being done constantly, nothing being heard. Powell said it is being heard and appreciates her speaking on their behalf and it's not falling on deaf ears. Lefebvre said to certain Council members it is, she said she was in the back observing what's going on and it seems useless. She said she does appreciate those who do listen.

PUBLIC HEARING CLOSED

MOTION by Hanna, SECOND by Bass, go take a 10 minute break (8:55 p.m.). AYE: Warren, Bass, Hanna, Devine, Shanklin, Patton. NAY: None. MOTION CARRIED.

Meeting reconvened at 9:05 p.m. with roll call and all present.

23. Consider adopting a resolution declaring that Ninety Percent (90%) of the budgeted and appropriated revenues for fiscal year 2002-2003 have been collected for the General Fund.

Endicott said it is required by Oklahoma Statutes we report we have collected in excess of 90% of our revenue at this point of the year, prior to us being able to continue to expend and appropriate the other 10%.

MOTION by Shanklin, SECOND by Hanna, to approve Resolution No. 03-99 declaring Ninety Percent (90%) of the budgeted and appropriated revenues for fiscal year 2002-2003 have been collected for the General Fund. AYE: Hanna, Devine, Shanklin, Patton, Warren. NAY: None. MOTION CARRIED.

*Bass was out of room during vote.

(Title Only) Resolution No. 03-99

A Resolution declaring that ninety percent (90%) of budgeted and appropriated revenues for fiscal year 2002-2003 have been collected for the general fund.

24. Consider the Lawton Chamber of Commerce & Industry proposed Hotel-Motel Tax Funded Budget for Fiscal Year 2003/2004.

Bass returned at 8:13 p.m.

Endicott said annually the Lawton Chamber of Commerce is required to submit to the City Council an annual budget and they are prepared to do that. Their contract is due to expire on June 30th and we will have that for you at the next Council meeting.

Scott Hatch with the Lawton Chamber of Commerce presented their annual budget. He said the request is for \$490,000, current year's allocation is \$460,000, so there is an increase of \$30,000. There are funds available, based on current year's collections, about \$585,000 in that fund for next year. We are requesting \$490,000 and understand there is \$55,000 budgeted for the museum and that leaves about \$40,000 left in that special revenue fund, if the \$490,000 is agreed on. He said the Hotel/Motel Tax collections have increased significantly by \$150,000 over the last three years or so. Primarily, the \$30,000 increase is to implement tourism study done and paid for the previous year, which was done at Council's request. There is not enough money to fund it in its entirety. Salaries are down from last year, due to turnover positions, hired at rates less than previous years.

Hanna asked what the Chamber of Commerce has done to bring in industry to the City of Lawton this year.

Corte Newkirk said the Chamber has assisted on approximately six different projects in the City of Lawton. There are two other companies probably coming in the future.

Bass asked what was happening with the Haggard Plant and what the time frame was on that. Newkirk said they were hoping for completion about the 1st of September.

Hatch said they are projecting about \$70,000 carryover from this year.

Mitchell said we will appropriate the same amount as last year.

Shanklin asked what the total budget for the Chamber was. Hatch said \$1,130,000.

25. Discuss the trash collection service provided to the citizens and provide direction to staff if appropriate.

Shanklin asked if everyone had seen the pictures he passed around. He said 95-97% of the people adhere to the City Code and use proper containers for their trash. Some still throw loose trash out, not using any containers. He said the foreman should drive down the road, when he sees trash thrown out like this, stop and go up to the house or take pictures. We need to put a stop to this and be able to do something about people doing this.

Warren said they don't experience this in his ward; they don't have alleys. If a storm blows down a tree, will the city pick that up? Mike Shaw said no. Vincent said the Code provides we will pick that up and charge them for it.

Powell asked Council to get back to Shanklin's question. He said maybe tell the City Manager and have the supervisor go out and pick it up. Shanklin said leave this up to the City Manager. Mitchell said he agrees, but we need to enforce this on everyone and not be selective.

Bass said if the trash is not contained, leave it with a note for them to properly contain their trash and we will come back and pick it up.

26. Hold public hearings and adopt resolutions declaring the structures at: 1601 1/2 SW Bishop Road; 902 SW E Avenue; 2108 NW 18th Street; 1510 NW 15th Street; and 2108 NW 19th Street to be dilapidated and dangerous, thus causing a blighting influence on the community and detrimental to the public's health and safety. Authorize the City Attorney to initiate legal action declaring a public nuisance in District Court and Neighborhood Services to solicit bids to raze and remove structures, if appropriate.

Mitchell asked for this item to be tabled since Angie Alltizer was unable to attend the meeting.

MOTION by Shanklin, SECOND by Hanna, to table Item #26 until the next regular Council meeting on June 24, 2003. AYE: Devine, Shanklin, Patton, Warren, Bass, Hanna. NAY: None. MOTION CARRIED.

27. Hold a public hearing and consider an ordinance changing the zoning from I-1 (Restricted Manufacturing and Warehouse District) to C-4 (Tourist Commercial District) zoning classification on property located at 1231 - 1237 SW Sheridan Road.

Bigham said this was located at the NW corner of Sheridan Road; 1231-1237 SW Sheridan Road, requesting changing zoning from I-1 to C-4.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Shanklin, SECOND by Hanna, to approve Ordinance No. 03-29 changing the zoning from I-1 (Restricted Manufacturing and Warehouse District) to C-4 (Tourist Commercial District) zoning classification on property located at 1231 - 1237 SW Sheridan Road. AYE: Shanklin, Patton, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

(Title Only) Ordinance No. 03-29

An Ordinance changing the zoning classification from the existing classification of I-1 (Restricted Manufacturing and Warehouse 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; authorizing changes to be made upon the official zoning map in accordance with this ordinance.

28. Consider Authorizing Application and Acceptance for a Department of Justice Community Oriented Policing Services (COPS) Homeland Security Overtime Program (HSOP) grant for police overtime pay assistance.

MOTION by Shanklin, SECOND by Hanna, to authorize application and acceptance for a Department of Justice Community Oriented Policing Services (COPS) Homeland Security Overtime Program (HSOP) grant for police overtime pay assistance. AYE: Shanklin, Patton, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

29. Consider adopting a resolution designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2003.

Shanklin said he has had a request from the Lakes and Land Commission asking for no shooting off fireworks from boathouses and they would like to have a public display from the center of the lake. Shahan said staff does not recommend any fireworks for safety reasons.

MOTION by Devine, SECOND by Shanklin, to adopt Resolution No. 03-100, designating places and times within municipal jurisdiction to discharge fireworks on July 4, 2003. AYE: Patton, Warren, Bass, Hanna, Devine, Shanklin. NAY: None. MOTION CARRIED.

30. Consider approving an agreement with Goodwill Industries of Southwest Oklahoma, Inc. to conduct the Circular Drive Project authorized in the City of Lawton Consolidated One-Year Action Plan for FFY 2002 (July 1, 2002 thru June 30, 2003).

MOTION by Shanklin, SECOND by Bass, to approve an agreement with Goodwill Industries of Southwest Oklahoma, Inc. to conduct the Circular Drive Project authorized in the City of Lawton Consolidated One-Year Action Plan for FFY 2002 (July 1, 2002 thru June 30, 2003). AYE: Warren, Bass, Hanna, Devine, Shanklin, Patton. NAY: None. MOTION CARRIED.

31. Consider adopting a City Council resolution to support an Oklahoma Affordable Housing Tax Credit (OAHTC) application by McSha Affordable Housing - Lawton N,LP to the Oklahoma Housing Finance Agency (OHFA) and authorize the Mayor and City Clerk to execute the document.

Tom Aplin stated on May 27th Council approved a Resolution for Phase 1 of this project. He said tonight, McSha Properties are asking Council to consider approving a Resolution of Support for a new construction project at 27th and J Avenue.

Shanklin said he didn't understand why a multi-million dollar project, in the private sector, has to have a \$3,000 grant from CDBG to be eligible. Aplin said the purpose of that is because it's worth ten points in the evaluation of the application and helps make it a more competitive application. He said it is unlikely it would be very competitive without some financial support from the community. Shanklin asked for what reason when it's in the private sector? Aplin said that is the way the system is structured; it is very competitive and every point an application can be awarded, makes it much more likely to be adopted than fall by the point system and not even qualify for funding at all. Shanklin said this does not have anything to do with CDBG, other than Tom Aplin and the City Manager concurs with this proposal to provide this fire hydrant. Aplin said that is correct, but it is a pursuit of the mission of our department to fund projects like this one. It is consistent with the goals and objectives outlined in the Consolidated Plan.

MOTION by Bass, SECOND by Hanna, to approve adopting a City Council resolution to support an Oklahoma Affordable Housing Tax Credit (OAHTC) application by McSha Affordable Housing - Lawton N,LP to the Oklahoma Housing Finance Agency (OHFA) and authorize the Mayor and City Clerk to execute the document. AYE: Warren, Bass, Hanna, Devine. NAY: Shanklin, Patton.

Vincent said a resolution to be approved, according to the Charter, requires five affirmative votes, no matter how many Council members are present. A Council member could change their vote if they wanted to.

Shanklin said the vote has been cast. Vincent said that is correct sir, but it has not been announced, so it's not final. Vincent said under Roberts Rules of Order, a vote is final when the Chairman of the body announces the final vote.

Powell said the vote was, at the Council tonight, 4 to 2 and it has failed. Vincent said the Charter Provision is Chapter 2, Section 1.

Steuber said at the last Council meeting, it was made perfectly clear to everybody, that the last vote, for this entire project, \$45 million for the City of Lawton Ft. Sill, was dependant on both phases; the one you voted through last time and this one. He said it was pretty patently clear, this City can't throw \$45 million of new investment away. He said he normally doesn't comment on these, but these are important for the soldiers and the dependants of Ft. Sill. Shanklin said it may be a \$45 million project for Ft. Sill, but it's not here in the private sector. They're not spending \$45 million on 75 and 92 apartments. Steuber said who's going to come in and build them, where's the money going to go? He said it's going to come into the local economy. If Lawton Ft. Sill wants to attract business and become the growth center for southwest Oklahoma, then it should be. We slipped to 4th from 3rd, we should be the premier growing community in this state and it's because we don't have a plan that takes us to the future and that has been my frustration over the last two years, that we dither around on these little issues instead of saying Where do we have to go to be the premier city in this entire state? and this is one way to get there. This demonstrates we've got the future in our view and we are moving towards that and the money that would come in as a result of building this, goes to this people, this organization, this city. Shanklin asked Steuber if his people could qualify for this housing; your people from Ft. Sill who can't find quarters at Ft. Sill, will qualify for these? Steuber said absolutely and will provide them with better housing than most of the housing currently available for those same souls. Shanklin said he understands the Ft. Sill Gardens, but not 27th and J, as far as it is from Ft. Sill; why are they tied together? They can't do one without the other and that's simply not true, they are building a project now and looking at some on 67th Street. These are all tied together. Steuber said that's the question that needs to be addressed to the McSahas.

Powell said this was stated on the floor, that this project will not work alone by itself, there is too much of an investment there for that to work alone. The contingency they came forth with last Council meeting is, we'll do this, if you'll let us have this project at 27th and J and the two of them together will make it affordable. They will not do that project and have told you that unless they get this other one. Shanklin said, in other words, they are going to lose money over at Ft. Sill Gardens and make it up on 27th and J Avenue. Powell said, what they have said is that one will not

work with the amount of money you have to spend on it, with all the deterioration involved. Bass said this item is only for Hoover and 27th Street; Ft. Sill Gardens Apartments and J. Devine said we voted unanimously for this the last time, it was a full unanimous vote.

MOTION by Hanna, SECOND by Warren, to reconsider this item. AYE: Shanklin, Patton, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

Powell said if you do want to support this, make the motion.

MOTION by Bass, SECOND by Devine, to approve a City Council resolution to support an Oklahoma Affordable Housing Tax Credit (OAHTC) application by McSha Affordable Housing - Lawton N,LP to the Oklahoma Housing Finance Agency (OHFA) and authorize the Mayor and City Clerk to execute the document. AYE: Patton, Warren, Bass, Hanna, Devine, Shanklin. NAY: None. MOTION CARRIED.

*AT THIS TIME COUNCIL WENT BACK TO ITEM #22.

BUSINESS ITEMS:

ADDENDUM ;

1. Consider accepting for dedication a drainage channel improvement adjacent to Brentwood Addition Part 2, accepting easements and assignments of easements outside the platted area, accepting a cash escrow agreement in lieu of completed improvements, and a cash escrow agreement in lieu of a maintenance bond.

MOTION by Shanklin, SECOND by Warren, to accept for dedication a drainage channel improvement adjacent to Brentwood Addition Part 2, accepting easements and assignments of easements outside the platted area, accepting a cash escrow agreement in lieu of completed improvements, and a cash escrow agreement in lieu of a maintenance bond. AYE: Warren, Bass, Hanna, Devine, Shanklin, Patton. NAY: None. MOTION CARRIED.

2. Consider renewal of the contract for services with City-County Health Department and consider approval of a resolution amending Appendix "A" Fee schedule.

Bigham said this is a local requirement and staff has prepared a resolution to amend the fee schedule. He said the recommendations are to increase the Food Establishment Permits from \$10 to \$150 for 3 years and the Food Handling Permit from \$5 to \$15 for 2 years.

Devine asked if we were basically keeping the contract with them the same and just changing the fees only. Bigham said this contract has been the same for decades and need to be redone.

Powell asked how can you justify going to \$150 for a Food Establishment Permit, the State s is not that much ? Bigham said it hasn t been changed in 20 years. Bass asked what other cities charge. Bigham said from \$75 to \$500.

Patton asked why such a difference between the Day Care Center Permit and the Home Day Care Center Permit ? Bigham said there are more inspections involved and more requirements.

Warren said he would like to have a contract with easier to understand language used in it. Bigham said the new contract is the same except for a few changes.

MOTION by Warren, SECOND by Devine to approve Resolution No. 03-105 to amend appendix "A" fee schedule and approve the renewal of the contract for services with City-County Health Department. AYE : Bass, Hanna, Devine, Patton, Warren. NAY : Shanklin. MOTION CARRIED.

(Title Only) Resolution No. 03-105
A Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, as amended, amending the Fees for Food Establishments, Food Handler Permits, Home Day Care, Day Care and Tavern Permits and Licenses.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Col. Steuber stated our first group of soldiers from the 214th Brigade are returning and by the end of the week, most all of them should be back. These 1,000 soldiers are the first of 5,000 deployed from Ft. Sill. He announced Saturday is the Army s 220th Birthday and invited everyone to the ceremony.

Shanklin said Oklahoma City is laying off employees.

Devine said if we need to go to the 1 sales tax, we need to start talking with the people in our Wards about this, as well as the utility increase and this needs done within the next few days. He commended Steuber for standing up for the McSea Properties; he made us understand the impact for the City of Lawton, this would have.

Warren said he worked up a plan in which we can fund the senior centers and solve a lot of problems.

Hanna thanked Steuber for his input. He announced we are loosing Chief Thorne, who is retiring and extended his thanks to him for his hard work and dedication. He said the Mayor and City Manager are loosing their secretary also.

Thorne thanked the City of Lawton for his employment and for almost 24 years with the police department.

Powell stated our next budget workshop will be Monday, June 16th, at 6:00 p.m. He said this Saturday would be the Juneteenth Celebration at 5:00.

EXECUTIVE SESSION :

Council adjourned into executive session at 9:15 p.m. with a motion, second, and roll call, with all present.

Council reconvened from executive session at 10:15 p.m. with a motion, second, and roll call with all present.

ITEM # 32 WAS STRICKEN.

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Roy and Patricia Joseph, DC-2003-29, against the City of Lawton, and if necessary, take appropriate action in open session.

Vincent read the title of Item 33 as shown above. He said Council convened in executive session and after discussion no action is required at this time.

34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of Paula R. Clark, DC-2003-33, against the City of Lawton, and if necessary, take appropriate action in open session

Vincent read the title of Item 34 as shown above. He said Council convened in executive session and after discussion, staff recommends denial of claim.

MOTION by Hanna, SECOND by Warrn, to deny the tort claim of Paula R. Clark, DC-223-33. AYE: Shanklin, Patton, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

ADDENDUM:

3. Pursuant to Sections 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the purchase and/or appraisal of property which may be necessary to acquire for the 34th Street Drainage Project and if necessary, take appropriate action in open session.

Vincen read the title of Addendum Item 3 as shown above. He said Council had convened in executive session and after discussion, no action is required at this time.

4. 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.

Vincen read the title of Addendum Item 4 as shown above. He said Council had convened in executive session and after discussion, no action is required at this time.

5. 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 Firefighters Union, IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session.

Vincen read the title of Addendum Item 5 as shown above. He said Council had convened in executive session and after discussion, no action is required at this time.

ADJOURNMENT:

There being no further business to consider, the meeting adjourned at 10:17 p.m. upon motion, second and roll

call vote.