



fully restoring them. Endicott said we are.

Ewing-Holmstrom asked where we stand for the \$400,000 fire truck and the deleted firefighters and where is it in the proposed revision? Mitchell said we are recommending, in this proposal, to do that through attrition; we won't lay off any firefighters; we have two vacancies and won't fill those positions. Powell said that is #11 on the handout. Ewing-Holmstrom said she wanted everyone watching to understand Council is proposing to furlough employees but not going to cut services we can still cut. Mitchell said that's the Council's decision.

Ewing-Holmstrom said she had one other comment to make: she wants everybody on Council to understand everybody up here is re-electable or not and we are proposing an increase in utilities, but the service will not change. She asked how Council could sit there and talk about increasing the water base and sewer base rates, but not giving the customer back anything; no justification to increase any rates. She said she is against this and can't believe Council is thinking this is the answer. She said this is not the answer, we have cut nothing and Council is not doing a service to their citizens. She said we weren't voted into office to put it back onto the citizen's back, we weren't voted into office to consider a 1 sales tax to take it to a vote of the people, we are here to make a difficult decision. She said whether Council likes it or not, they have to make the difficult decisions and pass it onto those of us who pay utility bills, because, remember, first and foremost, you are citizens too, and are going to be paying it too, whether you're in office or not.

Shanklin said he's not approving this.

MOTION by Bass, SECOND by Hanna, to approve the City of Lawton Fiscal Year 2003-2004 Budget recommendations and approving Resolution No. 03-106 adopting the FY 2003-2004 City of Lawton Budget. AYE: Hanna, Patton, Haywood, Warren, Bass, Devine. NAY: Ewing-Holmstrom, Shanklin. MOTION CARRIED.

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Powell asked for a motion to recess to go to the Lawton Water Authority meeting.

MOTION by Warren, SECOND by Shanklin, to recess. AYE: Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna. NAY: None MOTION CARRIED

Meeting recessed at 6:19 p.m. to go to the Lawton Water Authority Meeting.

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Meeting reconvened at 6:22 p.m. upon roll call with all present.

At this time, item #10 was discussed, out of order.

10. Consider a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, as amended, increasing the rates for Water and Sewer Service and establishing an effective date as recommended by the Lawton Water Authority.

MOTION by Bass, SECOND by Hanna, to approve Resolution No. 03-107 amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 1995, as amended, increasing the rates for Water and Sewer Service and establishing an effective date as recommended by the Lawton Water Authority. AYE: Patton, Haywood, Warren, Bass, Hanna. NAY: Shanklin, Devine, Ewing-Holmstrom. MOTION PASSED

At this time, Council returned to consecutive order of agenda.

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2. Consider approving a resolution authorizing the modifications to the City of Lawton general pay plan necessary to incorporate a two (2) percent pay decrease for all City of Lawton employees effective July 7, 2003.

THIS ITEM WAS STRIKEN

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3. Consider waiving Council Policy 1-6, Rules of Procedure, and if approved, consider adopting an ordinance creating Section 17-2-11-243, FURLOUGH, in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date.

MOTION by Bass, SECOND by Hanna to approve waiving Council Policy 1-6, Rules of Procedure, and adopting Ordinance No. 03-30 creating Section 17-2-11-243, FURLOUGH, in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date. AYE: Haywood, Warren, Bass, Hanna, Devine, Patton. NAY: Ewing-Holmstrom, Shanklin. MOTION CARRIED

(Title Only) Ordinance No. 03-30

An Ordinance pertaining to Personnel Regulations creating Section 17-2-11-243, Division 17-2-11, Article 17-2, Chapter 17, Lawton City Code, 1995 providing for the furlough of employees due to budgetary shortfalls, codification, severability, declaring an emergency and establishing an effective date.

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4. Consider adopting an ordinance amending Sections 17-1-102, Definitions, and Section 17-1-4-141, Longevity,

in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date.

Vincent said we had an ordinance providing for a different form of longevity, but after last night s Council meeting and based on the actions of the City Council, we had to re-write the ordinance to provide for longevity, at it s current rate for existing employees, with employees employed after July 1, 2003, not being eligible for longevity.

Shanklin said anyone hired yesterday or today, 20 years from now they will be drawing longevity and his co-worker, whose been right there beside him, and may even be hiring him or his foreman, he won t get it. Vincent said that was the direction we received sir. Shanklin asked if anybody thinks that s fair?

MOTION by Bass, SECOND by Hanna to approve Ordinance No. 03- 31 amending Sections 17-1-102, Definitions, and Section 17-1-4-141, Longevity, in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date. AYE: Warren, Bass, Hanna, Devine, Patton. NAY: Ewing-Holmstrom, Shanklin, Haywood. MOTION CARRIED.

Vincent said the ordinance passed by five to three, if the Mayor announces it that way, the emergency did not pass, so this ordinance will go into effect in 30 days. Powell said he announces it as five to three.

(Title Only) Ordinance No. 03- 31

An Ordinance related to Personnel Regulations that modifies Sections 17-1-1-102 and 17-1-4-141 in Chapter 17, Lawton City Code, 1995 changing the Longevity Benefits for regular full-time employees, providing for severability, declaring an emergency and establishing an effective date.

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5. Consider adopting an ordinance that amends Section 17-1-4-136, Periodic Pay increases, in Chapter 17, Lawton City Code, 1995, providing for the temporary suspension of merit step increases in the General Employee Pay Plan, declaring an emergency and establishing an effective date.

MOTION by Hanna, SECOND by Bass to approve Ordinance No. 03- 32 amending Section 17-1-4-136, Periodic Pay increases, in Chapter 17, Lawton City Code, 1995, providing for the temporary suspension of merit step increases in the General Employee Pay Plan, declaring an emergency and establishing an effective date. AYE: Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Warren. NAY: Haywood. MOTION CARRIED.

(Title Only) Ordinance No. 03- 32

An Ordinance related to Personnel Regulations that amends Section 17-1-4-136 in Chapter 17, Lawton City Code, 1995 providing for the temporary suspension of Merit Step Increases in the General Employee Pay Plan, declaring an emergency and establishing an effective date.

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6. Consider adopting an ordinance creating Section 17-1-6-167, Terminal Leave and amending Section 17-1-1-102 Definitions, in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date.

Ewing-Holmstrom asked how much savings and could we put a dollar amount on this? Endicott said if we go with this plan, the police and fire is about \$222,000 that would go back into the budget. He said we had \$446,000 in the budget, we would save, so the difference would be \$224,000. Ewing-Holmstrom said what about general employees? Endicott said that s the \$224,000.

Shanklin asked if we were separating this money to pay them at a later time or will this be a surprise on someone s budget 10 years from now? He said if he understands this correctly, you are going to take the sick leave, put it over here to accumulate and when you retiree, here comes this money in on top of that budget. Endicott said we are accruing each year, Mr. Shanklin, a portion of this money so when we know a person is retiring, we will be able to pay them out of this accrual rate. He said right now, in the budget, you have over \$500,00 plus in the sick pay in lieu of line item; that line item now, will show just what we are going to accrue to pay fire, police and any general employees we think are going to retire in the coming year. Shanklin asked if we have \$500,000 now? Endicott said yes, in the current year budget. Mitchell said we have set aside \$100,000 in next year s budget, to cover any of those anticipated retirements, starting July 1, 2003.

Shanklin said what s the difference than paying them every year then? Endicott said this year, if we didn t do this, in the 03-04 budget, we would have to pay the general employees over \$300,000. We would actually pay that out.

Shanklin said we are not going to do that; we owe them that though. Endicott said we would save \$242,000 in this year s budget by not doing that. Shanklin said we would still owe them, at some point in time. Endicott said at some point in time, they would have the option of either taking a lump sum payment, at a reduced rate, not at a current hourly rate, or they could take terminal leave and we would pay them their bi-weekly salary for however many hours they may have accrued.

Golden said terminal leave coinciding with retirement; you could leave, theoretically, up to six or eight months

early if you saved your leave up over a period of 30 years.

MOTION by Ewing-Holmstrom, SECOND by Warren to approve Ordinance No. 03- 33 creating Section 17-1-6-167, Terminal Leave and amending Section 17-1-1-102 Definitions, in Chapter 17, Lawton City Code, 1995, providing for severability, codification, declaring an emergency and establishing an effective date. AYE: Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED.

(Title Only) Ordinance No. 03- 33  
An Ordinance related to Personnel Regulations creating Section 17-1-6-167 and amending Section 17-1-1-102 in Chapter 17, Lawton City Code, 1995 providing for option for employees anticipating retirement to take Terminal Leave, providing for codification, severability, declaring an emergency and establishing an effective date.

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7. Consider adopting an ordinance amending Section 17-1-163 Sick Leave and Bereavement Leave, in Chapter 17, Lawton City Code, 1995, providing for severability, declaring an emergency and establishing an effective date.

MOTION by Hanna, SECOND by Bass to adopt Ordinance No. 03- 34 amending Section 17-1-163 Sick Leave and Bereavement Leave, in Chapter 17, Lawton City Code, 1995, providing for severability, declaring an emergency and establishing an effective date. AYE: Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna. NAY: None. MOTION CARRIED.

(Title Only) Ordinance No. 03- 34  
An Ordinance related to Personnel Regulations that modifies Subsections H and I of Section 17-1-6-163 in Chapter 17, Lawton City Code, 1995 Amending the Sick-Leave Benefits for Regular Employees, providing for severability, declaring an emergency and establishing an effective date.

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8. Consider approving a resolution amending the health insurance premium contributions made by employees and revising the City of Lawton Employee Group Health and Dental Plan Document and establishing an effective date.

Ewing-Holmstrom asked what a catastrophic claim is and the last time we had one. Golden said we had a catastrophic claim in 1999 because it ended up costing the plan around \$1 million. If we have one of those, then we will be possibly challenged again. Ewing-Holmstrom said this is getting us to a safe place, but a secure place would be a bigger increase. Golden said unless we have \$1 million in reserve, he could not come before Council and say he will not have to come back sometime during that fiscal year, if we suffer a catastrophic claim or an inordinate amount of high dollar claims.

MOTION by Bass, SECOND by Warren to approve Resolution No. 03- 108 amending the health insurance premium contributions made by employees and revising the City of Lawton Employee Group Health and Dental Plan Document and establishing an effective date. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED

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9. Consider adopting Resolution 03-\_\_\_ amending Council Policy 2-4 relating to the City of Lawton General Employee Injury Prevention Program and renumbering to Council Policy 3-2 and establishing an effective date of July 1, 2003.

Vincent said Council Policy 2-4, which was under the City Attorney s Office, was the Safety Incentive Program, when Mr. Jeff Welch moved to the Human Resources Department, that program went with him and this was never amended. We are moving the responsible office to Human Resources and also puts the cap on it, which Council directed, so we don t go into those exorbitant numbers.

Ewing-Holmstrom said for clarification, could the firefighters and police Safety Incentives be explained. Golden said he can t explain in detail, but he can basically tell you they look at the number of people who pass their physical fitness tests, as a factor in the formula, they look at the Workers Comp. claims and based on that formula, they determine if there is a physical fitness incentive, then distribute it amongst the firefighters. They have not received an incentive in the last year. Ewing-Holmstrom said police and fire then, do not get an incentive because they do their jobs safely, they get some sort of compensation after five years of driving safely or something like that, don t they? Golden said that may be true, but he doesn t know. He said in the past, in different years, they have been somewhat lucratively awarded for their physical safety incentive.

Vincent said the police do not have a program he is aware of; the fire has what s called in their contract, a physical fitness incentive program, which is a cost-share saving comparison of the Workers Comp. and Health Plan claims from one year to another, if they met certain guidelines, it s really a cost-sharing arrangement, rather than an incentive. Ewing-Holmstrom said in this plan, we are still giving cash and day off. Golden said a savings bond. Ewing-Holmstrom said in this it says \$12.50 cash award, \$50 savings bond, \$200 savings bond; \$200 savings bond plus 1 working day. Wouldn t it be more lucrative on the City s part if we just give them the half day or one day incentive and delete the money part?

MOTION by Haywood, SECOND by Warren to approve Resolution 03- 109 amending Council Policy 2-4 relating to the City of Lawton General Employee Injury Prevention Program and renumbering to Council Policy 3-2 and establishing an effective date of July 1, 2003. AYE: Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine. NAY: Ewing-Holmstrom. MOTION CARRIED

Powell thanked Mitchell, Endicott and those Departments that worked so feverously to make the adjustments requested.

Powell made a statement at this time about the City of Lawton. He said this is our City and through this workshop, we have heard many negative things and wants you to know the City he knows. He said a City that provides excellent police and fire protection, an excellent Public Works Department, an excellent Parks and Recreation Department, to include all sports for our youth and Arts and Humanities. We have an excellent source of water and individuals who come forward for our youth, speaking in particularly, Kids Zone. A City that has an individual come forward and build a million dollar soccer complex with minimal expense to the City, Arts For All, International Festival, an excellent Library, plus an excellent Museum and one of the best educational systems anywhere, to include public and private technology centers and Cameron University. A City that has an excellent +911 system, a medical system second to none, and a City full of churches helping anyway they can. He said, Capital Improvements: a new \$33 million Water Treatment Plant near completion, a new \$12.2 million Central High School, 38<sup>th</sup> Street, Cache Road to Rogers Lane and also Flower Mound North, Southeast Water Treatment Plant, and Fire Station #5, which they re working on now. A non-capital improvement program, paid by you the taxpayers; Flower Mound Road (Lee to Gore) may have been the worse road in the City, 67<sup>th</sup> Street, resurfacing Cache Road to Quanah Parker Trail Road. General Maples, General Baxter, General Strickland, Civilian Aid to the Army, Dr. Gibson, Mr. Beauchamp, Mr. Nesbitt, Dr. Ross, Mr. Mitchell, and myself have a plan of action which is on the desk of Sen. Nichols, Sen. Enhoff, Congressman Cole, and JR Rescovach, received with welcomed arms and they are working on it right now. Powell said this is your City continued, new, expanding or in progress. Goodyear, Ross s, Atlanta Bread Company, Memorial Hospital expansion, Southwestern Hospital expansion, Assurant, 500 plus, Bar S possible large expansion, Republic Paperboard 10 million expansion, Veteran Care Center, \$32 million project, 312 employees due to open on October 1<sup>st</sup> with a \$10 million payroll. Powell said this is your City; Easton s Ace Hardware, Wal-Mart Super Center, Lowe s Home Depot, Interjectives has their DEQ Permit, working through the Corp. Commission, hopefully that will come about in the next 6 months, Goodyear, the largest manufacturer in the State of Oklahoma, right here in your City, last year a \$250 million Capital Improvement Program rating the top 13 in the USA. DEFAC, 90 plus new jobs out at Ft. Sill, McShea, \$45 million housing project and our anchor, the greatest proven military installation in the US, Ft. Sill and this is our City and I am honored and proud to be the Mayor of this Lawton-Ft. Sill Community, even in the tough times; we will prevail.

Ewing-Holmstrom said that was a great speech and everybody feels good about it, but, in fact, we are increasing our utilities and getting nothing for it and that s your great City and these are your great City Council people so we can continue to give free services away.

Shanklin said the hundreds of hours Mitchell and Endicott spent on this budget, which 80% was ignored, he would suggest next year, just bring it back to us, just like you have it, and not have to worry about all of it because this Council has the wisdom to tear it apart and I would let them do it.

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10. Receive a presentation from Keith Bridges, Economic Development, Airport Authority to request a Letter of Support from the City of Lawton to apply for an Economic Development Grant, which will require a local match of \$50,000.

Bridges said he was here on behalf of the Airport Authority along with Airport Authority members, the Manager of the Airport, Chris Pittman, Manager of American Eagle. He said they were here to ask for help with a half million-dollar grant they are applying for. It s called a Small Community Air Service Development Pilot Project and in order to complete this grant, they have to have a public participation and are asking for \$50,000. He said in about four months they should know if they will receive this grant, if we are able to apply for it and we have two years to complete it. He said they will use the money to start a new marketing campaign, which will be local and regional and also do maintenance training program to train 46 employees at the maintenance hanger, to retrain them to be certified for RJ, the Regional Jet Service. We are also going to try to do some reduction in costs for both American Eagle Maintenance and American Eagle in the terminal, to reduce their expenses, so they can continue their service. We are also going to attempt a Coupon Campaign; if you are flying for business or leisure, we ll give you a coupon for a round trip airfare to reduce the cost of air flight. Bridges said this money is from the Federal Government with over 40 communities competing for \$20 million and we are the only community in the state, we are aware of, that is applying for this and we have known about this for about 30 days and have been working pretty hard and heavy at it with help from the County, giving us \$10,000 to help support writing the grant, paying a person for writing it because we don t have that expertise. He said the same company that did our leakage study is also writing this grant for us, so they have a lot of information on us already. He said he spoke with Mitchell about this, explaining we are asking for a Resolution to write a letter that says, should we win this grant, the City would be willing to put in \$50,000 sometime within the next 2 years.

Hanna asked Bridges to explain how close we came to losing American Airlines in that last 6 months or so, due to the problems they had and what would happen to the City of Lawton if we were to lose our airlines.

Bridges said to be honest, they never said anything to us about leaving, but he believes all of us know what the problems American Airlines, AMR, the mother corporation and other corporations have been having financially. American Eagle is a profitable company for AMR, obviously American Airlines is not and there is always problems there, so if the mother company, American Airlines can't take the passengers, he doesn't know where those people would have gone. If they had filed for bankruptcy, we could have had some problems. He spoke about the importance of our airlines; when a site locator is looking to find a new community for an expansion for a company, business or manufacturer, there's a long laundry list they like to have and they are trying to get you off the list by checking things you don't have and if we didn't have a commercial airport, that would be another check box they could throw us in the trash for. He said with BRAC coming up, as the Mayor mentioned earlier, he thinks it would be a disaster for our community during the BRAC process if we were to lose our airport and commercial aviation. He said they are working very hard and diligently to try to secure another airline, as well as another HUB, we have not given up hope.

Haywood said we are the only one in the State of Oklahoma that has planned for this and have a good chance at getting this \$500,000. He said he spoke with Endicott and we have \$680,000 in Economic Development.

11. MOTION by Haywood, SECOND by Hanna, to approve the request from the Airport Authority for a Letter of Support from the City of Lawton to apply for an Economic Development Grant, which will require a local match of \$50,000 and the money will be available out of the Economic Development Fund if they win the grant. AYE: Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton. NAY: None. MOTION CARRIED

Powell said this will have to be placed on the next agenda for the needed Resolution.

MOTION by Hanna, SECONDED by Warren to adjourn into executive session. AYE: Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED.

Council adjourned into executive session at 6:55 p.m.

Council reconvened from executive session at 7:05 p.m. with a motion, second, and roll call with all present.

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EXECUTIVE SESSION:

12. Pursuant to Section 307B(4) Oklahoma Statutes, consider convening in executive session to discuss the settlement of a lawsuit, Case No. CJ-2003-271, City of Lawton vs. Morford Land and Leasing Company, and if necessary, take appropriate action in open session.

Vincent read the title of Item 12 as shown above. He said Council convened in executive session and after discussion, pursuant to Council direction, did negotiate a possible settlement and staff recommends the following be approved: the agreement for the City of Lawton to build a wall in conjunction with the 38<sup>th</sup> Street Re-construction for Morford Land and Leasing, providing Morford Land and Leasing pays the City of Lawton \$5,000, execution of a warranty deed and temporary easement to the City, except the deeds and temporary easements from Morford Land and Leasing, authorizing Mayor and City Clerk to execute the documents and authorize City Attorney to dismiss the condemnation lawsuit.

MOTION by Bass, SECOND by Hanna to approve the settlement offer; the agreement for the City of Lawton to build a wall in conjunction with the 38<sup>th</sup> Street Re-construction for Morford Land and Leasing, providing Morford Land and Leasing pays the City of Lawton \$5,000, execution of a warranty deed and temporary easement to the City, except the deeds and temporary easements from Morford Land and Leasing, authorizing Mayor and City Clerk to execute the documents and authorize City Attorney to dismiss the condemnation lawsuit. AYE: Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED.

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ADJOURNMENT: There being no further business to consider, the meeting adjourned at 7:10 p.m. upon motion, second and roll call vote.