

Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED

1. Consider the following damage claims recommended for denial: Magan and Pushpa Patel; Southwestern Bell Telephone Company. Action: Denied damage claims.

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: Harold and Marion O Neal; Southwestern Bell Telephone Company; Troy and Priscilla Smart; Wanda and Donald Critchlow; Melba and Tim Bolling; Ken and Marcia Baden; Jerry and Michele England. Action: Approved damage claims and Res. No. 03- 124; Res. No. 03- 125; and Res. No. 03- 126.

(Title Only) Resolution No. 03- 124

A Resolution authorizing and directing the City Attorney to assist Southwestern Bell Telephone Company 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 Five Hundred Sixty Two Dollars and 96/100 (\$562.96).

(Title Only) Resolution No. 03- 125

A Resolution authorizing and directing the City Attorney to assist Melba and Tim Bolling 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 Nine Hundred Thirty Dollars and 39/100 (\$1,930.39).

(Title Only) Resolution No. 03- 126

A Resolution authorizing and directing the City Attorney to assist Ken and Marcia Baden 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 Seven Hundred Ninety-Six and 83/100 Dollars (\$796.83).

3. Approval for Arts & Humanities Division to accept the Local Government Challenge Grant from the Oklahoma Arts Council for the FY 2003-2004. Action: Approved

4. Approval of contracts for the Co Sponsorship Program. Action: Approved contracts for Southwestern Oklahoma Historical Society; Lawton Philharmonic Society; Museum of the Great Plains; Solutions Outreach Services; Percussive Arts Society; New Pathways Halfway House; Lawton Heritage Society; Alpha Kappa Alpha.

5. Adopt Ordinance No. 03- 36, 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, waive the reading of the ordinance and read the title only, and declare an emergency. Action: Approved Ordinance 03- 36

(Title only) Ordinance No. 03- 36

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 and declaring an emergency.

6. Authorize Emergency Manager to receive funds from EMSA, advertise for and hire an MMRS Coordinator (temporary part-time with no benefits) at approximately \$15.00 per hour, and begin purchasing grant items while submitting invoices to Emergency Medical Services Authority for payment. Action: Approved.

7. Authorize Emergency Manager to apply for a Department of Health and Human Services Cooperative Agreement Demonstration Project grant and to retain the services of Ms. Jeannie Sacra of the Emergency Medical Services Authority as the grant writer. Action: Approved.

8. Acknowledge receipt of Permit No. WL000016030360 for the construction of a waterline and all appurtenances from the Oklahoma State Department of Environmental Quality to serve the Ranch Oak Waterline Replacement Project #2002-16, City of Lawton, Comanche County, Oklahoma.

Vincent this item involves CDBG Funding and because of the conflict, Mr. Haywood needs to abstain and request from the HUD Area Office this item be passed.

MOTION by Bass, SECOND by Hanna to acknowledge receipt of Permit No. WL000016030360 for the construction of a waterline and all appurtenances from the Oklahoma State Department of Environmental Quality to serve the Ranch Oak Waterline Replacement Project #2002-16. AYE. Devine, Ewing-Holmstrom, Shanklin, Patton, Warren, Bass, Hanna. ABSTAIN: Haywood. NAY: None. MOTION CARRIED

9. Accept the Ft. Sill Boulevard Fencing Project #2003-3 as constructed by Bordwine Development and place the Maintenance Bond into effect. Action: Accepted project as constructed and placed Maintenance Bond into effect.

10. Approve Change Order No., 1 accessing liquidated damages in the amount of \$3,900.00, accept the NW 23rd Street Reconstruction Project #2001-15 as constructed by Bruton Construction, Inc., and place the Maintenance Bond into effect.

Vincent said this is the same situation as item # 8.

MOTION by Bass, SECOND by Hanna, to approve Change Order No., 1 accessing liquidated damages in the amount of \$3,900.00, accept the NW 23rd Street Reconstruction Project #2001-15 as constructed by Bruton Construction, Inc., and place the Maintenance Bond into effect. AYE: Ewing-Holmstrom, Shanklin, Patton, Warren, Bass, Hanna, Devine. ABSTAIN: Haywood. NAY: None. MOTION CARRIED.

11. Approve plans and specifications for the Greer Park Tennis Court Lighting Project #2002-13 and authorize staff to advertise for bids. Approved plans and specifications and authorized staff to advertise for bids.

12. Consider authorization for the Life Team Air Evac helicopter to land in Elmer Thomas Park during the August 2nd Kids Day Celebration. Action: Approved.

13. Adopt Street Light Resolution No. 425. Action: Approved.

14. Award a construction contract to Jim Mayes Co., Inc. for the NW 38th Street (Cache Road to Rogers Lane) Water & Sewer Line Relocation Project #2003-9 in the amount of \$635,469.65 and authorize funds in the amount of \$175,000 from the 1995 CIP for the overall NW 38th Street Project. Action: Awarded construction contract to Jim Mayes Co., Inc. and authorized funds from the 1995 CIP for the overall project.

15. Adopt Resolution No. 03- 127 authorizing the Mayor and City Clerk to execute a revised project agreement for maintenance and funding with the Oklahoma Department of Transportation (ODOT) for improvements to NW 38th Street (Cache Road to Rogers Lane), Federal-aid Project Number STP-116B(045). Action: Adopted Res. No. 03- 127 to authorize execution of revised project agreement for maintenance and funding with ODOT.

(Title Only)

Resolution No. 03- 127

Be it resolved by the Mayor and City Council of Lawton Oklahoma: that whereas it is in the best interest of the City of Lawton, Oklahoma, to execute that certain Project Agreement for Federal-aid Project Number STP-116B(045) by and between the City of Lawton and the Oklahoma Department of Transportation.

16. Authorize extensions of contracts and authorize execution of contract extension form. Action: Approved contract extensions for: Shampoo/Steam Clean Carpet (CL00-093) with Premier Carpet Care.

17. Award contract for Water Meters, Parts and Service (CL03-062) to Invensys Metering System and Oklahoma Contractor s Supply. Action: Awarded contract to: Invensys Metering System, (Items A 1-13, C 1-13, D 1-7) and Oklahoma Contractor s Supply, (Items B 1-7).

18. Consider approval of appointments to boards, commissions and trusts. Action: Approved the following appointments: McMahan Auditorium Authority: Mildred Lee, Ward 6 and Terry Anderson, Ward 4.

19. Approve payroll for the period of June 23, 2003 to July 6, 2003. Action: Approved.

20. Approve minutes of June 9, 2003, Special Council Meeting and June 10, 2003, Regular Council Meeting. Action: Approved.

UNFINISHED BUSINESS:

21. Consider the following damage claim recommended for denial: Countrymart.

Vincent said this claim is for a cut in an electrical line in the parking lot that serves the lights at Countrymart, 902 West Gore. He said this was tabled at Mr. Dobbersten s request. Vincent said additional investigating was conducted and the supplemental report has been given to Council and staff still recommends denial.

Shanklin asked if we knocked his line out?

Vincent said yes we did cut the service line from the store to the parking lot s lights; OKIE did not identify it and neither Countrymart or City personnel knew there was a service line from the store to the parking lot lights when it was cut.

MOTION by Shanklin, SECOND by Ewing-Holmstrom to approve Resolution No. 03- 128 for damage claim for Countrymart in the amount of \$1,024.00. AYE: Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom. Nay: None. MOTION CARRIED.

(Title Only) Resolution No. 03- 128

A Resolution authorizing and directing the City Attorney to assist Countrymart 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 One Thousand Twenty-Four and No/100 Dollars (\$1,024.00).

BUSINESS ITEMS:

22. Hold a public hearing and consider an ordinance changing the zoning from C-5 (General Commercial District) to C-4 (Tourist Commercial District) zoning classification located at 2011 NW Cache Road.

Bigham said this is a request for rezoning a parcel of land at 2011 NW Cache Road. He said this rezoning request is 18 feet by 22 feet. The applicant and property owner is Marilyn Woods. The sole purpose of this request is to get approval from Council to go against the policy of having non-accessory billboard signs in a Commercial District. Bigham said billboards are not permitted in C-5 zoning and therefore, they are requesting this 18x22 tract of land, simply to put in a billboard sign that no one else in the surrounding C-5 area is permitted to do. The Planning Commission on June 12, 2003, held a public hearing on this with 2 persons, in favor of this request and we received one letter of opposition. The Planning Commission by a 5-0 vote, recommended denial of this because it would constitute spot zoning of a very small tract of land, a C-4 in a C-5 area and would allow this particular property owner to do something that is prohibited in a C-5 General Commercial area. The CPC discussed the sign regulations and do plan to have further discussions on this and did pass an Resolution that will be forwarded to Council to look at the sign regulations in detail.

Bass asked about the City National Bank sign that has the time and date, etc. and if that was a different type sign. Bigham said that is a grand fathered, non-conforming, non-accessory sign. Bass asked about the one right across the street? Bigham said that is also non-conforming; those were there prior to the sign regulations we have in place now and under the grandfather clause, may continue those signs, but if destroyed, they cannot replace them.

Devine said zoning on the SE corner of Sheridan and Lee, would be what? Bigham said I-1, Light Industrial, non-accessory signs are permitted in an I-1 zoning classification. Devine asked about the sign directly across the street from this one. He said he thinks it s Advanced Auto Parts and asked how that sign meets the criteria? Bigham said accessory signs are permitted and he wasn t familiar with the sign Devine was referring to. He said we have an unlimited number of signs, height of signs, and copy size on accessory signs, meaning, advertising anything on that particular property. It could be 100 feet tall, 1,000 square feet, as long as it s sitting over that property. He said we have a very lenient accessory sign regulation.

Shanklin said if it wasn t for signs, some of us would never get off the freeway, wouldn t know where or how to do it. On top of that, there are other things in this sign ordinance, that of all the signs you see around town, they are not germane to anything. He said businesses they reference haven t been there for years. He said he would have to support it, he sees nothing wrong with it and likes new signs; they tell you where you are and who you are looking at. He said if we would clean up all the other signs, he could go along with it.

Ewing-Holmstrom said she was directly opposite, she sees what Shanklin is saying as far as direction, but what happens when we don t control it? She said obviously, we do have a lenient sign ordinance. She said Cache Road is disgusting, you can t even see the name of the business half the time because of the other signs. This particular area, is destroying the landscape and Lawton doesn t even look good anymore, especially driving into Lawton, the billboards are everywhere and she remembers when we couldn t do that, it was beautiful driving into Lawton, coming in on either side. She said now it s all clutter. To her the signs are more junk, more advertising and it takes away the beauty of the City, what little we have left and we need to control it and this is where we can start.

Patton said he echoes Ewing-Holmstrom that signs are important, they have a place, a very good purpose, and signs like this are more designed for off an interstate or off a highway type of environment. He said when he saw the one on Lee Blvd. he was shocked and hadn t thought much about billboards, but when he saw the one on Lee Blvd., right up against that building, it looks like it comes right out of the middle of the building. He said we need to do something, we need to be pretty aggressive and get together in trying to come up with a policy or some type of new guidelines we can follow to alleviate some of this. He said he s sure this would be a nice sign, but there s a place for everything and he doesn t feel that environment with the hustle and bustle of Cache Road already and the corner of Cache Road and Sheridan, you have so many other distractions at that intersection that having a big billboard there would just add to the confusion and chaos.

Bigham said in his speculation in drafting of the sign ordinance we have today, he thinks that was the trade-off given; the almost unlimited capability of a local business to advertise through numerous signs, size or anything else, but they have set that restriction on, as you say, keeping the billboard signs, the non-accessory signs, along

the interstates. He said non-accessory signs are permitted in the agricultural, industrial and C-4 zones. There are multiple zones the billboards can go in.

Ewing-Holmstrom said on the unlimited signs a business can put out, she would like to see, in the future, some of the people on the Mayor's Cleanup Task Force work with some of these businesses who have had signs up forever that have rotted away.

PUBLIC HEARING OPENED

Lee Woods, 211 Mockingbird Road, said he was representing his wife in requesting a re-zoning from C-5 to C-4 on a tract of land NE corner of Sheridan and Cache. He said the change is needed to erect a well-designed billboard with state-of-the-art engineering that will enhance a large area. He said this tract is too small to accommodate a business. The sign dimensions would be from 40 to 50 feet high and the canopy would be 10 x 30. The single pole construction base would occupy approximately 5 x 5 feet. Lawton has recently received several new retail stores and an enlargement of the existing corporate structures. He said these, along with what we have now, has given us an infrastructure for population growth we have not had in some time. If we want to be a City, we need to look like a City. The larger cities feature billboards along their entrances and thoroughfares. The corporate renters of these signs are convinced they increase their revenues and enhance additional sales tax income to the city. Woods said if there was a way to pole your Wards, 90% would say they don't care either way. This sign will be a reference and a talking point for citizens and visitors alike for years to come. Only one out of thirteen neighbors have opposed the construction of this sign. He said Cache and Sheridan needs this sign, Lawton needs this sign and we need this sign and asked Council to vote for it.

Irma Richardson, owns property at in this area, said this would devalue her property and feels there are enough signs there now and would appreciate Council not accept this request.

PUBLIC HEARING CLOSED

Ewing-Holmstrom said in the last couple years there have been billboards come up all over east Gore Blvd., in her ward, and all along the south side of Gore, just past the Howard Johnson Hotel, all the way up to, and almost including, the intersection of Flower Mound, she has heard all about it from the citizens in her ward. She said one of these billboards is advertising a strip club outside the city limits and she has heard all about it. She said Ward 4 doesn't want one more billboard in this town.

MOTION by Devine, SECOND by Warren, to approve Ordinance No. 03-37 to approve the re-zoning request at 2011 NW Cache Road.

SUBSTITUTE MOTION by Hanna, SECOND by Patton, to deny the re-zoning request at 2011 NW Cache Road. AYE: Hanna, Ewing-Holmstrom, Patton. NAY: Warren, Bass, Devine, Shanklin, Haywood. SUBSTITUTE MOTION FAILED.

VOTE ON ORIGINAL MOTION was held. AYE: Haywood, Warren, Bass, Devine, Shanklin. NAY: Patton, Hanna, Ewing-Holmstrom. MOTION CARRIED.

(Tile only) Ordinance No. 03-37

An ordinance changing the zoning classification from the existing classification of C-5 (General Commercial 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.

23. Consider a request for a revocable permit to use the right-of-way of Victory Drive for parking and maneuvering for the building located at 1722 NW Cache Road.

Bigham said this is a request for a revocable permit under the parking code of the zoning ordinance. This is Bob's Corner at the SE corner of Victory Lane and Cache Road. This building has been there for a number of years and the owner, Mr. Hernandez, wishes to add onto this building, which under our off-street parking code, require all off-street parking meet the code. There is numerous parking places on the west side of this building that back out into Victory Lane and essentially, under the code, he is required to eliminate that non-conforming parking and put it into conformance with the expansion of the building. Bigham said the code does authorize Council to issue a revocable permit to allow him to continue the parking that backs out into Victory Lane. He said staff has reviewed this and has no objections to this revocable permit.

Shanklin said it states the right-of-way is currently used for parking and maneuvering, and asked if this has always been this way and if it is grandfathered in? Bigham said there is an off-street parking in the back and probably at the time the building was built, there was not a prohibition about using parking the way it's designed right now. He said it's non-conforming now, but was built in accordance with the code many years ago.

MOTION by Shanklin, SECOND by Bass to approve revocable permit to use the right-of-way of Victory Drive for parking and maneuvering for the building located at 1722 NW Cache Road. AYE: Warren, Bass, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED

*Hanna was out of the room when vote was taken and returned at 6:45 p.m.

24. Hold a public hearing and approve Resolution No. 03-_____ amending the 2025 Land Use Plan from Professional Office to Public and Ordinance No. 03-___ changing the zoning from P-O to P-F on property located at 4101 4115 SW Lee Boulevard.

Bigham said this is an 8.68 acre tract located at 4101-4115 SW Lee Blvd. He said this was re-zoned to Public Facility for a commercial development that never materialized. The applicant is the Marie Detty Youth Service Center. The Planning Commission, on June 12th this year, held a public hearing on this and during the public hearing, one person spoke in favor of this request and four people asked questions about the proposed development, but no one opposed the request. The Planning Commission recommended approval of this request and also approved a Use Permitted On Review, this is a site plan approval of the development.

Shanklin asked do they have to build it exactly as designed here? Bigham said that site plan was approved by the Planning Commission under the Use Permitted On Review process, so all building permits have to be substantially issued in accordance with that site plan, unless modified by the Planning Commission. Shanklin said it can be modified then. Bigham said yes.

PUBLIC HEARING OPENED

Chuck Wade, attorney representing Marie Detty, said this is a very ambitious project Marie Detty Board is undertaking and would be quite a feather in Lawton's hat if this can be accomplished and he is convinced they can do it. He said it is going to take a lot of time, effort, and fund raising and the beginning point is to get this property they have selected zoned so they can acquire it and proceed. He said Paul Smith and members of the Board are here and would like to give them the opportunity to speak about this project.

Paul Smith, Marie Detty, said after a little over 30 years here in the community, they have continued to grow and expand and their facilities are now located across the community and has often been difficult for people needing their services to get exactly where they need to go. He said they have been through a long process of over a year, looking at different designs, to come up with a facility that would not only meet their current, as well as our long term needs and the long term needs of the community. They have found a perfect site which matches the general use of the area, matches what they do and would enhance that part of Lee Blvd.. He said they have a lot of plans and would love to make a full presentation to Council. He said this is truly needed by the community and by Southwest Oklahoma in general. Smith said last year over 13,000 people received services at Marie Detty. This will make it easier for the people who use Marie Detty, easier to get to, and easier for us to be more efficient.

Devine commented to Council his support of this. He said these people have done an outstanding job for youth and child care in the past and gave us a presentation a couple months ago of all the awards they have won. This is really an added addition.

Shanklin asked if the 13,000 people served were from Lawton and/or Comanche County. Smith said some of them are from outside the County, many people travel to Marie Detty to get the services. He said well over 10,000 are from this area.

Shanklin asked how many people from out of state do they serve? Smith said about 25-30 a year and these are kids who have run away from home and end up getting picked up here in Lawton. He said sometimes people associate Marie Detty as problems, but they help families with child care or help families relocate after a fire and help them meet some of their basic needs while they are getting relocated. He said there are lots of ways people get help from Marie Detty.

Haywood said Marie Detty has done so much for this community, such as Head Start, after school tutoring and many organizations, programs and other things.

PUBLIC HEARING CLOSED

25. MOTION by Haywood, SECOND by Ewing-Holmstrom, to approve Resolution No. 03- 129 amending the 2025 Land Use Plan from Professional Office to Public and Ordinance No. 03- 38 changing the zoning from P-O to P-F on property located at 4101 4115 SW Lee Boulevard. AYE: Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Haywood, Warren. NAY: None. MOTION CARRIED.

(Title Only)

Resolution No. 03- 129

A Resolution approving an amendment to the 2025 Land Use Plan for the City of Lawton from Professional office to

Public located at 4101-4115 SW Lee Blvd.

(Title only)

Ordinance No. 03- 38

An ordinance changing the zoning classification from the existing classification of P-O (Professional Office District) to P-F (Public Facilities 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.

COUNCIL WENT OUT OF AGENDA ORDER AT THIS TIME

26. Approve the third and final renewal option with Cameron University to partially fund the salary and related expenses for an Advance Technology Industry Recruiter.

Powell said he initiated this item. Dr. Ross had talked with him about this and is their intent, as well as the State, to continue this. He said exciting things are happening out there. He said to say that Gary has had great results and bringing in new jobs to Lawton; that has not happened, but the footwork has been done, the seeds have been planted and at some point in the very near future, we are going to see results of this and hopes Council will support this.

MOTION by Ewing-Holmstrom, SECOND by Bass, to approve the third and final renewal option with Cameron University to partially fund the salary and related expenses for an Advance Technology Industry Recruiter. AYE: Hanna, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED

*Devine was out of the room at time of vote and returned at 6:50 p.m.

27. Consider a request for a cost-sharing agreement for the installation of a waterline along the 7400 and 7500 blocks of NW Cache Road submitted by Mr. Jim Tippens and Dr. Gilbert Gibson and provide direction to staff on development of agreement.

Bigham asked to discuss items 27 & 28 together since they are related. Bigham said on item 27, we have a request from Mr. Tippens and Dr. Gibson for a cost-sharing agreement for the installation of a waterline in the 7400 and 7500 blocks of NW Cache Road. He said a building permit was recently issued for a new car wash facility that is near completion and there was a provision in the building permit plans to bore under Cache Road to fill the waterline to provide service to that lot, but that ran into some difficulties. He said there is a 30 waterline on the south side of Cache Road and also an 18 waterline which is a forced main from the water tower, so no connections can be made to that. Dr. Gibson and Mr. Tippens have obtained Landmark Engineering to develop a set of plans for this waterline, which is item 28 to be considered next. Bigham said these plans are designed to provide water services to both the car wash facility and a proposed mini warehouse complex located east of the car wash. He said as it relates to item 28, it is staff s opinion that the code does require a 12 waterline be constructed by the developer, when it is installed along a section line road.

Bigham said in item 27, Tippens and Gibson are requesting the City of Lawton provide all the materials and the fire hydrants and all the appurtances, valves and miscellaneous items that go along with the installation and they would provide the labor to install this. He said staff recommends we not enter into a cost-sharing agreement and feels the developer should put in their waterlines to serve their properties and of course, budget constraints. He said if Council so desires to enter into a cost-sharing agreement, staff would like guidance on how you would like that agreement to be styled and staff would bring that back to the next Council meeting and we would need to determine the funding source to provide funds for the City s portion of that.

Patton said he understands City Code requires a 12 line along the way there; is there a reason for that 12; is that for other businesses come in and tap into that line? Bigham said the Code refers to the Master Water Plan and there is some schematic drawings in the zoning code and subdivision regulations that talk about the 12 line. He said in all cases, it shows to have a minimum 12 waterline. The two main purposes are to provide water, fire protection, domestic water to the abutting property owners and mainly because it provides infrastructure to the water grid, in providing water throughout the whole city; that is the minimum size line it takes to maintain that grid.

Patton asked if future businesses to the west of where the car wash is going to be, would tie into the end of that line; is that how they would get their water? Bigham said we have two waterlines out there now; a 6 line on Keystone Drive and a 12 line on Hunter Road with a 2,000 foot separation between the two lines. As we continue to develop out there and provide with this grid line, it will loop with those and beef up that grid for the whole part of the city over there. He said the reason for the 12 line is because of the elevation of Hunter Hills and Terrace Hills; the developers put in much larger size lines because that was prior to the pumping station water storage tank we have at 67th and Cache Road, to build that grid, to provide domestic and fire protection usage to the abutting properties. He said this would be a portion of that segment, eventually looped to Keystone and Hunter Road.

Devine said didn't we just turn down the church across the street from participating in their waterline? Bigham said that was on Lee Blvd., yes.

Shanklin asked if Council remembered the war we had when we re-zoned that property. He said he can't support this.

Bass asked what the cost to the city would be. Bigham said the difference between an 8 pipe and a 12 pipe is roughly \$3,000. He said they have requested, in addition to that, we supply the fire hydrants and all the appurtenances to that, a cost to the City of about \$5,600.

Ewing-Holmstrom said these people are wanting to put these businesses here and the city is requiring they put in at least an 8 line or do they have to have at least a 12 line? Bigham said an 8 line would provide sufficient fire flows for the projects. It is staff's opinion that a 12 line is required and that is what we are recommending in item 28. Ewing-Holmstrom said what if just an 8 line is put in? Bigham said that would provide sufficient domestic and fire protection for the two projects. Ewing-Holmstrom asked what if a business later on wanted to tie into that line, can they do it? Bigham said they can tie into it, as to whether it would provide the fire protection, he couldn't answer that, because we don't know the type of use, the building construction, the size, the load, and may require a sprinkler system, etc.

Bass asked if it is an 8 line, they are not asking for any help from the City on, but a 12 line, they want the City to kick in on cost-sharing, is that correct? Bigham said yes.

Bass said they were going to put the 8 line in and not ask the City for any help, but when you're asked to put a 12 line in for the expansion of other businesses to come in, they shouldn't have to pay for that.

Devine said if we go in and can get a 12 water main put in, bore under that street, put in approximately 520 foot down Cache Road, with two fire hydrants for \$5,600, that's a major bargain. He said that is real cheap, about \$10 a foot and Council really needs to think about this.

Jim Tippins said things have changed in the development since he planned this car wash. He said Dr. Gibson approached him after he submitted his plans, recommended they go in together to bring a source of water across. He said right now he has the ability to bore Cache Road and bring a 6 line across to set a fire hydrant and bring water onto the car wash. He said it only made sense for Gibson and he to go together and make a single bore and bring enough water for the two of them. He said as that developed and we talked with Bigham and with the Fire Marshall, who said he would really like to see a 12 line on that side of the road for future fire protection coverage, it would be advantageous for the City to have a 12 line. He said all of a sudden we have gone from a 6 to 8 to 12 inch line; all he needs is a 6 line. He said all they are saying is we will do the 8, we'll take care of our property, we will pay 100% of that, but if the City would like to go ahead, step up and make a small investment, above and beyond that, we will set a 12 in there and provide fire protection for all that area and it will be easier to make the tie ins going east and west and the expense to the other property owners won't be nearly as high. He said personally, he hopes it keeps going west and ties into Gray Warr so that he would have water coming from two directions; his 8 bore plus to the west of him and if it keeps going east and ties into Hunter, he'd have water coming from three different directions, which would be better for him in ten years.

Warren asked if anyone had any semi-hard numbers on what the difference in price of a 8 installation and a 12 installation would be? Ihler said he called Oklahoma Contractors this afternoon to get the difference between an 8 line and a 12 line; it's approximately \$2,800 for 520 feet. That's the difference between the 8 and the 12; with regards to the rest of the material, the fire hydrants and the fittings, they have to put those in whether it's an 8 or 12, so he doesn't see the City really wanting to participate in fittings and the fire hydrants, because those have to be done and need to be done whether it's an 8 or a 12. He said he thinks what we are really looking at is the difference between the 8 and the 12 for that 520 foot. Warren said you can use the same hydrant on an 8 or a 12? Ihler said yes.

Shanklin asked Ihler if we put in this 12 line and someone ties into it, they don't get it free, is that correct? Vincent said if the City is the installer of the 12 line, he doesn't think it qualifies for the pay-back system, he will have to look that up and get back with him.

Warren asked if the \$5,600 was for materials and labor? Ihler said no, the \$5,600 described is if you include the two fire hydrants and all the fittings. Warren said, so we are looking at \$3,000 for the difference in the pipe?

Patton asked if it was customary for us to pay for fire hydrants? Ihler said not for a private. Shanklin said it would be the first time. Ihler said it has happened, but it is not customary. Ewing-Holmstrom asked for an example.

Ihler said he thinks there was a cost-share agreement with Felton Dean on the property on 52nd Street many years back.

Patton said he doesn't mind the City paying the difference in cost of the 8 and the 12 line, but does not want to pay

for the fire hydrants, couplings, or anything else.

MOTION by Patton, SECOND by Ewing-Holmstrom, to approve a cost-sharing agreement for the installation of a 12 waterline along the 7400 and 7500 blocks of NW Cache Road submitted by Mr. Jim Tippens and Dr. Gilbert Gibson, with the City paying the difference between an 8 line and a 12 line and provide direction to staff on development of agreement.

Bass said he wants the City to pay for the 12 pipe, two hydrants and valves, because if you can get 520 foot of 12 pipe down there for \$5,600, you have got a great bargain.

SUBSTITUTE MOTION by Bass, SECOND by Haywood, to approve a cost-sharing agreement for the installation of a 12 waterline along the 7400 and 7500 blocks of NW Cache Road submitted by Mr. Jim Tippens and Dr. Gilbert Gibson, with the City paying the difference between an 8 line and a 12 line, two hydrants and valves and provide direction to staff on development of agreement. AYE: Ewing-Holmstrom, Haywood, Bass, Hanna, Devine, Mayor. NAY: Shanklin, Patton, Warren. MOTION CARRIED.

28. Consider approving construction plans for an offsite waterline improvement to be located in the 7400 and 7500 blocks of NW Cache Road.

Bigham said all the information is in your commentaries and it has already been fully discussed.

Ewing-Holmstrom asked Bigham why it appears the City is reactive in development instead of pro-active? Bigham said Public Works does an excellent job in going through, looking at future demands and what the system needs, he believes there s a budgetary constraint on picking the priorities to correct the things needing corrected and the maintenance in adding to the grids and trunk lines. He said in this particular case the City cannot be in a pro-active roll to outguess every developer in town. He said there is 35,000 parcels in the City of Lawton and we cannot sit down here and take a pro-active planning process in what they are going to do. Ewing-Holmstrom said isn t that part of the reason the east side of Lawton is so barren, because there are no waterlines out there? Bigham said no, there are waterlines.

MOTION by Patton, SECOND by Bass, to approve construction plans for an offsite waterline improvement to be located in the 7400 and 7500 blocks of NW Cache Road. AYE: Haywood, Warren, Bass, Hanna, Ewing-Holmstrom. NAY: Shanklin, Patton, Devine. MOTION CARRIED

ADDENDUM

1. Consider approving an agreement between the City of Lawton and the Lawton Metropolitan Area Airport Authority for the dedication of Lawton Police Department Officers for duty at the Lawton-Ft. Sill Regional Airport.

Vincent said we were contacted by Chuck Wade, who advised us the Lawton Metropolitan Area Airport Authority did receive their funding grant for security from the Transportation Security Administration, providing \$27.20 per hour for 13 hours for seven day weeks, if we would provide additional security at the airport. The Transportation Security Administration did require an agreement between the Airport Authority and the local law enforcement authority, that being the City of Lawton. He said Mr. Wade and he did develop an agreement and staff recommends approval.

MOTION by Devine, SECOND by Haywood, to approve an agreement between the City of Lawton and the Lawton Metropolitan Area Airport Authority for the dedication of Lawton Police Department Officers for duty at the Lawton-Ft. Sill Regional Airport. AYE: Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin. NAY: None. MOTION CARRIED

Wade informed Council that this is a five year agreement, so we can be assured security and the price accelerates each year and it s a good agreement for both the City and the airport.

Ewing-Holmstrom mentioned last May, when she traveled, she felt safer here in our airport than she did in the Dallas or D.C. airports.

2. Consider continuing the Retainer Agreement for Professional Services with Howard Kuchta for consulting services for implementation of the Project Impact and Hazard Mitigation Grant Programs.

MOTION by Shanklin, SECOND by Hanna, to approve continuing the Retainer Agreement for Professional Services with Howard Kuchta for consulting services for implementation of the Project Impact and Hazard Mitigation Grant Programs. AYE: Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton. NAY: None. MOTION CARRIED

29. Receive a report from the Human Resources Director on efforts to obtain proposals for a fully insured employee health plan.

Golden reported on proposals for a fully insured employee health plan. He said earlier in the year the Council and staff agreed to pursue the possibility of fully insuring our health and dental plan as a means to limit the City s

liability and possibly reduce costs. A request for proposal was released in early May with a closing date of mid June. The RFP was mailed to more than 29 local, state, and national insurance providers, which is double what we have done previously. The response to the RFP was very limited; we received two bids to fully insure our dental plan and we received one non-responsive bid, to be our third party administrator. He said we did receive feedback from seven major insurers, all declining to fully insure the health plan at this time. Golden said the bottom line of his report is no insurer offered to fully insure the City of Lawton's Health and Dental Plan, with the underlying reason that most insurers couldn't offer a competitive bid, given our claims history and our current number of employees with high-risk medical conditions.

Warren asked if we asked, in the RFP, if they would insure the plan we have in affect, or did we ask if they had a group plan we could buy into? Golden said, no, actually he inserted a clause that we would be more than receptive to receiving alternative and progressive means of fully insurance health plans, because he was particularly interested in something called a Health Reimbursement Arrangement. He said that possibility has been explored with one of the major insurance companies, Aetna, but they are not prepared to do that with us at this time. He was working with a local agency to pursue that option. Warren stated we did give them the opportunity to present their own plan? Golden said absolutely.

Ewing-Holmstrom asked what we could do in the future to help us be a more marketable group to insure? Golden said that is a very astute question; the bottom line is, we are going to have to get into the wellness issue. He said we are going to have to start spending some money, from the plan, on preventive health care, because we can't do too much to control the cost, that is a national problem, but there are things we can do to make sure our employees and retirees live a more healthy lifestyle and that's the direction he believes, we have to head. We have taken the first step by partnering with Southwestern Medical Center, at no cost to the City, to begin initiating those wellness programs.

Shanklin asked if we have had any drop outs as a result in the health plan situation? Golden said as of this morning, we had 67 people who have dropped out of the plan, but we have not completed the tallying of all the employees and retirees. If the current percentage continues, it will end up being around 90 people.

24. Consider adopting Resolutions No. 03-____; 03-____; 03-____; 03-____; 03-____; 03-____; 03-____; declaring the structures at 1601 SW Lee Blvd., 206 SW Summit Avenue, 815 Monroe Avenue, 1108 NW Lake Avenue, 1201 NW Andrews Avenue, 2002 NW Baldwin Avenue, 1007 NW Euclid Avenue, to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate.

1601 SW Lee Blvd. and 1108 NW Lake

Alltizer asked if Council could consider 1601 SW Lee Blvd. and 1108 NW Lake together; both property owners wish Council to condemn those structures so they can take advantage of the reduced tipping fees.

PUBLIC HEARING OPENED FOR 1601 SW LEE BLVD. AND CLOSED WITH NO PARTICIPANTS.

PUBLIC HEARING OPENED FOR 1108 NW LAKE AND CLOSED WITH NO PARTICIPANTS.

25. MOTION by Shanklin, SECOND by Patton, to adopt Resolution No. 03-130 declaring the structure at 1601 SW Lee Blvd. to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED

(Title Only)

Resolution No. 03- 130

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **1601 SW Lee Blvd.**

1108 NW Lake

MOTION by Shanklin, SECOND by Patton, to adopt Resolution No. 03-133 declaring the structure at 1108 NW Lake to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and

perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 133

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **1108 NW Lake**

206 SW Summit

Alltizer said this structure is a single residential structure and the owner has applied for assistance for CDGB funding to assist in the demolition of the structure. Housing and Community Development called today and said they did qualify and bids will be solicited for demolition as soon as their new funding becomes available. She said Neighborhood Services has expended about \$500 for securing and \$164 for abatement of tall grass and weeds last growing season.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Haywood, SECOND by Shanklin, to approve Resolution No. 03- 131 declaring the structure at 206 SW Summit to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 131

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **206 SW Summit**

815 SW Monroe Ave.

Alltizer said this structure is a single residential structure with an detached accessory structure; both structures were vacant and unsecured this afternoon when she took the pictures. The utility service was terminated in 1999 and is a chronic problem and we have expended \$873.04 for abatement of tall grass and weeds over the last three years.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Haywood, SECOND by Shanklin, to approve Resolution No. 03- 132 declaring the structure at 815 SW Monroe Avenue to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 132

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **815 SW Monroe Avenue**

1201 NW Andrews

Alltizer said this property consists of four mobile homes; two were unsecured with broken windows this afternoon when she took the pictures, City utility service was terminated in August 2002 and the property owner did contact her and is here tonight.

PUBLIC HEARING OPENED

Johnny Kinder, owner said this property consists of a home recently remolded on the corner and he has spent a

considerable amount of money on this house and has intended to have the mobile homes removed from the property. He said he hasn't leased them for over two years and doesn't intend to do so. He said he needs to remove them from the property to make the house more sellable and requests Council to give him 60 days to have them removed.

Ewing-Holmstrom asked Kinder if he had received any letters from the City of Lawton about the dilapidated nature of these. Kinder said the mobile homes have been secured since they quit renting them and recently within the last 60-90 days, some of the neighborhood kids took rocks and broke out most of the windows in all the mobile homes, he has put a security light out there and haven't had any problems since then and all the doors are secured.

Ewing-Holmstrom said according to the City staff they have been unsecured several times in the last three years.

She asked him how many chances he needed to get rid of these. Kinder said he has no objection in getting rid of the property, all he is asking is for a reasonable amount of time to do so. Ewing-Holmstrom asked Alltizer how many times he had been notified about this property. Alltizer said, according to the file, the first notice for a vacant and unsecured structure was sent in 2001. Ewing-Holmstrom said now we are talking about a year and a half, two years almost; she asked Kinder how long does he need. Kinder said once he received that notice, he did secure them and put padlocks on all the doors. He said recently the neighborhood kids broke out all the windows and that's why he received another notice. Ewing-Holmstrom said now he needs another 60 days after he has been given two years.

Vincent said if the resolution is passed tonight, he would have 15 days to pull a demolishing permit. If he doesn't pull it within 15 days, Alltizer's office would notify his office that it was time to go to court and that takes about 90 days to get done and if he's got it removed, then we would, of course, not file a lawsuit.

PUBLIC HEARING CLOSED

MOTION by Hanna, SECOND by Shanklin, to approve Resolution No. 03- 134 declaring the structure at 1201 NW Andrews to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 134

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **1201 NW Andrews**

2002 NW Baldwin Avenue

Alltizer said this structure is a single residential structure, the City utility services were terminated in May 2002; since that time, Neighborhood Services has expended \$466.16 for the abatement of tall grass and weeds and \$302 for securing of that structure. She said there has been significant vagrant activity at this address and Neighborhood Services staff has removed two freezers, one refrigerator and several additional appliances from the backyard, to insure public safety.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Hanna, SECOND by Haywood, to approve Resolution No. 03- 135 declaring the structure at 2002 NW Baldwin Avenue to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 135

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **2002 NW Baldwin Avenue**

1007 NW Euclid Avenue

Alltizer said this is a single residential structure, City utility services were terminated in September 2002. She said this structure has been unsecured several times during the last twelve months. She said Neighborhood Services

staff has actually gone out and resecured the structure without further notice, due to significant budget constraints at the time. She said we have expended \$168.95 for securing.

PUBLIC HEARING OPENED AND CLOSED WITH NO PARTICIPANTS

MOTION by Shanklin, SECOND by Bass, to approve Resolution No. 03- 136 declaring the structure at 1007 NW Euclid Avenue to be dilapidated and dangerous, fire hazards, detrimental to the public health and safety, and a blighting influence on the community. Upon adoption of said resolutions, the property owner will have 15 calendar days to obtain permits and perform the work in accordance with requirements of the Lawton City Code. If property owner fails to do so, authorize the City Attorney to initiate legal action in District Court and Neighborhood Services to pursue demolition activity, where appropriate. AYE: Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin. NAY: None. MOTION CARRIED

(Title Only) Resolution No. 03- 136

A Resolution declaring a certain structure a dilapidated public nuisance, detrimental to the health, benefit, and welfare of the community; ordering the dilapidated structure be brought to habitable standards or demolished and removed; and authorizing the City Attorney to initiate legal action in Comanche County District Court to abate such nuisance. **1007 NW Euclid Avenue**

Ewing-Holmstrom asked Council if they were aware of Senate Bill 213 regarding nuisances, effective June 6th and asked Vincent to speak on this.

Vincent said Senate Bill 213, sponsored by our local two senators, provides that municipal liens for demolitions and weeds and grass abatements move up and have the same force as a tax, therefore, we jump up in priority and are more likely to collect our money through a forced Sheriff s Sale/Tax Sale type situation or on a mortgage foreclosure, where we have been very unsuccessful in the past because of the way the law was written; this brings us up equal and the same as property tax.

Bass asked Alltizer about the list of 28 commercial properties and when are they going to start coming up? Alltizer said she is going to try to bring at least two of those structures to Council the first meeting in August. We are going to prioritize them by the number of complaints on each one and bring them to Council a select few at a time.

REPORTS: MAYOR/CITY

COUNCIL/CITY MANAGER

Haywood thanked the Recreation, Street, and Public Works Departments for all the work they did for July the 4th.

Shanklin said Ihler, Public Works and the Street Department is doing an excellent job on G Avenue, between 17th and 23rd putting the black top down; it looks good.

Patton asked everyone to donate blood, there is a severe shortage during the summer months.

Devine thanked the Council for making the decision to support Marie Detty; that is a super good organization and he has been in and out of their facilities at one time or another. Those people are neat, clean, courteous and super nice people. He told Council to take the time and just stop in sometime and look, those people do a great job.

Ewing-Holmstrom asked everyone to support Hospice of the Lawton area, they were a big comfort to her family recently. She thanked Ft. Sill for a fantastic 4th of July celebration, a fantastic fire works show and successful concert. She also thanked MWR and the Army Concert Program for bringing Lawton some great entertainment.

Powell announced he received a certified letter today from the US Environmental Protection Agency stating our application work plan for Federal Assistance in support of reference projects has been approved in the amount of \$1,940,000 subject to terms and conditions of the award. He said this goes for sewer rehabilitation only.

MOTION by Shanklin, SECOND by Haywood, to convene in executive session to consider the items so listed on the agenda and as recommended by the legal staff. AYE: Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton. NAY: None. MOTION CARRIED

The Mayor and Council convened in executive session at approximately 7:40 p.m. and reconvened in regular, open session at approximately 7:52 p.m. with roll call reflecting all members present.

EXECUTIVE SESSION ITEMS:

30. Pursuant to Section 307D, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the acquisition of property for the expansion of Northeast Flower Mound Road Project (Gore to Rogers Lane). Action: None

Vincent read the title of Item 30 as shown above. He said Council convened in executive session and after discussion, no action is required and staff will bring back to Council at the next meeting a Resolution Necessity for Acquisition.

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending lawsuit of City of Lawton vs. Delisa Nevaquaya, Case No. CJ-2002-877, Comanche County District Court, and if necessary, take appropriate action in open session. Action: None

Vincent read the title of Item 31 as shown above. He said Council convened in executive session and after discussion, no action is required.

32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending lawsuit of Kevin Dewayne Waters vs. City of Lawton, et al., Case No. CJ-2002-64, District Court of Comanche County, and if necessary, take appropriate action in open session.

Vincent read the title of Item 32 as shown above. He said Council convened in executive session and after discussion, staff recommends approving a contract to employ John Zelbst to represent the police officers.

MOTION by Bass, SECOND by Hanna, to approve a contract to employ John Zelbst to represent the police officers in the pending lawsuit of Kevin Dewayne Waters vs. City of Lawton, et al., Case No. CJ-2002-64. AYE: Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED

33. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending lawsuit of City of Lawton vs. Atlas-Tuck Concrete, Inc. and Landmark Engineering, Case No. CJ-2002-252, District Court of Comanche County, 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, staff needs a motion from Council to appoint a member of the City Council to attend the settlement conference to be held, tentatively, on July 23, 2003, and recommends Council Person Devine.

MOTION by Shanklin, SECOND by Hanna, to appoint Council Person Devine to attend the settlement conference to be held, tentatively, on July 23, 2003, in the pending lawsuit of City of Lawton vs. Atlas-Tuck Concrete, Inc. and Landmark Engineering, Case No. CJ-2002-252, District Court of Comanche County. AYE: Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass. NAY: None. MOTION CARRIED

34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending lawsuit in the Western District of Oklahoma, Case Number CIV-02-1163A of Connie Givan vs. 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 appointing Council Person Randy Warren as the settlement conference representative in the pending lawsuit of City of Lawton vs. Atlas-Tuck Concrete, Inc. and Landmark Engineering, Case No. CJ-2002-252, District Court of Comanche County. AYE: Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna. NAY: None. MOTION CARRIED

35. 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. Action: None.

Vincent read the title of Item 35 as shown above. He said Council convened in executive session and after discussion, no action is required.

36. 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 and terms and conditions of employment between the Firefighters Union, IAFF, Local 1882, and the City of Lawton, and if necessary, take appropriate action in open session.

Vincent read the title of Item 36 as shown above. He said Council convened in executive session and after discussion, staff recommends the Council approve the City Manager's action in naming John Vincent as the City's Interest Arbitrator and Mr. Tony Puckett as the City's representative.

MOTION by Hanna, SECOND by Bass, to approve the City Manager's action in naming John Vincent as the City's Interest Arbitrator and Mr. Tony Puckett as the City's representative to discuss negotiations for a Collective Bargaining Agreement for FY 2003-2004 and terms and conditions of employment between the Firefighters Union, IAFF, Local 1882. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine. NAY: None. MOTION CARRIED.

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

