

Meeting of 2004-4-6 SPECIAL MEETING

MINUTES

LAWTON CITY COUNCIL SPECIAL MEETING
CIP WORKSHOP
APRIL 6, 2004
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell, Also Present:
Presiding Larry Mitchell, City Manager
 John Vincent, City Attorney
 Kathy Fanning, City Clerk

The meeting was called to order at 6:05 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT: Randy Bass, Ward One
 James Hanna, Ward Two
 Glenn Devine, Ward Three
 Amy Ewing-Holmstrom, Ward Four
 Robert Shanklin, Ward Five
 Jeffrey Patton, Ward Six
 Stanley Haywood, Ward Seven
 Randy Warren, Ward Eight

ABSENT: None

BUSINESS ITEMS:

A. Determine Final Project List for Sales Tax and Ad-Valorem Tax

Mitchell said a packet had been given out that covers the actions of the Council to date. Tonight we hope to finalize the project list. We made the assumption that we would be looking at a 5 year, \$65 million CIP Program. He handed out two things; 1) a survey done on the City's website. At mid-afternoon today, we had 262 respondents, and 2) a handout from the Public Works Director for those projects which would be considered under street improvements and repairs, which we have \$3 million allocated for. The last handout was circulated by Warren, which is a revised proposal of a 7 year, \$85 million program. Mitchell said his hopes for tonight would be to finalize the list and go on to prepare the resolution and ordinance required.

Powell said at our last meeting it was Council's decision to have a 5 year, \$65 million CIP list, so if that is Council's intent to stay with that, we need to determine the final project list and how much money to be allocated for each project.

Warren said he would like to try once more for a 7 year project list. The biggest thing is getting the citizen's vote on a CIP Program and then turn around in 8 months or a year and add to their utility bills to pay for sewer rehab. He said if we go to a 7 year, it includes \$19 million for sewer rehab, which, when added to the \$1.5 million we have from the federal government, that puts us within about \$6.5 million of the total project cost. It's possible that money could stretch us far enough where we could be into the next CIP cycle whenever we have to come up with the last bit of that money. He thinks this is something we need to look at because he is not going to be in favor of doing a CIP and then come right back and put \$2.50 on the utility bills. He said he wouldn't be a part of that. He said everybody needs to think about the fact that we are going to have to fund that somehow.

Shanklin asked why staff wasn't concerned with this. Warren said he would assume that staff put in the original \$4 million. Shanklin asked how far \$4 million would get us. Warren said about a 1 1/2 year. Shanklin said that is mandated.

Mitchell said we put money in for a 5 year program. We also made an allocation for a 6 year program and a 7 year program. He said he thinks in the 7 year program we had talked about somewhere around \$9 million.

*Haywood entered at this time (6:13 p.m.).

Shanklin asked if that was all it takes for 7 years, why are we wanting \$17 million.

Mitchell said Phase II of the sewer rehab is \$28 million and he said their thought was we needed to at least provide some seed money for Phase II, recognizing we just didn't have the dollars available to us to put in the total \$28 million into the Sewer Rehab Program under this CIP Program.

Powell said under the 7 year plan, staff recommended \$9 million.

Warren said that still wouldn't pay for an entire 7 years of sewer rehab because the next phase is a 7 year phase. That's \$28 million in 7 years that we're going to have to come up with, regardless of whether we put \$4 million in there, \$9 million, \$19 million, or \$28 million.

Shanklin asked if we were going to have to come up with \$28 million in the next 7 years.

Mitchell said yes, starting in July. Shanklin said that should be the first thing on the program. It's mandated.

Warren said that's why he included it because we can do that in a 7 year program and have all that stuff completely without ever touching the utility bill.

Powell brought Haywood up-to-date at this time.

Shanklin said he misunderstood, where's the money if you didn't do anything but the \$4 million for the first year for what reason, waiting on what?

Mitchell said he believes Shanklin misunderstood. The last workshop Council was given a package with a 5 year program, a 6 year program and a 7 year program. In the 5 year program we had \$4 million in the Phase II Sewer Rehab, in the 6 year he believes we had \$6-6 1/2 million, and in the 7 year we had \$9 million. If the Council wishes to fully fund Sewer Rehab on a 7 year program, that would give you a balance of \$57 million, if you take out the SE Water Treatment Plant, that gives you \$34 million, so that's Council decision.

Shanklin said are you saying, in the 7 years it costs us \$28 million. Mitchell said yes. Shanklin asked if we are capable of doing that with the crew we have. He said he thinks you have to fund it.

Devine said he just hates seeing us have to go to a 7 year plan, but if that's what it takes. But he is real reluctant to some of the priorities here, which would have to be bounced around here after you did decide what you want to do. He said the SEWTP has been one of the projects for the past 6 years that he has been trying to get it moving forward as quick as we can.

Ewing-Holmstrom asked what the delay in that was.

Shanklin said those plans were \$2 million that was blown, we didn't use it but we had to have it by 1990. We had to have that Water Treatment Plant, we don't have it. We've gotten along fine.

Powell said Warren has brought forth a 7 year plan that's been discussed.

Patton said he is very hesitant to go out any longer than 5 years, but on the flip side, he thinks Warren brings up a good point. If we can do this in the 7 years without having to put any additional money on the water bill, he thinks we should really look at it. He said he has kind of changed his thinking on that.

Devine said he wouldn't have a problem with the 7 years, on the basis of what Warren is saying that we wouldn't have to put this on the water bill. He said if there was some way to assure we were not going to do that, then he would be in favor of it 100%. He feels what will happen is we will get about 3 years into this and this money will get all involved in other things and priorities. As an example, when we did our last CIP our priorities totally changed from what we started out with because the money, once everybody was reaching and grabbing out of it, a lot of the projects got put to the bottom of the list.

Shanklin asked which ones these projects were.

Devine said one is the school, that was not a top priority for us to come up with \$12 million but they drew out money before anybody else got any money. He said as fast as it came in, they got their \$12 million. He said he can go back and get a lot of records and show that was not the top priority on the list.

Hanna said he understands what Devine is saying. All this money we've voted on over years and years, to have certain projects done and they haven't been done because it went into General Fund. He asked why these couldn't be put into priority and pass a resolution that these things get done and the money cannot be spent until that project is finished. He said once the project is finished and there's money left, that money can then go back into General Fund and we've done this in the past. Devine said he agrees with that 100%. Hanna said this way we can't

change it.

Powell said for clarification, CIP funds cannot go into General Funds.

Hanna said in the past, money has been put out there and spent not the way it should have been, like sewer rehab. The last time we voted on that, we spent the money on sewer rehab. If we pass a resolution to do it., we can earmark this money and it cannot be touched until that project is completed. If there's anything left after that project, then it can be used some other way. He said the citizens are getting tired of paying for some of these projects over and over again which never get built.

Shanklin said that is simply not true. The only time that happened was in the 85 CIP and they identified \$60 million worth of projects and took in \$30 million, there was no possible way. Every since that time everything has been put on a resolution and passed and the CIP has been done. He said as far as that school, we damn ought to be glad it's built and it's out there for BRAC. That was the whole idea, to protect the central quarter and Fort Sill with a new junior high. He asked Ihler if he was correct in that statement. Ihler said yes that's correct.

Powell said a good example is the 95 CIP. All projects were completed and we had a little more than \$3 million left. Council had the ability to divide that up among their wards and Council blessed the idea of putting that new Flowermound Road out there by the new Veteran's Care Center, with matching funds from State.

Haywood asked about the water lines. Do we have replacement of water lines down? Powell said on the list is water distribution and storage for \$4.6 million. Ihler said there was \$4.6 million in water distribution and storage. He said \$1.25 million of that is recommended for painting and maintaining all the towers for the next 15 years. Powell said that would give you \$3.4 million to go for the distribution lines. Ihler said right and you had committed, if it passes, \$800,000 to the Cache Road water line.

Ewing-Holmstrom asked what, on Warren's list, is on the top ten or fifteen mandated. Ihler said the Subtitle D Landfill Project is not mandated by EPA or DEQ, but we have somewhere between 7 to 8 years of landfill space, so we need to get that constructed so we have a place to put the trash. So, you have the landfill and in speaking with DEQ we will be receiving a Consent Order for the WWTP Ultraviolet for \$1.75 million. He said those are the ones we absolutely have to do from either a consent order coming down the line or we just run out of landfill space.

MOTION by Warren, SECOND by Shanklin, that we approve a 7 year plan, for \$85 million with a combination of sales tax and not raise ad valorem tax. AYE: Hanna, Shanklin, Patton, Warren, Bass. NAY: Devine, Ewing-Holmstrom, Haywood. MOTION CARRIED.

B. Establish Individual Project Cost Estimates

Powell asked Council to pull out the information given by Mitchell. He said we are going to increase by \$20 million to the previous 5 year plan.

Mitchell said under the 5 year plan, we had allocated \$5 million for Phase II Sewer Rehab, so the total \$20 million goes into the Phase II Sewer Rehab.

Powell said that's \$5 million and Warren has asked for \$19 million.

Devine said that was the whole purpose of passing the 7 years, so we could pull \$19 million straight into Sewer Rehab. Actually it was \$28 million because he wanted to fund the whole thing.

Powell said with the \$1.5 million we opted from the feds, our cost saving abilities by doing this in-house, you are going to get real close to taking care of that second 7 year phase. He asked if there were any projects not listed on any of these lists that Council would like to see put on.

Devine said if he's understanding what was voted on is we need to put \$19 million into that and that takes up all that \$85 million because you're going \$65 million and \$19 million, that leaves you \$1 million to use to add to this. That's what you all voted on.

Powell said if you remember, what he said was, what Council was voting on and the motion was for this; for a 7 year plan for \$85 million and that didn't freeze in the projects on these lists and neither did it freeze in the dollar amount on the list.

Devine said he is sure glad he didn't vote for it because that's exactly what he understood that was the reason he was wanting to do it.

Powell said what you voted on was the time, which equates to the dollar amount and that's exactly what was voted on. It was brought forth very clearly.

Ewing-Holmstrom asked for more information about the SE WTP, some clarification about the land where it's going to be built, etc.

Mitchell said under the 2000 CIP there was \$3 million allocated to do the land acquisition, right-of-way acquisition, engineering for that plant, and we spent about half of that. So that was all that was allocated in the 2000 CIP. This dollar value in the 2005 proposed CIP would be for the actual construction of the plant.

Ihler said the location was at the corner of SE 15th and Coombs Road. This is with the Oklahoma School Land Commission and it will be a lease, they did not want to sell it. The lease is around 55 years.

Ewing-Holmstrom asked how much that was going to cost us.

Mitchell said the last letter received from the State Commission was they would not consider a purchase or a lease until we made some progress on cleaning up the old WWTP.

Powell said he asked Mitchell to draft him a letter on this so we can get this cleaned up.

Ihler said there will be an agenda item coming before Council next Tuesday night addressing taking \$3 million for the SE Plant as part of the easement acquisition for the plant, to finish cleaning up the old abandoned WWTP site.

Ewing-Holmstrom said she has a problem leasing land for 55 years for a \$22 million project. Bass said he understood we were going to purchase it. Devine said that is what he understood too.

Mitchell said that was our intent but we received a letter from the Commission saying they were not interested in selling the land to the City but they would be interested in leasing the property for an extended period of time.

Ewing-Holmstrom said that is one problem the City of Lawton already has, leasing property. She said this is the top project, the most expensive project on the CIP list and those are some details we need to have worked out and the Council needs to address those before we talk about putting this as number one on our list.

Warren said regardless of where we build it, the plant is going to cost \$24 million.

Ihler said it includes the plant as well as a water tower and transmission lines to tie into the existing system from the plant.

Ewing-Holmstrom said this is needed because?

Ihler said if we want to experience any future growth. Typically, when you reach 85% of your treatment capacity, you start planning and building for your next expansion for twenty years out into the future and we have surpassed that. We utilized in 2000-2001 about 94%.

Devine asked if anybody had decided why exactly that has to be built on that 40 acres of land?

Ihler said he recalls they looked at a couple of sites and the Waurika Transmission line runs right through that site and the thought was it had a good lay out and is close to where we can utilize and send our sludge to a forced main to where we won't build sludge handling facilities at this plant. We will treat it at the WWP and that will save us a little on construction and the other idea was dealing with the School Land Commission would probably be more cost effective than dealing with a private owner.

Devine said he really has a problem with leasing land after spending \$25-30 million and putting it on leased land. You are putting the burden on the citizens of Lawton 55 years from now. Somebody has to worry about our future and 55 years from now, is the school wanting to lease then. They have you where they want you. He said he doesn't understand why we can't buy the land within a mile or two one way or another that would work just as well. Ihler said we would definitely want to stay on the Waurika Transmission Line.

Ihler said they looked at land directly across on the north side of the land back in the 80's. There were 3 sites picked out and it was determined that was the most cost effective site.

Devine said he wouldn't mind it if it was done in a contract where you can lease it for 55 years with an option for an additional 55 years within a percentage of increase of the lease, within reason. But to just lease it with a 55 year lease that terminates and it's wide open for negotiations, it's not good business.

Ewing-Holmstrom said Devine has a really good point because that exact same thing is happening involving water lines that go across tribal land on the east side of town. The 50 year contracts are coming up in 4 years, so this is something we really need to address when we are talking about the SEWTP. Building on leased land is not a good idea. She said we are just spending money on an uncertain future.

Haywood asked if the 55 years would be for an option of another 55 years or what.

Jensen said that would depend on what the School Land Commission is willing to agree too. Typically, if they say they want to limit this for 55 years with an option, that may have to be with certain conditions of their agreement.

Haywood asked if they took the land back, would they have to pay us for the treatment plant or what.

Jensen said again, that would depend on what the contract says. He said he can't imagine they are going to want to agree to do that.

Powell said historically, on school land property, anytime you build any improvements on there, that stays with the property.

Devine said yes, and historically, when they make a lease with somebody, is that we buy all the improvements back that the people put on there.

Bass asked what we just spent out on Medicine Park on that Water Treatment Plant. Ihler said the construction contract was \$32.6 million. Bass asked how many gallons are we treating. Ihler said we are capable of treating 40 million gallons.

Ewing-Holmstrom said we just spent \$33 million on a 40 million gallon plant and this new one is going to be \$22 million.... Ihler said we came to Council about 5 years ago, under the 2000 CIP and the consultant had a recommendation at that time, to build a 45 million gallon plant out at Medicine Park. The Council at that time, chose to get started with the SE WTP for the future and do the design for the 10 mgd plant in SE Lawton and do 40 million gallon so it will carry you through 2007-2008 by the time the new plant came on line, then you would have 20 more years in the future.

Ewing-Holmstrom asked how much we have spent on the SE WTP so far. Ihler said from the 2000 CIP we will spend approximately \$1.6 million for the design and he thinks we spent, as per Shanklin, about \$1.92 million for design back in the 80's. Ewing-Holmstrom said a design in the 80's is an interesting point. Ihler said the idea back then was to design the plant. It was approved as part of a CIP to design it, with the idea that the next CIP we would construct it. When we went to the voters with the next CIP, it was not approved to go forward and construct it. We went with a different plan to do some different things to address pressure problems within the system.

Ewing-Holmstrom asked if those two plans are even valid anymore. Ihler said no. We used some of the information from that and as part of that \$1.9 million, we paid for a transmission line design. We are able to utilize that transmission line design for the transmission lines, and are doing that in-house. We are taking the old plans done in the 80's and redesigning that. He said we are able to use part of the plans, but as far as the WTP itself, technology has changed in the last 20 years so we did not utilize those plans.

Ewing-Holmstrom said she doesn't see how we can go forward with this plant if the plans are too old. She told Shanklin his name is on there as voting that in. Powell said you can not go back and it's useless putting blame on past Council. Ewing-Holmstrom said the Mayor is misunderstanding her, she is not putting blame on anybody. The Council that voted that 20 years ago did not follow through on their project, so instead they wasted \$1.6 million or \$1.9 million of the taxpayer's money. She said we need to either stop it now or decide where we are going to invest \$22 million on a plant on leased land.

Warren said the voters did not vote that project in. Shanklin said the voters did not believe we had to have it done in two years. He said he went around about 40 different civic clubs and ran a full page ad and it got defeated.

Warren said the problem being, had we built it, had the voters seen it differently and voted to build that plant, we wouldn't have had to do the work that we did on the north plant. We would have had a SE plant and we could have maybe spent about \$15 million rehabbing the north plant and we would have been done. Ihler said that is correct.

That plant was to be a 30 million gallon a day plant and we were only going to have the 25 million up in Medicine Park. Warren said we wouldn't have pumped everyday from Ellsworth to Lawtonka because we would have been utilizing the SE plant. There would have been times when we would have had to of pumped, but not nearly what we have had to pump since the citizens failed to pass that. Right, wrong, or indifferent, that was their choice and they decided not to do that. Had we done it, things would be a lot different now.

Shanklin said that is so false. First of all, we had 25 out there, you are going to go down there and build 30, you could do more than that on that 25 plant. That 25 million gallon plant would bring 30 and the other could do 15. It could do it for 5 or 6 days. How many days of the year do you want to be able to sell all the water you want at 5:00 at 110 degrees? There's only 5 or 6 days you can do that. Why build to that point? You are not conserving your water any way, shape, or form and that's this Council's fault.

Warren said if we had built the SE plant in 85.

Shanklin said you would be pumping up water forever and ever. You would have staff out there and this stuff here, that's a million dollars a year. So, that's been 20 years. That's 20 years out of the budget.

Warren asked how much it would have cost us to built that in 1985 and how many gallons would it be versus \$15 million rehab on this? We would have been done for about \$50 million.

Ihler said it would have been a combination of 30 and 25. We would have had 55 million gallons.

Warren said for a lot less money than we are going to end up spending to do the same thing right now, if we accomplish this.

Shanklin said we have not had to have this water for the last 20 years.

Warren asked when are we going to decide when we are going to need that water? You need it right now, on some days.

Powell said we are not even in the same ball park with where we are suppose to be. Right now we are on the SE Water Treatment Plant on leased land.

Warren said the question is, "Are we going to do it or not?"

Ewing-Holmstrom said her question is if we couldn't sell it when voters voted it down, 20 years ago, do you think they're going to do it now? What's the attraction?

Bass said on the Medicine Park Treatment Plant, can you add on to it anymore, or is it done?

Ihler said he would not go over 45 million gallons because that's our transmission capacity. You wouldn't want to go over 45 and that's what the consultant said.

Warren said we need to quit worrying about where it's going to be built and decide if this Council wants to go forward and provide the citizens the opportunity to build the SE plant.

MOTION by Warren, SECOND by Hanna, to approve as part of the 7 year CIP plan \$22.5 million for the SE Water Treatment Plant. AYE: Devine, Patton, Haywood, Warren, Hanna. NAY: Ewing-Holmstrom, Shanklin, Bass. MOTION CARRIED.

Powell said the next item is Phase II of the Sewer Rehab, but we don't have a dollar amount on this.

MOTION by Warren, SECOND by Hanna, that we approve \$19 million of the 7 year funds of the CIP Plan to go for Phase II of the Sewer Rehab.

Bass said before all the money is gone, he would like to see the meter replacement program done. If we go with 7 years, you are looking at 21 or 14 years before you can ever get finished with the program. You just have \$2.5 million down there, this takes \$6 million to do it.

Warren said that's a start. We can't put that many in anyway. We can't put more than that in originally to begin with.

Devine said Bass has a good point because of all the monies we are spending, we are not actually going to be bringing any money in, with the exception of those water meters because of the loss of revenue we loose on our meters that half of them are not even working, or working properly. With this meter replacement, this is revenue income.

Bass said he would like to get a number from Endicott. What does it take to replace them? Endicott said it's about \$200 per unit, about \$6 million.

Devine asked Endicott if this was the type of meters that one man could read the entire city. Endicott said yes, radio read. Devine said they can just drive down the street and it automatically reads the meters? Endicott said that's the intention, yes. Warren asked how many of those can be installed in a year, without hiring anybody to do it. Endicott said he's not sure without hiring anybody to do it. We originally looked at just a section, we thought we could utilize one or two of our service men to do it and it would take a few months to do about 1,000 units. If we went full scope with it, he would recommend bringing the company in and do it for us in a six month period. Warren asked if that was figured into the cost of the \$200. Endicott said he thinks we can get that in there, yes. Devine said the average cost of changing those meters out is going to be about \$30 per meter. Endicott said no sir, that's not with the radio reads, that was just a regular standard meter. With the radio read, it's in the neighborhood of \$200. Devine said the labor? Endicott said he was talking about the units themselves. Devine said

he was talking about the labor to change those out, which is about \$30 per unit. Endicott said when they talked with one company, based on how we would do it, they could probably drop the cost of the per unit down and it could be in the neighborhood of \$20-30, but we are not certain about that.

Shanklin asked if they are saying all the water meters are not working? Bass said he's not saying that all of them are not working, he's saying you are coming in with new accounting software and if you are coming in with new software, why don't you do the meter replacement program so everything is set to where there's no problem? He said one person can read them all in one day, you can have one billing cycle, correct? Endicott said if we chose to, yes.

Shanklin asked if it would take the same amount of employees.

Endicott said no it won't take the same amount of employees. He said he doesn't have any specific numbers on how much it would save, as far as water loss, due to old meters. We just sent off about 100 meters to have them tested, in Florida and we randomly selected those. Over time we will make up quite a bit of cost in labor.

Ewing-Holmstrom said wouldn't the issue also be accuracy? Endicott said yes. Ewing-Holmstrom said since we are talking about accurate meter reading, we are talking about revenue that's correct.

VOTE ON THE MOTION WAS HELD AT THIS TIME

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

Powell said now you have spent \$45 million of your \$85 million.

MOTION by Bass, SECOND by Ewing-Holmstrom, to approve \$6 million from the 7 year plan of the CIP Program for the meter replacement program. AYE: Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom. NAY: Shanklin, Patton. MOTION CARRIED.

Powell said let's get these mandates on there. You have your Sub Title D Cells for \$8 million.

MOTION by Hanna, SECOND by Bass, to approve \$8 million from the 7 year plan of the CIP Program for Sub Title D Cells. AYE: Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin. NAY: None. MOTION CARRIED.

Powell said you are at \$55.5 million now.

MOTION by Warren, SECOND by Devine, to approve \$1.75 million from the 7 year plan of the CIP Program for the Wastewater Treatment Plant Ultraviolet System.

Bass asked if this had to be done. Hanna said it's a mandate. Shanklin asked if it was a mandate now.

Ihler said it's on a Notice of Violation of Toxicity from DEQ. He said they received a letter from DEQ saying we are going to get a consent order addressing the problem we have, that the ultraviolet system will correct. Shanklin said we have spent all that money out there and we're short someplace or some area, or is this something new that has come up?

Ihler said the Oklahoma Water Resources Board redesignated East Cache Creek Stream such that it is considered a warm aquatic fishery area. The by-products we discharge from using chlorine causes toxicity problems for the little minnows in East Cache Creek.

VOTE ON MOTION WAS HELD AT THIS TIME

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

MOTION by Ewing-Holmstrom, SECOND by Bass, to approve \$3 million from the 7 year plan of the CIP Program for a new accounting system. AYE: Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Patton, Haywood. NAY: Shanklin. MOTION CARRIED.

Patton said he would like to make a motion.

MOTION by Patton, SECOND by Warren, to approve \$1.8 million from the 7 year plan of the CIP Program for improvements to 67th Street.

Shanklin asked what we were going to do with 67th Street.

Ihler said this is to construct from Cache Road to Rogers Lane, a five lane to take care of the traffic going to Wal-Mart. The \$1.8 million is the City's share for 20% of the construction cost. This is one we're asking to go on a joint effort with ODOT, where they will fund 80% of the construction and the City will be responsible for engineering, right-of-way acquisition, and utility relocation.

Shanklin asked if this was to help Wal-Mart. Ihler said it's to help the citizens who travel to Wal-Mart. It's a two lane.

Powell asked if this was for old Cache Road. Ihler said it's one mile from Old Cache Road to Rogers Lane.

Shanklin asked if Wal-Mart was contributing.

Ihler said because Wal-Mart is there, we are moving it up from the Long Range Transportation Plan showed that 67th Street should be widened in the year 2020 time frame. He said because Wal-Mart went into that location, there's a lot more traffic on 67th Street, therefore, we're asking it be moved up in the system.

Devine said if it's going to be 5 to 8 years before you start this project, why are we asking for the money now?

Ihler said that's an estimate. If you consider in the 2000 CIP, we were very fortunate our Commissioner was able to get Flower Mound, West Gore, and 38th Street into the ODOT Program. The only reason he was able to do that is because we had the plans and specifications complete. It was designed and we were ready to go so ODOT was able to fit it in their program when the monies came available.

Devine said we're gambling.

Ihler said yes, in essence you are gambling, but it's a good gamble.

Ewing-Homstrom asked about the road on 45th and when that's going to fall in, compared to 67th Street.

Ihler said in the Long Range Transportation Plan, SE 45th Street from Gore to Lee Blvd., he believes, will be between the years 2005 and 2010, so it would be in this program that we were recommending in the Long Range Transportation Plan.

Warren said the important thing we have to remember is that ODOT used to work on a 5 year schedule, they are working on a 8 year schedule now. For us to apply, we have to have those matching funds in hand. We can't just say we want to do that road someday and promise we'll have the money. You are looking at 2012 before this is possibly going to get done.

Ihler said unless our Commissioner is successful in getting us in the program sooner.

Patton said he doesn't believe we are doing this for Wal-Mart, he likes to think we are doing this for the citizens who live in that area because it's going to be a lot safer for them to get in and out of their neighborhoods with this type of street.

Shanklin said he understands that, he just wants Wal-Mart to start selling their gas at the right price at the right percentage. They got beat in the 10th District Court in Denver. What they are doing is not good for the rest of the City of Lawton.

Ewing-Holmstrom said since we are comparing, she wanted to make a comment on 67th versus 45th. The section of road we are talking about on 45th affects far more people than this section of road on 67th Street, as far as cross traffic and things like that.

VOTE ON THE MOTION WAS HELD AT THIS TIME

AYE: Hanna, Devine, Shanklin, Patton, Haywood, Warren, Bass. NAY: Ewing-Holmstrom. MOTION CARRIED.

Ewing-Holmstrom said she would like to make a motion.

MOTION by Devine, SECOND by Warren, to approve \$4.6 million from the 7 year plan of the CIP Program for Water Distribution Storage.

Shanklin said he needs to know what that means.

Ihler said we have received some information on maintenance programs with regards to painting, cleaning, and

maintaining towers. If we could get the first year, up-front money, which is \$1.25 million, they would maintain the 7 million gallon storage tank and the four elevated towers in town for the next 15 years. That means they would go in, clean and inspect them every year, as well as throughout that 15 year period, they would paint them on the inside and outside twice. When you consider the cost of just painting one of them, we were looking at somewhere around \$600,000 for the one 7 million gallon storage tank. It's a wonderful investment. He said there would be additional costs after that of about \$130,000, starting out at about \$130,000 a year and topping out 15 years later at \$155,000 a year. We are asking that we pay that out of the budget each year. Then you have your towers maintained, painted, and in great shape for the next 15 years. That's 1.25 of it. He said \$800,000 of that, if you recall, when we did the portion of the 24" water line to serve the Industrial Park, from 82nd Street to 97th. The second phase of that was to do from the pump station near 67th Street out to 82nd Street, so that was \$800,000, so that gets you about \$2 million. He said we need to replace our scata system as it relates to water distribution. It's 12 years old and antiquated and we are looking somewhere in the neighborhood of \$700,000 to \$1 million for that. The remainder would go for water line distribution improvements. That's only leaving about \$1.6 million for water line distribution improvements, and that's not a lot.

Shanklin said the 82nd Street line is going to double back and pick up to the southwest water tower.

Ihler said the overall line will go from what we call the Industrial Tower, the checkered red and white one. It's going to go from 67th and Atlanta, we have that 7 million gallon ground storage tank, it will run from there to 82nd Street. You have already approved funds from the 2000 CIP to do from 82nd Street to the tower.

Shanklin asked where was the by-pass we were going to set up so some of these people could tie on, like that church out there.

Ihler said there's the existing 18" line that services the tower; we are going to dedicate that line to those people that want to tie on.

Shanklin asked when, that'll be years away, won't it?

Ihler said no, we are in the process of designing that right now and we're waiting for the property owners to donate the right-of-way for us to build that water line on the south side. As for those who are building right now, we would have to give a commitment to allow them to tie onto the 18" as soon as we got all the right-of-way and then we would go in and build the 24" line and convert over.

Shanklin asked what line comes back around from the church and back down to 82nd?

Devine said he's talking about the one that goes south.

Ihler said that's the 24" that comes out of the tower and goes down 97th all the way to Goodyear and then runs...

Shanklin said no sir, the one we set up here about 2 or 3 months ago, whenever we did the church. We were going to come through there and let people tie onto that thing from subdivisions for nothing, as he understands it now.

Ihler said we are going to let those folks tie onto the 18" line that exists and then we are going to build and dedicate a new 24" line to the Industrial Tower that they cannot tie onto.

Ihler said the 18" is on the north side.

Shanklin said he thought the line came through along the creek behind the Catholic church.

Ihler said there is a line on 82nd Street, a 30".

Shanklin said we're not coming off of that and going back around by the creek, behind the Catholic church and coming out at that.....

Ihler said no.

Warren said there was a discussion, that was one of their options, to get water.

Ihler said it would be his expectation that the developer would be responsible to run a 12" line back behind the creek and back around and tie in. He said that would be the developer's responsibility. We are providing the major arterial line, the 18" they could tie off of.

Powell said that's the only existing one out there now, on the north side. The proposed one is on the south side, based on getting easements, that was described here on the Council floor and you've asked for a wider easement

than normal for future use in years to come.

VOTE ON THE MOTION WAS HELD AT THIS TIME

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

Haywood said the first one he wants is on street reconstruction and repair for \$3 million, do we need \$4 million? Ihler said yes sir, we do and we need more.

Ewing-Holmstrom asked Haywood to answer a question for her before making his motion. She asked about the sheet that was passed out about the street projects for \$3,757,000.

Ihler said at the last meeting Councilman Patton asked where are these projects we would do for the \$3 million. Those are the projects we would be shooting at doing.

Ewing-Holmstrom said if these are the construction projects, you really need \$4 million.

Ihler said 45th Street is not on that list.

Powell said we have a motion on the floor for \$4 million for street reconstruction and repairs.

MOTION By Haywood, SECOND by Ewing-Holmstrom, to approve \$4 million for street reconstruction and repairs, to be guided by the handout to Council, and/or additions or deletions.

Shanklin said as outlined where? Is it right here, prioritized? So we are going to allow the magnificent sum of \$42,000 to Ward 5, is that what you are going to tell me?

Haywood said yes, for Ward 5.

Warren said there was \$125,000 for F Avenue.

Ihler said F Avenue alone was \$125,000, from 27th to 38th Street.

VOTE ON THE MOTION WAS HELD AT THIS TIME

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

MOTION by Bass, to approve NW 38th Street and 45th Street for \$6.2 million.

Devine said there is something we really need to look at and we are overlooking. We need those dam improvements at Ellsworth.

Ihler said they prioritize such that the dam improvements are a very critical part of our water system and we believe it's a high priority.

Devine said the \$2 million is to do the gate, gate seals, and painting.

SECOND by Ewing-Holmstrom, to approve \$6.2 million for the NW 38th and 45th Street Projects. AYE: Shanklin, Patton, Haywood, Warren, Bass, Hanna, Devine, Ewing-Holmstrom. NAY: None. MOTION CARRIED.

Powell said he is going to go with Hanna and then Haywood.

MOTION by Hanna, SECOND by Warren, to approve \$3 million for the Renovation of the old Central Jr. High School.

Devine said that doesn't need to be \$3 million, that's \$300,000.

Warren said no that needs to be \$3 million for revitalization.

Ewing-Holmstrom asked if this was part of the program. Is this money part of what was presented to us at the John Shoemaker Center?

Powell said that is correct. He said Mr. Beauchamp called a meeting at Shoemaker Center probably two months ago.

Shanklin said he was there, but \$3 million to do what with? What are they going to do to Central? He asked if we were going to try and buy Central.

Powell said nobody knows the ownership of it. He said we left there that day and nobody really knows the ownership of that. Mr. Beauchamp's point that day was to go in there and renovate it with the money they got. He thinks McMahon was going to participate in it.

Shanklin said McMahon said they would match. He said McMahon said they would give us \$3 million.

Powell said yes, they did make that statement at that meeting.

Warren said this is our portion of a \$10.5 million project that would completely revitalize that building to include making it ADA accessible. We could locate all of our City offices there, the Chamber of Commerce could locate there if they so desire, it would have banquet facilities, it would have an auditorium that would seat 400, and all that is for that \$10 million, of which we are only responsible for \$3 million. He said he thinks it's one of the best deals the citizens are going to get for a \$3 million investment.

Devine said he can not agree with that because he thinks all we are going to do is inherit a dinosaur that will cost us for the rest of our lives just trying to keep that building together. He doesn't think the citizens of Lawton, Oklahoma needs to be saddled with that. I will not support it.

Bass asked who is going to own it if we get \$3 million. Are we going to be the owners or are we just going to give \$3 million and pay rent when we get over there or what?

Warren said the last thing he heard from Beauchamp was they would be willing to give up that school. He said he hopes we would go into it with ownership. Probably what we need to do is look at forming an entity and legal would be the ones to decide what's the most financially agreeable thing to do, whether we have a non-profit that would own it or what, but that would be our portion of our investment.

Shanklin said the way he sees what we are doing is we are going to say we have \$3 million, that doesn't mean we are going to spend it this year, next year, or five years from now, but we have designated \$3 million until we decide, or a future Council decides it's a no go. We are not going to give anybody \$3 million to go do anything until there is an entire program and told to everyone. He told Council they are talking about their central quarter and it's vital we keep it and it's vital we do everything we can for the east side. He said keep that in mind, it doesn't say that \$3 million is going to be spent.

Powell said we do have a motion on the floor, we've had discussion on this thing, really describing what it's about.

VOTE ON THE MOTION WAS HELD AT THIS TIME

AYE: Patton, Haywood, Warren, Hanna, Ewing-Holmstrom, Shanklin. NAY: Bass, Devine. MOTION CARRIED.

Haywood said he would like to make a motion on Squaw Creek, down on Lee where all the water is coming down from the north and just can't get through. He asked Ihler to talk about that. He said he has been trying to get this done since 1998.

Ihler said once you get south of Lee Blvd. it's private property and the City does not have right-of-way to continue and construct a channel on further all the way to I-44 is what this project would do. He said the construction funds are to construct it, design it, and buy the right-of-way and it's estimated to cost about \$4 million. As an alternative, if funds are tight, at least do the design and buy the right-of-way so we can go in with City staff and clean out the channel so the water can pass through. If you want to construct it, it's estimated at \$4 million. If you want to buy the right-of-way, do the design and have street and drainage go in and try to clean it out, then you are looking at about \$2 million, is what we were estimating.

MOTION by Haywood, to approve \$2 million for the rehabilitation of Squaw Creek Drainage, South of Lee Blvd.

SECOND BY Shanklin,

Haywood said he said \$4 million.

Powell said no, it's got \$2 million here.

Haywood said he has \$4 million on his.

Mitchell said you are looking at Warren's. For full clearing and reconstruction of the channel, it would be \$4

million.

Shanklin said for just that quarter of a mile?

Ihler said no it would go all the way to I-44. That would include a new bridge on Railroad Street. He said we have some corrugated metal pipes and we had to shut it down last year for a week to do some repairs on them. As part of this \$4 million project, you would go ahead and replace that with a box structure or a bridge.

Powell said let's get back on this and get that settled. That road is in deplorable shape down through there. On Mitchell's handout under ad valorem, you will find he got on the Squaw Creek Drainage, \$2 million.

Haywood said he will go with that.

Powell said for \$2 million?

Haywood yes he will go with that.

Powell said the motion is for \$2 million and Shanklin seconded that motion.

VOTE ON THE MOTION WAS HELD AT THIS TIME

AYE: Haywood, Warren, Bass, Hanna, Devine, Shanklin. NAY: Ewing-Holmstrom, Patton. MOTION CARRIED.

Powell said we are right now at \$81.85 million.

Devine said you better think about the lakes out there.

MOTION by Warren, SECOND by Hanna, to approve \$2 million for dam improvements. AYE: Warren, Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED.

MOTION by Ewing-Holmstrom, SECOND by Haywood, to approve \$1.15 million on the Cameron University Co-Op Program with the City of Lawton, for the Homeland Security Project.

Shanklin asked what is this?

Bass said that's the Homeland Security Program, where the City, County, and Fort Sill work together in case of a major emergency.

Shanklin asked what Cameron had to do with it.

Bass said Cameron is going to have a building where all the computers and software are, and all the people can meet in case of any kind of Homeland Security problems. They'll have matching funds from the Board of Regents.

Warren asked if they were going to provide consoles for 911 and things of that nature or are we going to have to fund that ourselves?

Bass said he was not sure about that.

Shanklin asked why it takes this amount for all that.

Powell said Dr. Ross came down and gave Council this information in her presentation. He said she sent him a letter and he gave everyone a copy, about 3 months ago and invited her down to speak to Council.

Shanklin said since then she has gotten a lot of money.

Powell said not for that, she's got it for the dorms, we're going to get more kids coming into Cameron University. He said this is a two-fold deal and if we go forward with this, there will be some matching funds come forth from the State. Also, the incubator, start-up program on technology out there and the renovation of that building.

Shanklin said he has a problem with that. We haven't even discussed The Nine Mile sewer line.

Jensen said Nine Mile Creek.

Ewing-Holmstrom said that's going to include a great deal of annexation and she thinks that is another issue all together. That Nine Mile Creek Project is going to involve annexation isn't it?

Devine said no, all we need is a right-of-way.

Bass said that doesn't have anything to do with this. If you can give Central Jr. High \$3 million, why can't you give Cameron \$1.5 million and go in partners as a co-op?

Shanklin said he doesn't understand why they need us in there to begin with.

Ewing-Holmstrom said because we are a part of this community. She asked Shanklin didn't he feel there is some sort of threat with us being such close neighbors to Ft. Sill? We're in danger.

Hanna said we have an emergency center, the County has an emergency center, and Ft. Sill has an emergency center, how many emergency centers do we need?

Ewing-Holmstrom said one will put them all together.

Powell said what you've got left is \$1.15 million and not \$1.5 million, that's the amount you have left.

Ewing-Holmstrom said alright then, change that to \$1.15 million.

Shanklin said let's give them \$1 million, put a \$1.5 million out there on this Nine Mile trunk line to get something designed if it takes it. He asked Ihler what it takes to get something designed out there? This is very important to the balancing of Lawton, Oklahoma.

Ewing-Holmstrom said she already has a motion on the table.

Ihler said we could do that for around \$120,00. We could design it in-house, get the aerials, and buy the equipment to do the survey.

Shanklin asked if that would give us the opportunity to get grants if we had this done.

Ihler said that he couldn't tell him.

Mitchell said you would be at a point where you would know what property you needed and what the size and scope of the project would be. With the aerials, you would be able to do your preliminary design, your base line design, and get a project estimate. So, you'd be prepared if there were grants out there somewhere and you'd be at that point where you could secure some grants if they were available.

Ihler said if you put whatever is left, that would take care of it.

Ewing-Holmstrom said she has made that motion, for \$1.5 and Bass has seconded it and we need to either discuss that or vote on it.

Shanklin asked if this was all the money then?

Powell said no, that isn't true, we have that \$1.5 million that we were fortunate enough to get from the federal government we haven't talked about yet.

Mitchell said the problem with that federal money is that it is in a pipeline and it's allocated, but it's not released. We are talking about for the ultraviolet switching out.

Ihler said it's not \$1.5 million, it's \$1.1 million by the time it gets to us.

AYE: Bass, Hanna, Devine, Ewing-Holmstrom, Shanklin, Patton, Haywood. NAY: Warren. MOTION CARRIED.

Devine asked if we were going to have \$1.1 million left over.

Ihler said it's possible that we will have 1.1.

Devine said if we do, he would like to make a motion.

MOTION by Devine, SECOND by Hanna, to approve using the \$1.1 million, if we get that, to use for securing and taking care of what we need to do on Nine Mile Creek.

Devine said if we are ever going to grow to the east side, that has got to be done.

Haywood said the east side needs to grow too.

Devine said if we have that extra money, he would like that to be a motion that we use that extra money to go forward for the Nine Mile Creek.

Mitchell said that needs to be separate from the CIP Program.

Jensen said it's not on the agenda for approval. It's not on the agenda, we can not vote on this tonight.

Warren said if we are going to do that, we need to understand that the Santa Fe bridge is on there and we have already been told that some of the pilings are not even touching the ground on that bridge. We are aware of that problem and if something happens to somebody on that bridge, it's in our pocket.

SUBSTITUTE MOTION by Warren, to approve using any excess funds available, to use \$850,000 to repair the Santa Fe Bridge.

Powell said on the motion Devine made is not a part of the CIP and he has been advised that we can not take action on that.

Jensen said we should bring that back. He said he believes his motion was that any money left over and above the project that we have right now, you want an item.....

Warren said let's say the \$1.1 million comes in from the feds for the ultraviolet, he thinks we need to address that bridge with any free funds we have before we move into anything else.

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

Powell asked Mitchell if we will need another meeting on the CIP.

Mitchell said no, he thinks we can finalize the projects now and prepare the draft ordinances and resolutions we need for final adoption.

Powell asked Mitchell if he will come back with an information item for Council, what's going to fall into the sales tax and what's going to fall into the ad valorem.

Mitchell said yes, we will prepare a schedule and you can review that and adopt that or amend it as you see fit.
D. PUBLIC COMMENT OF SUGGESTIONS: NONE

E.. MISCELLANEOUS ISSUES:

Shanklin said we can save some money on the central quarter. He asked everyone to get behind opening up 9th Street railroad crossing.

Powell said that would be fantastic if we could do that, but we've got to pay that money back to the State.

Shanklin said no, he doesn't think we have to pay it all back. He said that needs to be done. If you go to 11th and F, that thing is loaded.

Powell said yes it is and the reason he says that is when he first came down here.

Shanklin said yes he knows, they threaten you with it.

Powell said they did indeed. He asked Shanklin why didn't he agenda an item on this and see if we can get it done.

Shanklin said it will help us out and save us some money.

Ewing-Holmstrom said she understands, from the folks who have been covering the welcome home ceremonies at Hero's Hanger for the last several months, that next week it appears, will be our last few welcome home ceremonies here at Ft. Sill. She highly encouraged everyone to go out there and cheer.

Shanklin said they had them this week before they ever announced it.

Ewing-Holmstrom said they announce them on KLAJ because KLAJ has broadcast live. There were two yesterday, they broadcast it live and KLAJ actually gets on the buses and interviews these guys. You can call the public affairs office at Ft. Sill.

There being no further business to consider, the meeting adjourned at 7:50 p.m. upon motion, second and roll call vote.