

Meeting of 2004-5-18 SPECIAL MEETING

MINUTES  
LAWTON CITY COUNCIL SPECIAL MEETING  
MAY 18, 2004  
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John P. Purcell, Jr.                Also Present:  
Presiding                                Larry Mitchell, City Manager  
    John Vincent, City Attorney  
    Kathy Fanning, City Clerk  
    Col. G. Keith Herring, Fort Sill Liaison

The meeting was called to order at 6:00 p.m. by Mayor Purcell. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT:                     Randy Bass, Ward One  
   Rex Givens, Ward Two  
   Amy Ewing-Holmstrom, Ward Four  
   Robert Shanklin, Ward Five  
   Jeffrey Patton, Ward Six  
   \*Stanley Haywood, Ward Seven  
   Randy Warren, Ward Eight

ABSENT:    Glenn Devine, Ward Three

\*Haywood arrived at 7:10 p.m.

The Mayor and Council convened in executive session at approximately 6:07 p.m. and reconvened in regular, open session at approximately 7:10 p.m. with roll call reflecting all members present except Glenn Devine.

EXECUTIVE SESSION:

1. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for and possible approval of a three-year Collective Bargaining Agreement concerning the terms and conditions of employment between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session.

Vincent read the title of Item 1 as shown above. He said Council convened in executive session and after discussion no action is required at this time.

MOTION by Ewing-Holmstrom, SECOND by Warren, to recess the Lawton City Council Executive Session until Thursday, May 20<sup>th</sup> at 6:00 p.m. AYE: Ewing-Holmstrom, Shanklin, Patton, Haywood, Warren, Bass, Givens. NAY: None. MOTION CARRIED.

At this time Council took a five minute recess and reconvened in regular, open session at approximately 7:16 p.m. with roll call reflecting all members present except Glenn Devine.

BUSINESS ITEMS:

2. Discussion of Preliminary Budget; Department to be determined.

Mitchell said they would like to pick up where they left off from last week and start with the Parks and Recreation Department.

**Parks and Recreation Department**

Kim Shahan handed out information to the Council to follow him in his presentation. He started out with the organizational chart of the Parks and Recreation Department, to include supervisory scale and responsibilities. He said there are twelve major supervisory level positions and the chart shows who and what they supervise. He said they not only supervise employees, but they also supervise property, buildings, and those types of things. Their

responsibilities are not just directed to employees but also to other areas.

Shahan next went over highlights from this last year pertaining to the different divisions, specifically in property improvements, management of our properties in the community, improvements to some of the neighborhood parks, to the regional parks, and also some renovations of restrooms facilities. He said activities within the Lakes Division were major improvements at Collier's Landing, Ellsworth, and shoreline work was done for riprap. He next went over the recreational sites and the levels of participation. He gave an example of what went on during one weekend in recreational activities in our community. He went over highlights of this past year in the Arts & Humanities Division and the McMahon Auditorium. Activities such as the Arts For All, the African American Community Art Project, the International Festival and for the first time this year the Native American Project which was the MarketFest Celebration held at the Museum of the Great Plains. A big highlight that has come back to the auditorium was the "*Spirit of the Dance*", the internationally acclaimed Irish Dance Spectacular.

Shahan went over the department budgets and number of employees in the past four years. He said the effects of last year's budget cuts caused the elimination of scorekeepers serving the youth and adult programs and with no rolling stock purchased over the past two years, vehicles and mowing equipment is resulting in higher maintenance costs. He said his preliminary 04-05 budget shows a \$427,000 increase, but out of that, \$305,000 is reflected in the Building Maintenance Division for City wide roof repairs. The remaining \$122,000 is reflected in \$71,000 for rolling stock and the remainder is increases in some 200 accounts.

Shahan went over his supplemental request budget list. These are items that have possibly been left out, but are items that are pertinent to this year's budget for us to continue to provide the services needed.

Patton asked if the teams that compete in the City league have to pay a fee. Shahan said they pay a minimum fee. He asked if that fee generated enough to pay the scorekeepers. Shahan said it doesn't come close to covering that, but he was not prepared with this information. Patton asked where the money from these fees goes. Shahan said it goes into the General Fund. Mitchell said we did not talk about that last year as a way of keeping the scorekeepers. We did have a discussion about raising those entry fees for the various teams.

Ewing-Holmstrom asked if the \$46,527 was the amount to pay the 23 scorekeepers. Shahan said that was right. Ewing-Holmstrom asked if Shahan saw a decrease in participation. Bass asked if the scorekeepers were for basketball mainly. Shahan said yes and softball and baseball also.

Warren said the supplemental request list shows \$9,000 for lights in the library and we need to make a decision to either put lights in the Library or close it. We are probably the only Library in the US that doesn't have lights. He said he has been over there in the evenings and seen people trying to read sitting at those little tables and there is no light above them because the light bulbs are burnt out.

Snyder said in 99-2000 the library was retro-fitted for lights in electronic ballast and the life expectancy on those is three to four years and now everything is going out at the same time. He said earlier this year he was able to replace approximately 1/3 of the lights. He planned this year to complete it in three phases so they wouldn't all go out at the same time again. There are 4,000 lights in the interior of the library.

Patton asked about the electricity and natural gas at the centers and if the almost \$7,500 was an additional cost or was this in the initial budget. Shahan said this item is in reference to the middle of last year when we had to pay this for the Nutrition Center and we need to plan for it for this year.

Warren said he'd hate to see us get halfway through the year again, and the County not pay their bill again.

Mitchell said he didn't know and hasn't had any discussions with the County about the Nutrition Center.

Purcell said he had a very short discussion with David Pope about the state putting money back into the program, but Pope said he wasn't sure that had passed yet. Purcell asked if we could ask Shahan to get with Pope to see where we stand.

Haywood asked about the brush hog mower and if it was needed. Shahan said he thought that was an oversight because the preliminary budget has a tractor listed. Mitchell said we funded two brush hogs. We funded two and not the one at the Lakes. Gerald Catlett said they need two of the 8" brush hogs for replacements and a 15" bat wing brush hog and a 70 horse power tractor. Mitchell said they funded two out of the three brush hogs.

Patton asked what the tractor was for. Mitchell said he didn't understand they were connected, he thought the brush hogs were interchangeable. Warren said the two we funded are 80", but why did one cost \$8,000 and the other cost \$4,000? Catlett said the \$8,000 was for two. Warren said there are three funded then. Catlett said yes.

Purcell said a correction is needed. In activity 52, for the \$8,000 the quantity should be two, on page 90 of the budget. Mitchell said they were making a note of that for the change.

Patton verified that we are going to purchase two brush hog mowers. He asked where the third one was. Warren said it's at the Lakes. Shahan said it's associated with the tractor that's already out at the Lakes. Warren said four was needed instead of three. Shahan said it's a used tractor that won't do anybody any good because it doesn't have a mower. We funded a new tractor with no mower and the mowers we have funded are for the Lakes. Warren said we want to end up with a total of four. Shahan said that would be their request.

Shanklin said they were in dire need of a road grader last year and asked if they got one. Shahan said they did not get one. Shanklin asked if they needed one this year. Mitchell said they requested one.

Warren asked about the two 60" mowers under account 54, Athletic and Landscape Maintenance and if they were pull behind the tractor type. Shahan said those are regular landscape mowers. Mitchell said we show those were funded. Shahan said you have athletic landscaping and what he calls high profile landscaping and that is what the additional two mowers are for. Warren said they want a total of four in account 54.

Ewing-Holmstrom said Shahan has 12 supervisor level positions and the way the chart is done, it doesn't appear that they all answer to him. Shahan said ultimately, yes, but the direct supervisors under him are shown on tab #2 in his handout, which is six people. Ewing-Holmstrom asked who the other supervisors in tab #2 answer to. She said that's a lot of supervisors. Shahan said the Division level supervisors report directly to him, each one of them has people they supervise, etc. Ewing-Holmstrom said it's like one department has three employees, and another has three employees, but we have two supervisors that are making anywhere from \$35,000 to \$40,000. She said in the long range, you would think you would want to combine some of those real small divisions because it seems like there are a lot of supervisors and that's a lot of salary going up, when you've only got two or three employees in a division. Shahan said that's not in their case. The list shows very clearly the number of people they supervise. The Parks and Grounds Administrator supervises seven employees, plus four mowing contractors; Recreation & Leisure Services Administrator supervises nine employees, plus six City Recreation Buildings; Arts and Humanities Administrator supervises five employees, plus three appointed City Council Committees and/or Authorities; Building Maintenance Supervisors supervises three employees and four different maintenance Contractors; Park Maintenance Supervisor supervises ten employees and 75 different parks..... Ewing-Holmstrom said she was specifically talking about activity 27 RSVP, there are two people in that division, according to the authorized manned table. Shahan said that is right, that's a Federally Funded Grant Project and those two employees report directly to the Leisure Services Director. One of them is a staff person to assist the clerical positions.

Shahan next referred to Tab 8 in his handout on future projects and goals of the Department. He said one of the goals is the continuation of the development of the cities metropolitan park. The list is of projects that, in time, we are attempting to locate funding for assistance in developing. These are important to the community so we are attempting to continue in this vain of developing Elmer Thomas Park. None of these projects made the CIP list, so we know we have to go outside and attempt to try to find the support to do these. He said the RSVP Program has approximately 400 participants and the Great Plains Museum is collaborating with us to establish a Visitor's Information Site for the City, inside the Great Plains Museum. This will allow for no other facility to have to be reopened and the hours of this information site would be established as the Great Plains Museum hours. The Great Plains Museum has stated they will build a center site. The promotion of this program is established with volunteers. We are attempting to create an Ambassador Program for the community, directed to improve the Senior Program. He said he believes it's vital and they are a vital resource to the community and to put them in a position to work with them and develop them as Ambassadors to communicate to the visitors of the community and also to patrons in the community who need direction. He said this is a great location for it and they are in place to do this.

Shahan said the capital improvements he sees as very critical to his department, that did not make the CIP list, are going to have to be addressed in the future and it could be sooner than we want to. The replacement of the light fixtures and electrical system for fields 3, 4, and 5 at McMahon Softball Complex on 38<sup>th</sup> Street, which are the original fields of this complex. He said in his opinion, this creates safety issues and at some point we are going to have to take care of it. He asked Gerald Catlett to address this to Council. Catlett said the wiring is deteriorating and we have had to replace one already. He continued to explain, in detail, to Council exactly what was going on, what has been done, and what needs to be done.

Haywood asked who was in charge of the airport roof. Mitchell said that would be the Airport Trust Authority. Haywood said he was on that particular Board but the City owns that building. He asked who was in charge of that building. Vincent said under the lease-contract with the Airport Trust Authority, they are responsible for maintenance of all the property at the airport, including buildings.

Warren asked Shahan if Council was to provide him with half of his requested money on the Festival Site, could he match it through private donations. Shahan said he has been given some support on that. Warren said we need to support this because the sooner we can move the International Festival, Arts For All, and all the rest of the festivals, to an actual festival location, the better. He said not only does it clear up some of the parking problems, it gives those entities the ability to grow. Where we have these held now, there is no growth involved. You can

only put so many things inside a square parking lot. The faster we get it moved, the better chance we have of expanding these festivals, bringing in more people, and bringing in more money. He would like to see Council give half the money, if he can match it. Patton said he would certainly support that and it would also benefit the museum. Bass asked if they want to move. Shahan said both entities have made reference about expansion.

Ewing-Holmstrom asked if Shahan has had any discussion with the people who run the Blvd. of Lights. She said there has been some discussion about them having their display over there and expanding that. Shahan said this will allow us to create displays within the park. One of the deterrents they have is there are not as many trees there.

Ewing-Holmstrom asked about generating more revenue through Parks and Recreation by increasing rates and if they had addressed any of that. Shahan said only at the locations we talked about last year.

Continued discussions were held on the festival site, electrical work needed, and construction of Phase II road.

Purcell asked what the status is on the bathroom/shower room at Lake Lawtonka. Is it all being held up by DEQ permitting and do we have any idea of when they are going to say yes or no? Vincent said we have been directed to stop land acquisition for the forced main until DEQ finishes that plus an environmental archeological survey of the area. We had started the land acquisition, then we were told to stop. Patton asked if this was on the north side. Purcell said we are talking about School House Slough. Patton said there are no bathrooms on the south side of the slough. Warren said it's on the north side of the boathouse area.

Ewing-Holmstrom asked about a tour around Elmer Thomas Park to show and explain to Council what all is going on. Purcell asked Council for a couple dates for the tour. He said the City Attorney said we need two tours, that way we only have half the Council going on each trip and not have to post notice, etc.

Purcell went over what was discussed and said he heard the following; \$9,000 for Library Replacement Lights; \$12,000 for a Brush Hog, to go with the tractor; and \$37,500 to try and get matching funds for the festival site.

Patton said in lieu of the scorekeepers, we really should look more at some of the rolling stock or capital outlay.

Haywood said for the centers, to make sure and put the \$7,469.

Purcell said he would make one comment for Devine, who could not be here tonight and that is, before we spend too much more supplemental, we need to really consider putting more money into roads. He thinks that is more important than some of the things we may be looking at in Parks and Recreation.

Patton said you have to find a balance, it would take every dime we could give to go towards streets. We have to find some type of balance between quality of life, fun things, and streets. He said he is not saying streets are important, but he thinks we have to have some type of balance and quality of life is pretty important here, within the community.

Mitchell said Thursday night we will hear from Human Resources, Legal, Mayor, Council and City Manager, and Library.

### **Community Services Department**

Buckley reported on the Community Services Department and went over the informational handout he passed out to Council. He said this department is made up of Planning, Mass Transit, Inspections Services Division, License and Permit Center Division, Community Development Administration, Housing Assistance Division, C.D. Program/Non-Operation, Home Program, Neighborhood Services Division, and Health Department. He compared Community Services Department 2003-2004 Budget and the proposed 2004-2005 Budget for each division and the overall increase total is \$216,944.00. Buckley went over some needs of individual divisions. He said Planning is needing a Blue Ray Machine for \$5,000 and an additional \$5,000 for carpet, wiring, and paint. The Inspection Services Division needs 1 additional Mechanical inspector and 2 replacement vehicles for \$40,300; and License & Permits need a computer for \$5,200. and an increase in the 100 accounts of \$49,000. In the Community Development Division, they are needing \$5,200 for a computer and additional \$7,460 for other services and charges; in Neighborhood Services they need two additional Inspectors, which will be CDBG funded, and 2 replacement vehicles. He said for the Health Department we are proposing the same contract as in 2003-2004.

Mitchell said that is two computers for each division, with printers. Warren said that's a total of four computers and two printers.

Givens asked about a report on vehicles; how many by department and by division. Mitchell said that should have been in his packet, but he would get that to him.

Warren asked if there was a requirement at one point, as far as the amount of your fleet being alternative fuel. Mitchell said he wasn't aware of any. Warren asked if we were looking at going to some type of hybrid vehicle on some of the inspector cars. Mitchell said we have talked about that briefly, but at present, there are no fueling stations locally. Warren said he was talking more like electric/gas vehicles. He said he thinks there's enough companies out there that have them that we could get decent bids for it. He said he thinks we need to start looking at those. Mitchell said that was a good observation.

Patton asked if Buckley knew what the increase was on mass transit.

Jones said one thing that drives transit is diesel prices are \$1.219 and we buy about 8,000 gallons a month. The other thing that drives transit is you are about to go out from under your warranties. We had two year warranties on our 14 transit busses, so we would anticipate some increase in maintenance costs. The Federal government pays 80% of our maintenance costs, so we get a big break there. She said the other thing they have some concern about is we've been made aware by the insurance broker that the potential is there and as the fleet becomes older, more mileage, more potential for accidents, that our liability insurance could go up. It did not go up much this year, we were told this year to anticipate a 7% increase and it did not happen. We did build some of that into the budget. The first two years of transit, we came in under budget. We were running on the local share about \$446,000 to \$450,000. If diesel comes back down, she said that's where we are going to end next year.

Haywood asked how many passengers were on the buses.

Jones said the last two months they have run about 19,900. The first 15 days of this month, we were averaging 849 passengers a day, a portion of that can be the cost of fuel. The other thing normally seen is a lot of young riders, particularly the junior high age. Whether that will drop off in the summer, we don't really have a good experience on yet. It may stay up, frankly, as long as the fuel prices are up because these serve all the parks and all the major facilities.

Haywood thanked Community Development headed by Mr. Aplin. He has received a lot of comments on different work he is doing in the community. He said also, they have Noise Zone in Ward 2, not only in Ward 7, and also Ward 5 by the railroad track, and those people can not get their houses fixed with the Community Development Block Grant money, so he asks for some money to be put in Community Development because of the Noise Zone. He said FAA has changed the zone and even the Airport in Mission Village, those houses cannot be fixed either and that's in Ward 2. The railroad tracks going down between G and F, those houses cannot be fixed because of so many feet close to the railroad tracks. He said May 17<sup>th</sup> was 50 years ago when we passed that in 1954 and we celebrate that on Monday, but the only place Afro-Americans could live was close to the railroad tracks, that's the only land they could live by, but the Airport, some of those people live out in Lawton View. On Davenport, from 15<sup>th</sup> Street and Bishop, is where the Noise Zone starts and it goes from there to 18<sup>th</sup> Street and Douglas. We have some elderly people in that area that cannot get their houses fixed.

Purcell said that Ewing-Holmstrom, Bass, and himself were at a planning meeting last week and he knows we have two more inspectors under Neighborhood Services and we have to figure out what we want to do on cleaning up, one step at a time in this city. One step we have to start on is signs. One of the areas in bad need of sign clean up is along the Zone One area along Cache Road and we need to think about it. If we want to ask the Manager and Neighborhood Services to start being pro-active or are they going to continue to be reactive to complaints? One of the problems we have when they are reactive is you have a report from someone and they go out and site that person or ask them to clean it up and right next door there was no complaint, so nothing was done with them. Then the one we make clean up asks why we are making them clean up when right next door they are not. That's because they're being reactive. He said we've got more inspectors and that capability and we need to start maybe one road at a time. He said Neighborhood Services is prepared to do that, but they need the guidance and support from this Council when she starts doing it and we get phone calls that we are not being business friendly, we all have to stand up and say we're sorry but they are going to have to clean up. That is step one, but we have to start somewhere. He asked Council to think about that between now and Tuesday, he would like to have further discussion then. He said we have the ordinance in place now, we just need to enforce it.

Haywood said Lawton View has always been integrated with Native Americans, African Americans, Mexican Americans, etc. He said he doesn't know color and he wants people to know that. He said he deals with everybody the same way.

Mitchell pointed out that we have had a lot of discussion about easement clean up and how we approach that and how we tackle it. He referred to a note he and Endicott put in the budget commentary, they think we are addressing the utility easement clean up problem by first hiring two additional Code Enforcement Officers, providing them with vehicles so they will be able to assist us in patrolling not only our current service areas, but paying more attention to these easement problems. We have also allocated \$47,500 into Contract Services so we can retain contractors to help us in that clean up effort. In the budget for the coming year they have allocated about \$140,000 toward that effort and we also have an RFP out right now soliciting proposals from private

contractors to address the easement issue.

Warren asked if we made the decision if we can expend public funds on easements. Vincent said we can maintain the easement so we can operate in the easement. There is a fine line between operation and making it look like a park. The question we really are still researching is how much restriction can we put on the owner of the property's use of the easement and we are still researching that.

Mitchell said this process would work similarly to what we do with junk cars, trash and other things, that we would be in a process of billing the owner for those improvements. Vincent said you have to go through the notice process first and give them the order to clean it up and then them not do it, before you can walk in.

Bass asked if you go in there and the fences are all the way back as far as it can get, almost touching each other, who tells them where their fence is suppose to be. Vincent said right now, the City Code allows the property owner to put the fence on the property line. Bass asked who tells them where the property line is at. Vincent said they are suppose to get a survey and turn that in when they get their fence permit. They don't have to put it on the survey line, they can put it somewhere else inside it, but they can't go beyond it. Bass asked how much it costs for a house that's been there 50 years and the fence has been there forever. Vincent said right now, if a fence is on a property line, we can't tell them to move it. Bass asked what if your fence is not on the property line, your fence is in the easement, but you think it's on the property line because that's the way you bought your house. Vincent said as long as the fence is inside the property line the owner can leave the fence there. That's on the easement. He said they are researching that whole issue, about the restrictions.

Purcell reminded everyone to be back on Thursday night.

Ewing-Holmstrom said she wanted to congratulate another accomplishment by MacArthur High School. As a soccer team, they went to the State Playoffs on Saturday. Unfortunately they lost, but coming in second place is pretty great for this State. That is the third State Championship they have been involved with in sports.

Purcell said it was a good game and they lost to a really super team.

Mitchell said after the executive sessions Thursday night, we will be talking about the Police Department.

There being no further business to consider, the meeting adjourned at 8:42 p.m. upon motion, second and roll call vote.