

Meeting of 2004-6-15 SPECIAL MEETING

MINUTES
LAWTON CITY COUNCIL SPECIAL MEETING
JUNE 15, 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
 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:

1. Hold a Public Hearing and consider reviewing and approving the City of Lawton Fiscal Year 2004-2005 Budget and approving a resolution adopting the FY 2004-2005 City of Lawton Budget, except for the Budget for Parks and Recreation Department.

Devine said he hasn't read into the Parks and Recreation on the budget, but asked if Council has considered that we should have looked into it a little deeper, where we're not going to matching funds on any of that, is to use that in Streets. Purcell said he wasn't sure what he was saying. Devine said he would think Council would try to take some of the money we have put over into Parks and Recreation and put it into Streets. Our streets are in terrible shape and are more important than our parks are. We've spent in the last 5-6 years, a tremendous amount on Parks and we're not spending an equal amount on our streets.

Mitchell said in the submitted Preliminary Budget in early May, they added about \$200,000 into the Street Maintenance and Repair Budget, which brings the total up to about \$758,000. In the Public Works Street Department they bumped that up significantly. There are several projects in the CIP that addresses street repairs. Council approved approximately \$4.5 million dollars in there for general street reconstruction and identified three collectors they wanted to do some reconstruction on. On NW 38th, SE 45th, and NW 67th, so the combination of those over the next seven years, you are looking at around \$16-18-20 million in street money. He would like to someday see the line item for street repair and maintenance up to about \$1 million.

Devine said we really need to start concentrating on our street and maintenance. We are not really doing the things we need to maintain what we have. That's our biggest problem, worrying about all the new stuff and not the old stuff that's falling apart.

Shanklin said he agrees with Devine, but \$1 million is not very much for the Street Department, Mr. Tracey, and his professional crew, they would eat that up in no time. He hears more from people asking when we are going to do something about our streets. It takes big bucks and he agrees with Devine.

PUBLIC HEARING OPENED AT THIS TIME.

Denise Flusche, Librarian and the Professional Representative on the EAC said year after year the General Employees come here to beg Council not to forget them when salaries and benefits are decided upon. She asked

why it seemed they are always in this position. She said it s said that Fire and Police are indispensable, and doesn t think there is one General Employee who would deny this. Fire and Police are indispensable to the City, but the fact remains, so are General employees. They are there to pave the streets so fire and police can get to their destination. General employees provide books and materials for the education, recreation, and informational needs of Lawton residents. They provide parks, swimming pools, and tennis courts. They keep our water clean and treat our sewage. They repair our roads and mend our pipes, they mow our medians and trim our trees. General employees read our meters and remedy derelict property. They collect our water bills, manage our money, provide our City computers services, handle our disputes and lawsuits, plan our subdivisions and zoning, regulate hunting, fishing, and use of the lakes to provide City revenue. She said General employees do all these things and more. She asked why do they get the leftovers after other things in the budget are funded and the answer, of course, is money. There are, give or take, 120 Fire, 153 Police, and 554 General employees. She said if the General employees numbered less than 200, all three-employee groups would be on an even playing field. The majority of them are Lawton residents and are paying their own salaries through water bills and taxes. She said they don t want more than fire and police, but they don t want anything less either. It is through all three-employee groups that our City functions well. She asked Council to please support the General employees.

John Thomas, Field Supervisor in Sanitation, and Chairman of the EAC said Flusche spoke about equality, which is something he has been striving for since being on the EAC. All they have ever asked for is equality and understands what the Council has to decide on. He said, as a committee, the EAC wants to emphasize is if you do for one, do for the other. He said Police are getting a 5% COLA, a 2 % in July, and in June will get another 2 %. He said they are very appreciative of the 3% the City Manager has put in the budget, but they would also like to have the 2-% in June, as the Police are. The additional 2-% in June would only cost \$32,000 in the pay plan. He said he was sure we could come up with the additional amount to keep us equal with Police. He understands the Fire Department is probably going along those same lines. This Council does have the authority to bring us up and keep us in line with the Police. The majority of the General employees, who we were able to reach, would like to have our Non PPO put back into our Health Plan, as Police have and he understands Fire also has it back. He said last year we all had to pay the additional \$25.00 per pay period and we had no problem with that. It s our Health Plan and we have no problems funding it. He said they are also asking Council to put in an additional 2 % only because last year you gave firefighters an added step H at a 5% increase, along with an added step I at 2 %, and the year before, Police got a 2 % step I on their pay plan. He said they have maxed out employees also and they feel they deserve something at the end of our pay plan. He asked Council to keep in mind we are talking about equality. He said a very limited number of our employees are maxed out, and the pay in lieu of sick leave, out of 554 employees, there s only 181 that will be eligible for this pay in lieu of. They understand there is \$94,934 in the budget for pay offs in the plan. If Council were to reinstate the pay in lieu of, it would cost an additional \$186,556. Thomas said a lot of employees understand revenues are up and everyone has their hands out, which is understandable, but all they are asking is Council give them what the others are given. Everyone has to pay the same amount in groceries, taxes, and other things. He asked why is the division amongst the employee groups continuing. He said as long as he is part of the EAC he will continue to strive for equality. He asked Council to please reconsider, before finalizing the budget, the four things they are asking for, to keep them on the same level playing field as the Fire and Police.

Jay Mann, a local resident of Lawton said he wanted to thank the Solid Waste workers. He said they do a great job of picking up our trash and we can t do without them. Without them, the world would be contaminated, so we really need to start thinking about these employees and he supports the 2%. He said they support everything else added on their water bills, so he said let s give it to them. They deserve it, they do a great job. He said one Tuesday his trash wasn t picked up and he called in and it was picked up within an hour. He said you can t get any better service than that.

Joann Gordon, a representative of Friends of the Library, said she has lived here most of her life and was born here. She said the library has become a real important thing to many citizens. People from all over the world come into our library. She said it is a disaster and a shame when it s not in good condition. Our budget has requested \$2,000 to clean the windows because they haven t been really cleaned in two years. She said you turned it down and it s not much. It was said the Friends of the Library can do it. Our business with the library is a support system, we have bought them a great many things in the last few years and intend to continue. She said maintenance and repair is not part of their responsibility. They, as citizens, pay money to the City in taxes and other things and they expect maintenance things should be done. The only reason they paid \$1,800 to help get the roof fixed last year was because we didn t want the books ruined. She said that s not part of their responsibility, they have bought a new copy machine, have put in a new reference desk, they have ordered a new security door, and they have a new system coming to relieve some of the responsibility of employees to not have to call people or send them notices when their books are overdue. It s an automated system that should relieve a lot of work. We still need two part time positions over there. They lost five employees last year, according to the budget and one of them was part time and four were full time and we didn t get them back this year. They need those part time employees to do shelving of books and other part time work and she asked Council to please reconsider this. They need the floor cleaned once in a while and the windows washed and need these added to the budget, so it is done all the time. She said it is a disgrace to people coming in to see Lawton in this condition.

Phyllis Young, Vice President of the Southwest Oklahoma Genealogical Society said they have a vested interest in the library. There is a large room there called the Family History Room and it is considered to be the premiere genealogical and family history room in the entire state of Oklahoma. She said there are three hundred people who visit just this one room, every month, from all over the United States. She said she is here on behalf of the Genealogy Society to support our Friends of the Library and their requests. She mentioned the windows not being clean, the carpet needing cleaned, and the water fountains on either side of the building are hard to find and if you do find one, it doesn't work. She said it's a shabby site when trash collects around, the building is dirty on the outside, and sometimes even on the inside, but it's not the responsibility of the Friends of the Library or SOGS, to maintain a City facility. She said when the City builds and staffs any kind of facility, it has a responsibility to maintain that building and make certain it's up to the standards it requires. She requested Council's reconsideration of adding into the budget some money for the maintenance of the library and other public buildings as well.

Mike Dudley, employee of the Lawton Recreation Department for the last 24 years and a member of the EAC, said what Thomas and Flusche said he supports. He read City Code, Section 17-1-4-134, Cost of Living Increases and Decreases, Section B to Council. He said this says any group within the City of Lawton Pay Plan is to receive 3%, 5%, or whatever and every grade within this pay plan is to receive the same. He said his interpretation of this is if the Fire Department has already been given 5%, then every pay grade under the City of Lawton Pay Plan, is to receive that same 5%. He spoke about the changes to come in November with a possible additional union in Lawton, if things don't change. He said this is something he does not want to see. He asked Council to please consider this.

Purcell asked the City Attorney to address the section of the Code Dudley just mentioned. We need this straightened out so everyone understands what it says.

Vincent said in general it applies only to the General Employees and not to the two union groups. It specifically states that and brought it back into their contracts through negotiations. When you are talking about the City of Lawton Pay Plan, you are talking about the General Employee Pay Plan and not the union pay plan for Police or Fire.

Don Schaffer, from Electronics Division, said what has been forgotten is that the General Employees provide a lot of services to the Police and Fire Departments. Such as their communications, they build their Police cars, provide their 911 Dispatch, repair the traffic lights, the opticom systems so the fire trucks can get through, they reprogram the traffic lights so it acts right when they go through and it clears out quickly when they leave. They build roads fine enough for fire trucks to go 60 mph on, and they keep water at the fire hydrants. He said he believes the General Employees do deserve what the Fire and Police get because we do support them.

PUBLIC HEARING CLOSED AT THIS TIME.

Ewing-Holmstrom asked about a pay structure developed for the General Employees approximately 3-4 years ago. She said she has been told that pay plan brought the City Employees to market and their level of salary was put on the right track.

Purcell said in 99-2000 there was a complete study done by an external source. We paid \$40,000 to have it done. They looked at every position in the City of Lawton, in the General Employees, and brought them up to what is referred to as market. They brought them up to what was to be a comparable pay to like jobs at that point in time. He said that's the issue, they brought them up at that point and time and we adopted the pay plan. Many employees got a substantial pay raise because they were paid below what they should have been paid. The problem is, from that date forward, we haven't kept up. That's where the problem is.

Ewing-Holmstrom said she was under the impression it was a built-in raise for five years.

Purcell said no, that is not what happened. It just brought it up for that one year, supposedly what would have been comparable pay for that year, to get them where they should have been all along and after that, we're back in the same old thing.

Shanklin said that is simply not true. Those pay raises would get them, in time, 120% of market. There was a tremendous difference between the top person and his underlings. You're talking \$15,000-\$20,000.

Endicott said the purpose, at the time, was to try to adjust the pay plan for that point in time, but it did not take it into the future. When the company came in, they evaluated various positions and reclassified, based on their survey and information, those positions. Most positions were reclassified. That was for a point in time, it wasn't to take us out to ten years in the future. He said cost of living adjustments are the very purpose to adjust the pay plan that was set at a point in time. As far as bringing it up to 125%, he said he's not aware of that. He said the pay plan is a moving target every year. At a point in time, they did the salary adjustment. Not everybody got a salary adjustment, some did and some didn't.

Patton asked if not everyone got a raise or not everyone got a salary adjustment. He said he heard that everyone got to market. Endicott said it is his belief not everyone got to market. Bass asked if the General Employees were at market or not. That's their argument all the time. Endicott said you have to break down what the market is.

Last year with negotiations with Fire, the big issue was who they were going to compare themselves to. Bass said you don't compare the General Employees with the same as the union groups compare themselves to. Endicott said he doesn't think anyone has finalized exactly who they are comparing themselves to but he doesn't know the study done several years ago, what market they were talking about. If you look at the overall pay plan, most General Employees are not at market, at this time.

Purcell said it was an independent group and we don't know what they compared it to, they do this for a living for all cities because it's a unique thing for government employees. Obviously, there are certain jobs in city government that aren't done anywhere else, except another city government. He said there was a range in that 75-110, the range they work within and every employee did not get a pay raise. Some employees were already at that market rate. Those employees, because they did not get a pay raise, there was a one-time stipend paid to them for that one year. That was the year there was no cost of living allowance, no step increase, other than what they wound up in that pay plan.

Endicott said another part in this whole study is that company did not go out and evaluate every single job in the City of Lawton, they did a sample. Based on that sample, they came up with some numbers. How they came up with it, he doesn't know. If it is true General Employees were brought to market five years ago and we did not continue keeping them up with market, then, they're not at market.

Bass said Police got their contract to try to get them to market because we thought the General Employees were already at market. Purcell said they were at market in 99-2000 and they haven't kept up in terms of cost of living allowances every single year. One year there was none and one year less than three, that's why, at this point in time, we have them below market.

Mitchell said Chapter 17, the Personnel Ordinance of the City, also requires we review that pay plan every two years. It hasn't been done for sometime and we are in the process of going back through and re-evaluating every position, trying to make sure our job titles and descriptions match up with what people are actually doing. We are going to push hard to get a recommendation to Council at budget time next year for Council to consider some revisions to that pay plan.

Haywood said back in 1999-2000, he, Devine, Shanklin, Purcell, and Warren were there at that particular time. We did not continue and we should have continued. Every year there should have been a raise for the General Employees. He said he hopes Council will do the right thing for the General Employees.

Warren said we were looking at 75-120% depending upon whether you were management or not. That was a one-time correction and from that point on, cost of living was supposed to keep us at market, with that plan.

Shanklin said that was the whole idea, to keep them at market. He said he was not for it because the workingman did not get a pay raise to speak of. There are five people in the building across the way making \$40,000-\$55,000. He said to tell him where the stress is. Is it going up an alley, or when there's a fire, or in that hole when it's snowing or raining? They don't make that kind of money, some of our people are well paid. That was the only thing he disliked about it. It wasn't right. If we give a 10% raise to someone making \$70,000, that's \$7,000. He said he didn't like it then and he doesn't like it now. He said he still wants to go to a stipend and give everybody the same thing. He wants the guy that's doing the dirty work to get paid and he's not going to get it, but he said he was going to sit there and push for it. He said the fat cats are going to get their raise and the man working is not going to get it and he doesn't like it.

Bass asked why we wait until the last day and the employees have to come up here and ask us. He asked why we didn't do this before. Were they not invited to all the budget workshops we had? Mitchell said they were public meetings.

Purcell said the numbers Shanklin read were the numbers prior to the pay adjustment in 1999. That was the problem we had with that many people under \$20,000 and \$30,000. The pay plan adopted in 1999 got rid of most of that.

Devine said his problem is if we were going to give a pay raise, we would take everybody within the City and pool all the money into a 3% raise or whatever it was and divide that equally among them, but a lot of people said they don't want that, but that is a raise on your paycheck every month, for twelve months throughout the year and it would continue to stay on there from now on. Devine told Endicott not to shake his head no, because if he had his way about it, since that day in 1999, he worked harder for the General Employees to get pay raises every year. If we don't give them a raise like that, were it goes through there every month and stays on their pay checks. All we've done is what we've tried to do 3-4 years ago when Council offered the employees a \$300 raise and he

recommended the employees take the percentage instead of the raise. He said he is not wanting a stipend, he wants them to get a raise that would be on their paycheck every month from now on. Here we have sat here another year and we've given the Police, in their contract, an approximately 20% raise over the next three years. Right now we are negotiating a contract with the Fire Department, basically the same. He asked what have we done for our General Employees. He said he and Haywood both fought a week or two ago to get them at least a 3% when they were offering them 2% or 2%. He said Shanklin was mad and left and said we ought to give them 7%. He said that is what we should have done, that would have brought them all back where they are suppose to be. The problem is we're going to sit right here again and what we should do, we are not going to do. This time next year, the employees are going to be at the same place. He said he does not like unions, but he thinks the best thing in the world they could do is get them a union because this body is not going to treat them all equally. They are not going to do it because you don't have representation to fight for the guys working in the trenches and their jobs are just as important as anybody else with the Police or Fire because he has been on both sides of the road. He has worked in the Police Department and that job is very hazardous and right now he works in construction and he said both run hand in hand as far as how dangerous the jobs are. Nobody's job is more important than the next person's. You've got to have everybody to make this City function and this body is not accepting that and taking care of the General Employees.

Bass asked Devine why he waited until the last day, why didn't we work on this in the budget workshops as we were going through it, to try to find the money. Devine said since 1999 he's been trying to do it for them. Bass said he has never heard a word this year, until tonight. He said if he had said that earlier, during the workshops, we could have tried to find the money. Devine said he fought for it a few days ago, to get at least a 3% raise. Bass said we should have started at the first workshop.

Ewing-Holmstrom said she just asked Vincent where's the paperwork that is going along with this discussion. Anytime something is going to be brought up to Council, it's either agenda'd or some background information provided and there is nothing. She said she is with Bass, this just kind of comes out of the blue. There has been grumblings, emails and it has not been brought up in any of our budget workshops. Now we have until the 22nd and it's crunch time and pressure. If there had been some sort of memo or something. Mitchell asked what memo she was looking for. Ewing-Holmstrom said she was just looking for something; anytime somebody wants something in the budget they get lots of paperwork and there has been no indication whatsoever. Mitchell said when we submitted the Preliminary Budget, we submitted a budget including a 2% pay raise for all employee groups. The problem is, you are negotiating at that very same time with Fire and Police unions, so it is very difficult to sit, in a budget workshop session and open meeting, and discuss wages when you're in the course of negotiating contracts. That's the problem you are running into.

Endicott said last year we were in just the reverse situation where we were in negotiations with both Fire and Police and they didn't finish until after the budget was finalized. This year, in defense of the General Employees, once it became known about the Police contract, the public hearing would be the place for them to voice their concerns and desires. From a management standpoint and us putting the budget together, he doesn't think it would be proper for us to present to Council a number prior to those negotiations being finalized. Now that at least one union is finalized, the General Employees have something to hang their hat on. He also said the stipend does give everybody an equal amount of money, but it does punish those that have been referred to as the non-grunt workers, the ones who don't really work. He said the only way you can look at an equal distribution is through percentage. He said it's true, if you give a \$500 stipend to somebody making \$20,000, they get a larger percentage, as opposed to somebody making \$50,000, and he asked if that was fair. The stipend does not get added to the pay plan. It's just a one-time situation.

Bass said not one person on this Council said whatever you give the Police and Fire, you give the General Employees, until right now. Shanklin said we said that the other night. He said 7% and that means if you're making \$50,000, that's \$3,500 and next year, first thing you know it that \$50,000 is \$65,000 and we're paying out of the market in Southwest Lawton, Oklahoma. He said he doesn't care what they are making in Oklahoma City or Dallas, we're talking about right here. He said he has fought it for twenty years and he's not going to win because the young kids who can't buy hospitalization, want to work, come to work, are the ones he feels for.

Purcell went over what was said this evening. We will ask for an additional 2% General Employees raise, but not until next June for the extra 2%, which would be in this year's budget, an extra \$35,000. He also heard, for in lieu of pay, an additional \$186,000, we need \$2,000 into the Library to clean windows and furniture, and two part time positions, a clerical assistant and a library aide for \$18,000.

Endicott said it's 3% in July, 2% in June 05, reinstitute the Non-PPO, add back the Sick Pay in Lieu and add a new step.

Purcell said you are talking well in excess of \$200,000 in the budget.

Ewing-Holmstrom said everyone keeps comparing the negotiating tactics of the Police and Fire. The Police are giving up longevity and she asked if the General Employees were going to give that up as well. Shanklin said they already did, last year. Ewing-Holmstrom said she thought it was just the sick leave in lieu of whatever.

Shanklin asked what do they get beside the 3% and do they still get the step and the steps are 2 %. This is for 1 year, so maybe 80% of them will get a step.

Purcell said that s built into the budget. In the budget, before tonight, was built in all the steps plus the 3%. What we are talking about now is the additional we have to find the money for if we approve that.

Ewing-Holmstrom said we are talking about a whole lot of money, we re going to do it tonight, and asked where it is coming from. Mitchell said there isn t anyplace else it can come from other than Fund Balance unless you want to raise revenue. Ewing-Holmstrom said no. Mitchell said that s the whole problem, we started out with a projected Fund balance of almost \$2 million and we re down to \$1.3 million. He said if you take \$200,000 out of that, you re down to \$1.1 million and we still have Fire to negotiate. You are going to be under \$1 million in the Fund balance, unless you raise revenue. Or you go back and amend some of the changes you made in the previous budget workshop.

Purcell suggested doing the 2% pay raise on June 1st for all General Employees, that s approximately \$35,000 we need out of this year s budget. Then we give the library the \$2,000 they want for the cleaning, give them the two part time employees, that s a total of \$55,000. He said that doesn t do what they wanted because they want the In Lieu of Pay, for an additional \$186,000. If you just do the 2% and the library things they asked for in the amount of \$20,000, that s \$55,000 and will reduce the Fund balance to \$1 million, approximately.

Devine said the Chief is asking for one of the Police Officer positions to be dropped, that we give him in lieu of a civilian position which would be a difference of a savings of \$11,200. There s a little bit there we could use.

Purcell said that reduces the \$55,000 down by \$11,000. The City Manager has already plugged that in, that Final Fund balance. Before we do anything tonight, we are working with a \$1,299,651,000 Fund balance, which is somewhere around 3%, so it violates Council s guideline of 5%, but that s where we are.

Devine said if we took the pilot program for the trash containers out of the budget this year, which is a little over \$100,000 and put that money back into the budget, that would take a pretty good sting out of this and we could work on doing this next year. He said he thinks these people need this raise as much as anybody else within the City. He said he would be willing to sacrifice his part of the program to do this, if Shanklin would be in favor of it. He said he thinks the General Employees should get the same thing Police and Fire get.

Purcell suggested doing the same thing for them as we did with Fire and Police: give them 2% (they ve already got 3%, it s already in the budget) on June 1st, which gives them for the year 5%, the same as we did the Police.

Devine asked Thomas if that s what the employees are wanting. Thomas said yes, that s exactly what they want as far as COLA, 3% in July and again an additional 2% on June 1st to bring us the same across the board with Police. Devine said that s what he would like to see Council do.

Ewing-Holmstrom asked if they didn t need to find out where the money s coming from. Purcell said it s going to come out of the Fund Balance, that s the only place it s going to come from, except Devine is giving up \$110,000 by dropping the pilot program and whatever remainder we do will reduce the Fund Balance. That s where it s coming from.

MOTION by Givens, SECOND by Warren, to amend the proposed budget to include a 2% increase in June 2005 for the General Employees, add \$2,000 to the Library budget for the cleaning of the windows, and put off the pilot program for refuse containers until next year.

SUBSTITUTE MOTION by Devine, to give the General Employees a 3% increase in July and 2% .

Purcell said we already have the 3%, it s already in this budget. Devine said that s not going to get us where we wanted to be. Purcell asked where he wants to be. Devine asked Mitchell if he was correct. That s not going to get us to where we were trying to get. Mitchell said yes it will.

Devine said he withdraws his substitute motion.

Endicott asked if that could be done the first pay period in June, that s what we are doing for Police.

Purcell said yes, that makes it simpler as opposed to June 1st.

Givens asked to amend his motion to include the two part time positions at the Library. Warren seconded the amendment.

Purcell restated the motion; to give the General Employees a 2% increase, effective the first pay period in June

2005, add \$2,000 to the Library account for the cleaning of windows, add the two part time positions to the Library for approximately \$18,000, and delete the Pilot Program for trash collection, for approximately \$110,000.

Endicott verified that we are not going to address the Non-PPO and the Sick Pay In Lieu.

Ewing-Holmstrom wanted to make sure we wouldn't hear in a few days that there was no money for these increases and wanting to increase the water.

Purcell said to make sure, the total amounts you just approved tonight was a total of \$55,000; \$35,000 for the pay raises for the one month, and \$20,000 to the Library for their positions and window cleaning, and we saved, because Devine gave up the \$110,000, so, technically tonight, it's a net savings.

Mitchell said the only qualifier for that would be if we should get into a severe draught in the summertime and start losing water revenue, then we may have to come back and adjust our budget, but, that's the only reservation.

VOTE ON AMENDED MOTION WAS HELD AT THIS TIME.

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

Purcell said he needs a motion for Resolution No. 04- 75 which approves the budget here, as Exhibit A, with those two amendments. This is to approve the budget as you see it here, with the adjustments just made.

Mitchell said on Exhibit A, if Council would look at the first line, we will make the adjustment on the first line in our General Funds, so we will plug in the additional \$110,000 in Revenue and then it will be reduced by the amount of expenditures, the \$55,000, so you should see a projected balance. The amendments made tonight will amend the first line on your budget. Endicott verified we are adding \$110,000 to revenue and increase around \$55,000 in expenditures.

Purcell said this approves the budget, with amendments, excluding the Parks and Recreation Budget.

MOTION by Givens, SECOND by Warren to adopt Resolution No. 04- 75 approving the amended budget and excluding the Parks and Recreation Department Budget. AYE: Devine, Shanklin, Patton, Haywood, Warren, Bass, Givens. NAY: Ewing-Holmstrom. MOTION CARRIED.

2. Consider amending the City of Lawton Fiscal Year 2004-2005 Budget to include approving and including the Parks and Recreation Department budget.

MOTION by Warren, SECOND by Haywood, to approve Resolution No. 04- 76 to amend the City of Lawton Fiscal Year 2004-2005 Budget to include approving and including the Parks and Recreation Department budget. AYE: Shanklin, Patton, Haywood, Warren, Bass, Devine. ABSTAIN: Givens. NAY: Ewing-Holmstrom. MOTION CARRIED.

3. Consider adopting a resolution declaring that Ninety Percent (90%) of the budgeted and appropriated revenues for fiscal year 2003-2004 have been collected for the General Fund.

MOTION by Givens, SECOND by Warren to adopt Resolution No. 04- 77 declaring that Ninety Percent (90%) of the budgeted and appropriated revenues for fiscal year 2003-2004 have been collected for the General Fund. AYE: Shanklin, Patton, Haywood, Warren, Bass, Givens, Devine, Ewing-Holmstrom. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at approximately 7:15 p.m. and reconvened in regular, open session at approximately 8:14 p.m. with roll call reflecting all members present.

EXECUTIVE SESSION:

4. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2004-2005 between the Fire Union, IAFF, Local 1882, and the City of Lawton, and take appropriate action in open session.

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

Devine said on the 5:00 news in Oklahoma City, their Council is having their Fire Department, as they do their normal neighborhood routine checks, write courtesy warnings and making contact with homeowners who have abandoned vehicles, trash, high weeds and grass, and they are doing this as a courtesy, they are not writing tickets. They are helping out their Neighborhood Services with this.

There being no further business to consider, the meeting adjourned at 8:15 p.m. upon motion, second and roll call vote.

JOHN P. PURCELL, JR., MAYOR

ATTEST:

KATHY FANNING, CITY CLERK