

Meeting of 2007-1-16 Special Meeting

MINUTES
LAWTON CITY COUNCIL SPECIAL MEETING
JANUARY 16, 2007 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John Purcell, Jr. Also Present:
Presiding Larry Mitchell, City Manager
John Vincent, City Attorney
Traci Hushbeck, City Clerk
COL Sonny Uberti, Fort Sill Liaison

Mayor Purcell called the meeting to order at 6:18 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Rex Givens, Ward Two
Janice Drewry, Ward Three
Keith Jackson, Ward Four
Robert Shanklin, Ward Five
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: Jeff Patton, Ward Six

BUSINESS ITEMS:

1. Presentation from Lawton Police Department Gang Task Force and take appropriate action as necessary. Exhibits: None.

Chief Ronnie Smith, Lawton Police Department, introduced the Gang Task Force members.

Tim Poff, Lawton Police Department Gang Task Force, conducted a slide presentation on gang activity in Lawton. He stated there are approximately 1,400 confirmed gang members in Comanche County.

Shoemate questioned if all of the gangs sell drugs or are they into other activities.

Poff stated they all sell narcotics. It is the number one source of income for gangs.

Drewry questioned which drug is the most popular for this area.

Poff stated crack cocaine and methamphetamine.

Haywood questioned how Lawton compares with Oklahoma City and Tulsa.

Poff stated he has not compared these cities.

Shoemate questioned if they have ever caught someone doing graffiti and if they could charge that person by having them clean up the graffiti.

Drewry questioned if all of these gangs are part of the bloods and crypts or are they all new gangs.

Poff stated it does branch off, but there are other gangs. He stated they have been in touch with authorities at Fort Sill because there is evidence that there are certain individuals on active duty that are involved in gang activity. It also may be a family member that relocates with a soldier that has been exposed to that type of activity and it adds to our problems. He stated gang activity is not just a police problem. It is a problem for the whole community and everyone needs to work together.

Poff stated he believes the best prevention starts in the home. Children need to be taught about the danger of

these gangs and discussed in the home. Parents need to pay attention to their children's behavior. He stated kids need to keep busy by participating in wholesome activities like athletics or encouraging them to volunteer. The kids need to develop a sense of belonging.

Shoemate stated a lot of parents don't know the lyrics to the songs and they don't pay attention to what their kids are listening to.

Drewry stated there is a large population of children who have no parental involvement. They are the ones to watch.

Poff stated it easy for those kids to become involved in gangs because they don't have any parental guidance.

Shoemate stated a lot of schools don't have the PTA support and school activities such as athletic programs. He suggested these schools go to businesses for sponsorships so these kids would have an opportunity to participate in school activities.

Poff stated those activities need adult volunteers. He stated the big warning signs are if there is a dramatic change in your child's personality.

Mayor Purcell stated they need to think about what the City of Lawton can do to help this problem and reduce the gang activity. He questioned if it was worthwhile to put together a city wide presentation in McMahan Auditorium.

Chief Smith stated he thought that would help. He stated that Kim Shahan, Park and Recreation Director has some information he wanted to brief the council.

Shoemate questioned if this presentation could be given to some of the neighborhood watch committees.

Smith stated this has been presented to many of the neighborhood watch programs.

Mitchell questioned if there were any recommendations on how to get guns off the street.

Smith stated they are working with Senator Bass to get the law changed to make it stricter.

Kim Shahan, Parks and Recreation Director, stated over four years ago his department initiated the Youth Services Division. One of the things that were important to him in the hiring of a Youth Services Director was the history of that person's background and what they would have to do in the future pertaining to the area of youth services. Leroy Giles, the current Youth Services Director, is from Los Angeles. He stated it takes the whole community to reduce this kind of activity. Two years ago, a process began to receive funding from the state. They are working on that issue through the juvenile bureau and some of the other local agencies. Suppression of this issue is something that will always be there. There needs to be more officers in the gang task force, but intervention and prevention have to be a part of the process to assist. Gangs are created because of the lack of family. He stated in his volunteer time, for the past 22 years he has been involved in prison ministry, crime related issues. There are 20,000 children in the state of Oklahoma whose parents are incarcerated. Social services, recreation services and educational services, community faith based services must be able to address some of these issues. He encouraged the City Council to support the police in all capacities. He stated funding is a process that has to be developed for this kind of activity. He wanted to take this opportunity to let the City Council know what is being done and that there is a platform that has already been created to address this issue.

Haywood stated when there were plenty of summer jobs in this city, he feels there was less gang activity. We need more jobs for the students and it is all about money.

Shoemate commended the Public Works Department for their work on the clearing of the streets.

Mayor Purcell stated city staff did a great job, especially Dave Tracy and the Streets Division.

The Mayor and Council recessed at 8:03 p.m. and reconvened in regular, open session at 8:15 p.m. Roll call reflected all members present excluding Patton.

2. Discuss options for a future sales tax election to fund infrastructure projects needed to support anticipated population growth as a result of recent BRAC announcements made by the Department of Defense and Fort Sill and take appropriate action as necessary. Exhibits: Proposal from the Mayor's Task Force on Infrastructure Development and Proposal from Councilmember Randy Warren.

Mitchell stated we have had two or three proposals for possible ballot questions for the election on April 3rd. We need to make sure that whatever is recommended needs to be completed by the end of January so that we can meet the

deadline for submitting the language to the County Election Board.

Mayor Purcell stated the City Council has received the recommendation from the task force and Councilmember Warren has also submitted a proposal which is part of the agenda item. The City Council needs to give the City Attorney some guidance on putting the ballot question together.

John Blair, 6749 SW Chaucer Drive, stated he would like to see something done about public safety. He stated he personally has fought gang violence in his neighborhood. He stated as this town grows we need to have law and order. It takes the police department about a year to get a police officer trained and on the street. The equipment needs to be the best. He stated we have the Goodyear tax coming due at the end of the year and a cent could be used for public safety and keeping up with the crime and corruption on the street. He has been involved in the neighborhood crime watch in Eisenhower Village for over eleven years and he believes the police department is doing an outstanding job and they need the proper equipment.

Dick McKeen, Northwest Sheridan Neighborhood Watch, stated since he addressed the City Council in December, the FBI came out with a report that violence is on the increase. He stated once a month they meet and bring copies of what has happened in their neighborhood for the past 30 days. Assaults, rapes, possession of guns, drive by shooting and burglaries are all in this report. This is a result of gang activity. We have a problem, not enough police officers on the street. We are strictly in a reactive mode. If we are going to do something about the gangs, we have got to maintain a presence in the area where the gangs operate. Neighborhood watch programs can only do so much. There must be additional police officers on the street. He stated the Goodyear tax generates approximately \$2.6 million a year. We could use about of the cent sales tax to give us a first class police force and get us out of the reactive mode and into the proactive mode. Gangs are not going to get any better. We have about the same amount of police officers as we did in the 1970 s. We have not added police officers as the gang problem got worse. He does not feel it is unfair to ask the City Council to make the citizens of Lawton feel secure in their own town. He would suggest that of the sales tax go to police, to fire and the rest to street projects.

Haywood stated he worked with Mr. McKeen in the Weed and Seed project. He questioned how many police officers would Mr. McKeen suggest?

Mr. McKeen stated he feels we need between 50-60 additional police officers.

Haywood stated he heard Mr. McKeen say that his strategy would be to put police officers in different areas.

Mr. McKeen stated high crime areas deserve attention. He stated there are officers that are permanently assigned to Lawton View and the crime rate dropped. Those officers develop relationships with the people who live in the area and they trust those officers. They have made progress in that area.

Givens stated he is in favor of Councilmember Warren s plan which calls for 14 police officers and 6 firemen through a series of different taxes. The only thing he would like to add is in the long term planning, he feels we need to have a revitalization plan for the north side of Cache Road from Fort Sill Boulevard to Sheridan Road. We also need a plan for Fort Sill Boulevard from Cache Road to Gate 3. Those areas surround Zone One and they desperately need help. The 2nd Street Revitalization is going to be done with federal funds for the most part and he believes we can have some kind of plan and get some other federal grants and do Cache Road on the north side and Fort Sill Boulevard from Cache Road to Gate 3.

Shanklin questioned how many police officer we have per 1,000 residents. He questioned if we were about even with the national ratio.

Chief Smith stated he felt we were below the national average. He does not have the exact figures. He stated Lawton was in the area of what we need.

Shanklin stated we just grabbed 14 out there, not 15, not 12, but 14. He feels we should have some more officers, but he does not like the politics of it. He questioned where we would put the extra firemen and where we are going to get the extra money for overtime. He stated 60,000 people can t fund a city of 95,000. He stated he knows we are right on the money as far as officers per capita. He admits that we have more problems than some others. It wasn t by design that the previous councils have closed their eyes to any addition of police officers. He has sat right here and backed everything the police department wanted and we were successful. As soon as you go fund 14 new police officers so that Mr. Givens can say this since he is up for re-election, it just isn t going to fly.

Warren stated that he is accused of concocting a plan so that he can defeat Mr. Shanklin s effort to get Mr. Givens removed. He stated there are two ways to attack a tax issue. You can decide how much tax you want to spend or you can decide what the problems are and how much those problems are going to cost to fix and then say here is how we pay for it. You give the citizens and opportunity to decide what they want to do. We are never going to make any headway if we keep saying that we have to keep everything exactly the way it is but we want more for it. It just depends on how you look at it. Personally he put together the projects, we have all talked about the projects.

He has not talked about individual projects because the City Manager knows better than he regarding what roads need to be fixed and which water lines need to be enlarged. We can spend a little over \$15 million on new infrastructure, \$8 million on existing street maintenance, \$8 million on existing water line upgrades, \$5 million on a southwest fire station, five years of rolling stock, which is what we normally pay on our water bill, we can pay the bond costs and we can do this basically raising sales tax a %. The time line would be: Goodyear taxes removed we would be down to 8%, add .50% then, that would bring you to 8.5%, the .25% jail tax is removed, you add another .25% then, that gives you .75% over a 7 year period with the tax ending in 2014. That gives us enough money to fund those projects. At the same time, we have removed \$6 from the utility bill, you add a public safety charge on the utility bill beginning at \$3.20 for the first year, \$2.54 the second year, \$1.90 the third year, \$1.28 the fourth year and \$1.63 for the fifth year and that would fund 20 public safety officers. He would let the Police Chief and Fire Chief work out who gets what. He stated that is more of seeing the problem and seeing how much it is going to cost. He stated this plan is not exactly perfect, but he feels we have to look at what we want to accomplish, tell the citizens how much it is going to cost and let them decide. We need to provide an intelligent plan and ask the citizens to back it as we have done with our CIP programs.

Jackson stated he has pretty much led the charge in the last few years in the budget to increase the number of police officers. Last budget session the City Manager came forward with information regarding the percentage of number of police officers versus population and indicated that we were even with other communities. He does believe that increasing the number of police officers in this town can be dealt with during the budget time in April.

The Mayor and business leaders did put together a formidable committee which spent a considerable amount of time looking at all the concerns regarding this sales tax. Our history of sales tax extension since 1983, what we call our CIP program, has always been a capital outlay/capital improvement election and he does not agree with spending sales tax money on operational expenses. It is monies that will be lost in the general budget forever and never be recovered for any capital improvement items again. He stated this committee recommended extending the .25 cent sales tax that will expire June 30th for seven years which would bring in \$17.5 million. The committee recommended that the City of Lawton include in the ballot, picking up the extension. He does not believe the business community will go for any increase in sales tax. Picking up the December 31, 2008 sales tax and extending it to end the same time as the one on June 30, 2007.

All of these ending in seven and five and a half years. The money raised by the extension of those two sales taxes would bring in about \$30 million. He suggested using 50% of the money for interior street reconstruction, 25% to be used to match monies with arterial street reconstruction that is currently underway and on the list and 25% needs to go into economic development. He is a firm believer in the KISS theory which is keep it simple stupid which is to extend the June 30th sales tax for seven years for \$17.5 million, extend the December 31, 2008 sales tax to coincide for five and a half years, bringing in a total of \$30 million. This is simple, the public will go for it and this does not spend any money on operational expenses and this is something that several people on the committee have recommended.

He stated if they employ fourteen new police officers and six new firefighters, to fund those people, the tax will have to be permanent and he does not know how it can be permanent.

Warren stated the City Manager has agreed to absorb four officers a year for five years into the general budget. At the end of that term, the utility bill charges will end and if the Council so chooses, they could put the rolling stock back on the utility bill again. Basically you are buying those officers that you are going to employ anyway and buying them early, getting them trained and getting this on the job faster.

Jackson stated there are a lot of unknowns. The reason they are even talking about extending these sales taxes are because we are getting ready to have a lot of growth in this community because of our BRAC consideration and we need to start addressing these growth problems now. This is not the only financing formula we are going to use to address future infrastructure problems. The Mayor and City Manager are going at it several different ways, this is just one of the ways we need to deal with this. He stated his initial statement was, come budget time, let's include those four new police officers in the budget and make it work at that time.

Drewry questioned how our budget is going to be able to absorb these officers. Right now we are struggling.

Mitchell stated we are only six months through our current year. He stated when he talked with Councilmembers Warren and Jackson about adding police officers, he did not agree necessarily, he said he would consider that option and support what they are suggesting we do. So far, we are looking at water and utility revenues being up about 5%, but our sales tax is running about 2% under what we had budgeted. We are in good financial shape, but we are also having problems on the expenditure side. We are spending a lot of overtime and he does not have an idea of how we will be doing at the end of the year. A new police officer will cost the City about \$35,000 in wages and benefits and you can add an additional \$30,000 to fully equip that officer with a police vehicle, uniform and all the training they need to perform their duties. On an average you would be looking at close to \$70,000 per officer.

Jackson stated if our financial situation has not stabilized enough to absorb those four at that time, he would suggest we pull \$1 off of the \$6 rolling stock and finance them that way. Once you hire a police officer it is a continuous expense forever. He stated the common theme is that it is not a wise idea to fund operational expenses out of the extension of sales taxes.

Mayor Purcell stated that is how we fund the whole city.

Jackson stated that is not how these funds were used or intended to be used.

Givens stated that Mr. Warren's plan was to remove \$6 from the water bill that has been used for rolling stock. He feels the citizens would much rather pay \$3.20 as his plan calls for to pay for 14 more police officers and 6 firefighters. That is not using sales tax. He does not believe the task force recommendation was that we take the second .25 cent.

Jackson stated he did not say that. The task force did include only one .25 cent tax.

Haywood stated if you don't do something for the older neighborhoods, they will not support any plan. Everyone has to be included. Those police officers will have to target the whole city. There are gang members in all neighborhoods. He stated if they are going to pass this text, everyone has to be included.

Jackson stated the Public Works Director has put together a balanced interior street reconstruction program that does encompass all eight wards. He does contend that we need to keep this simple and it is sellable and addresses everyone. He stated in five years the major CIP program comes up for re-election and we can address some additional problems.

Shanklin stated regarding reconstruction, he has watched where the state is relaying I-35 south of Ardmore and they are not tearing all that up, they are laying it over. He does not understand why we can't lay over on our interior streets the same way instead of spending all of money tearing everything out and building it back. He does not think it has to be done that way. We are not really removing \$6 of the rolling stock, we are leaving \$3.

Warren stated all \$6 of rolling stock would go to the sales tax. It would be funded by the sales tax. The only charge that would be added to the utility bill would be the first year and it would be \$3.20 and that goes to pay for those public safety officers and it reduces each year as the City Manager absorbs those four, that amount becomes less every year. At the fifth year the Council can make a decision if they want to put \$3, \$6 back on. This allows those people who are shopping here from out of town to help pay for that rolling stock that we are having to buy every year.

Mayor Purcell stated that they all agreed that sales tax was not enough to solve the overall structure problem. He stated he believes everyone agreed to that way back when. The only thing we are talking about is sales and we are limited on how much sales tax we have. We have projects that have to be done that benefit neighborhoods. He has not heard one thing mentioned about advalorem tax.

Warren stated the reason he did not include any advalorem is because he has no idea what a mill will get us. He knows what a penny or quarter will get us, but he does even know how many mills we are allowed to attach.

Mayor Purcell stated they have to say that there is a project to do X, whether it is street or sewer lines, and find out how much it will cost.

Warren stated he would not have a problem supporting advalorem tax if someone can pick some projects and calculate how much it will cost.

Shanklin stated in all the survey he has taken, the citizens want sales tax. He has talked to 40-50 people. He would think they would want it on advalorem, that way everyone in the city pays for it. There are a bunch of people that don't pay their fair share of their city government, but they have never failed to pass an advalorem in those areas and demographics will show you that. We need to find a project and he thinks it will pass.

Warren stated it will be a more difficult sell. He would not mind looking at it.

Shanklin questioned if the most it would be on Mr. Warren's plan is 8.25%

Warren stated 8.50% is the most.

Shanklin stated the people he has been talking with don't care if it is 9 cents. The working people want to pay that and get it over with at that time and not be hit at Christmas time with advalorem and insurance. He is not going to dance to the Chamber of Commerce's tune as to whether we go to 9.25% or whatever. He thinks it needs to be considered.

Jackson stated we were trying to make sure that advalorem was reserved for our school system and the county and let the city stick with sales tax.

Shanklin stated Lawton Public Schools hasn't been able to pass an advalorem in thirty something years, except for

this last time.

Mayor Purcell stated he felt advalorem needed to be discussed. He is not suggesting we do the advalorem or not, but whatever option will be decided by the people through a vote.

Warren stated he has had only a handful of people call him about this issue and he feels if the media gets this information out tomorrow, they will start getting some calls from citizens. There will be information about the choices.

Mayor Purcell stated there is a mission tonight to give the City Attorney something to write, even if it is just a draft that they can go with and bring back next Tuesday. He questioned if there was some kind of guidance to give the City Attorney. This item will be on the agenda for the January 23rd City Council meeting.

Warren questioned if the City Attorney could draft something that encompasses these options, but can be changed fairly easily.

Vincent stated that basically we would create a new article for Chapter Ten. He has gone ahead and drafted one for a seven year, .25 cent sales tax and he has left the purpose of the tax blank. To incorporate Councilmember Jackson's option would be easy. He requested that Councilmember Warren meet with him tomorrow and explain his option. He can have a draft and put both options on the agenda.

Shanklin suggested that Mr. Jackson also be included in that meeting.

Vincent stated the other issue is that the election proclamation has to state what everyone is voting on. So even if some form of sales tax ordinance is on the agenda at the next City Council meeting, they will probably have to come back at a special meeting to fix the election proclamation to go along with the ordinance.

Mayor Purcell stated they will probably need another special meeting after Tuesday night.

Shanklin stated regarding the advalorem, it takes the schools 60% plus one vote. That is why in the past, the City took the advalorem on some of our projects because it only took the 50% plus one. The last time the school did pass their advalorem. The same people he is talking to want sales tax, they don't care if it is 10%. It blows his mind, but he has listened to them.

Shoemate questioned if the sales tax was 8.75 for a while.

Mayor Purcell stated at one time, but he is not sure if it ever went into effect.

Shoemate stated he is concerned about people going shopping elsewhere for big ticket items. He does not want to see the local businesses get hurt, but he does want to see us get these infrastructure projects done.

Mayor Purcell clarified that the City Council has asked the City Attorney to bring back, on Tuesday night, an agenda item that has Councilmembers Jackson and Warren's proposals as alternatives. They can decide on those two or maybe have a third alternative.

Shanklin questioned if they are working with other entities.

Mayor Purcell stated last Wednesday, right after he received the report from the Chamber, he sent a copy of that report to all three County Commissioners and told them we were having a special meeting to discuss this issue. It is up to them to do whatever it is they want to do.

Shanklin questioned if the county is not involved, where does that put us?

Mayor Purcell stated we are doing our election.

Shanklin stated he thought they had to go hand in hand.

Drewry stated the goal of the task force was for the city and county to work together to make it happen. She stated it appears the county does not want to do that.

COL Uberti questioned if the county had a plan.

Mayor Purcell stated he has not gotten any feedback since sending the report to the county.

John Hester, Chairman of the Lawton Fort Sill Chamber of Commerce, stated he was at the county that morning and stated they do want to work together. He feels there have been a dozen good ideas and the county was very

receptive to the report.

Mayor Purcell questioned if the county was going to pass an election resolution.

Hester stated that remains to be seen. He would like to see Councilmember Warren s proposal. He feels that they need to keep cobbling the various ideas that come out.

Mayor Purcell stated they only have about a week and a half to cobble.

Hester stated if the public does not understand what they are doing, it is going to fail.

Drewry questioned what the county was positive about.

Hester stated they were positive to the overall concept. He does not think the county is any further behind than the city.

Drewry stated she was going by what she read in the paper and it was not positive.

Hester stated they are only cool on the fuel tax issue, but that is just one particular piece.

Mitchell questioned if the county had changed their outlook on advalorem.

Hester stated the county cannot do advalorem for the jail.

Mitchell stated he thinks they can.

Hester stated jail operations do fall under the special provisions in the tax, but you have to be a county over 300,000.

Shanklin questioned if they went for a 9.50% sales tax, what would that do to the mom and pop businesses.

Hester stated that is too high.

Shanklin stated he is not worried about the national franchises.

Hester stated the big ticket items could be impacted. He stated they could get a half dozen retailers together and have a good discussion about a maximum sales tax and could it be raised. He does not think it would be as negative as people might think.

Warren stated on a \$5,000 purchase the difference between 8.25% and 8.50% would be \$12.50.

COL Uberti stated he really thinks the county needs to be a big part of the solution especially if it helps to support the schools. He stated at some point they will have to tell people where the risk is and what the proposal does or doesn t do. He has learned that is comes down to managing the risk. There is never enough money to do all of the things you want to do. As someone on the outside, he is trying to determine the risk, when it is all said and done, on all these proposals because the voters will be accepting some level of risk in the city, county and the education system. We will have to educate people on why this proposal is the best way to manage the risk that the city and county is facing.

Mayor Purcell stated he is proposing that this item will be brought back with the proposed wording on the two different alternatives that were discussed tonight on sales tax only. He stated they will need another meeting on January 29th at 6:00 p.m. to approve the language for the ballot. That is the last time they can have a meeting. They will also need to approve the language for a charter change that will clean up some language in the charter about filing periods for elections.

There being no further business to consider, the meeting adjourned at 9:18 p.m. upon motion, second and roll call vote.

JOHN P. PURCELL, JR., MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK