

Meeting of 2007-1-30 Special Meeting

MINUTES  
LAWTON CITY COUNCIL SPECIAL MEETING  
JANUARY 30, 2007 - 6:00 P.M.  
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John Purcell, Jr.  
Presiding

Also Present:  
Larry Mitchell, City Manager  
John Vincent, City Attorney  
Traci Hushbeck, City Clerk

Gail Turner, Comanche County Commissioner  
Ron Kirby, Comanche County Commissioner  
Susan Ulrich, Comanche County Commissioner

Mayor Purcell called the meeting to order at 6:05 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  
Jeff Patton, Ward Six  
Stanley Haywood, Ward Seven  
Randy Warren, Ward Eight

ABSENT: None

Mayor Purcell congratulated Lauren Nelson, who was crowned Miss America. He stated the Oklahoma Department of Transportation will erect four signs and will remain for about a year and a half.

BUSINESS ITEMS:

1. Discuss options with the County Commissioners of Comanche County 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 provide direction to staff. Exhibits: None.

Mayor Purcell stated they all appreciate the County Commissioners agreeing to this joint meeting.

Jackson stated he attended a County Commission meeting last Tuesday when at that time he understood there was an agreement to extend the sales tax inside the city limits for 3/8 of a cent and in January 1, 2009, extend a sales tax for the entire Comanche County of 1/8 cent. He stated unfortunately things may have changed since then.

Turner stated the Chamber of Commerce let them be aware of a county tax which would give the county the same tax but the city would receive all the money within the city limits and the county would receive the money outside of the city limit. The attorneys have talked and it is not that simple. Alan Brooks with the Fagan Group researched this issue and it would take a little time to put this together and they cannot do this in two or three days. They will have to work on the city and the county projects to make it fit the mold. He stated last week he and Councilmembers Warren and Jackson visited about the jail situation and it looks very positive that they can all join forces to solve this issue. He stated the attorneys can update everyone on this proposal. He stated it is very simple because it doesn't affect the monies from each policy, but it does take a little work to put it together.

Jackson questioned if anyone had a problem with the Mayor simply facilitating this meeting since he is a non-voting member of the City Council.

The County Commission and City Council members approved.

Kirby stated he did give a tentative agreement to Councilmember Jackson and he felt at the time that the county was going to be a little short on the needed capital improvements which are necessary and he felt very strong that some of the needs are out there that they both have an interest such as the Juvenile Detention Center in which they have a serious situation in regards to security. The measure that was proposed at the County Commission meeting that morning was somewhat ambiguous to the fact that they did not know whether or not they could actually do this. This afternoon he learned it was legal to do this and the ramifications are that they could continue along and get the necessary security in place for the juvenile detention center along with some other capital improvements that are really needed now. He does believe that Councilmember Jackson's plan was viable except it left him a little empty on those things that needed to be done immediately. He believes this new proposal is a win-win situation for all.

Haywood questioned who discussed the option of joining the jails.

Turner stated Councilmembers Warren and Jackson. They were at an E-911 meeting and it was discussed briefly.

Jackson stated they discussed the option of after all this is over with, they will regroup the same E-911 merger committee or new members and sit back down and see if they can work out a merger of the county jail, detention center and the City of Lawton jail. He stated they were very successful on the E-911 merger and he feels they can be successful on this issue as well and save the taxpayers some money.

Haywood stated they will have to have some workshops on that issue.

Kirby stated John Hester, Chairman of the Chamber of Commerce, is in the audience and he presented a proposal late Friday. The proposal surfaced again at the special meeting this morning but he did not think it could legally be done, but he found out they can legally do this deal. He requested that Mr. Hester explain his proposal.

Hester stated that everything the group has received has not necessarily come through the task force. He feels that there has been so many moving parts that he has had to take some things on himself instead of running back to the task force each time. He stated the idea of splitting this came after he did the numbers. He built a spreadsheet on where the revenue was coming from city by city and realized if they did a citywide deal instead of countywide we would leave a lot of money on the table. He stated if they did a 3/8 cent sales tax it would actually generate over \$500,000 outside the Lawton city limits. Over 6% of the sales tax, if they were to do 3/8 cent comes from unincorporated areas. The split would actually be 87%-13% and he is glad to hear that everyone thinks it is a good idea and he feels that is the way they should proceed.

Kirby stated that what Mr. Hester is proposing actually goes along with Mr. Jackson's original plan, the only difference is instead of city wide it will be county wide with the county keeping their funds for the 18 month period and then continuing along with the proposal where the county does get the new funds for the capital improvement. On December 31, 2008 they can continue to fund the detention center.

Hester stated they need to come up with a comprehensive solution to the detention center and it is too complicated to take on right now.

Jackson stated there are eight of them sitting here and he knows that Councilmember Warren has a proposal on the table and the City Council has not made a decision. He needs to know if April 3<sup>rd</sup> is still a viable date.

Vincent stated he spoke with Alan Brooks of the Fagan Firm this afternoon. They have put together a program like this for Tulsa County. It took them almost a year to put the program together. In order for us to salvage the sales tax that ends June 30<sup>th</sup>, we must go to a vote in April, which means we have to have a resolution to the election board by 5 p.m. on the February 1<sup>st</sup>. He stated he was told by Mr. Brooks that they had to create a trust to handle the disbursement of the monies because there were multiple entities involved and that the disbursements had to be made for particular projects that were included in the agreements of the multiple parties so that the trust would know how to disperse the money. It was not done on percentages, but on project basis.

Kirby stated this proposal seems to be a lot simpler due to the fact that they only want four capital improvement areas at this point. The fairgrounds, the juvenile detention center, the sheriff's department and rural fire departments.

Vincent stated he just got this information when he got back today from Oklahoma City at 3:30 p.m. He does know that a sales tax is authorized and we can share in a sales tax. He does not know if this can be done by percentages, but he does not think they can put this together very quickly. If they do not have this for the April 3<sup>rd</sup> ballot, they can vote on this anytime in the next three months but it would not go into effect until October 1<sup>st</sup>. The tax can only go into effect on the first day of a calendar quarter and you must give the Oklahoma Tax Commission 60 days notice.

Kirby questioned Jerry Cude, Comanche County Attorney, how long he felt it would take to put this together.

Cude stated he visited with Mr. Brooks this afternoon and he felt it would take some time to do this. Chairman Turner suggested that they may be further along than Mr. Brooks thinks they are in identifying the projects.

Kirby stated they are farther along as far as identifying their capital needs.

Cude stated it sounds as though every community would become involved. He stated the statute does authorize a general county tax but it does say you have to specify what the projects are and you had to be very specific how you did this.

Turner questioned if they could run it through the trust.

Cude stated they have the Comanche County Educational Facilities Authority and the Comanche County Facilities Authority and he does not know if this would be appropriate or not.

Turner stated the City of Lawton already has their projects specified in Mr. Jackson's plan. He stated that Mr. Brooks does not realize that they have already had three months of meeting and a lot of preparation. Mr. Vincent is right and if they cannot have it ready by April 3<sup>rd</sup>, they would miss out on two or three months of sales taxes to get it ready to vote and then get it put together. He does think they have done a lot more work than Mr. Brooks may realize. He stated the City already has a figure on their projects and it won't take them long to put a figure on the county projects. He does not think there is enough money county wide to go to the small cities and try to split up anything there and all the projects they have in the county would benefit all of those small towns. He realizes there are some legal things that need to be done and it can't be done in two days.

Warren stated rather than taking all of that time he could agree to this proposal: a 7 year plan, 3/8 cent to the city and 1/8 cent to the county. This would provide \$28,125,000 to the City and \$9,937,000 to the County over the term. The only issue is that it does involve and increase in the sales tax for an 18 month period to a cent and then it will come back down. He stated it accomplished the same thing they have been talking about but a little faster. This is a lot less than his first proposal but he thinks it is workable.

Kirby questioned if this was the proposal Mr. Warren presented to the City Council.

Warren stated this is the light version. His original proposal had an increase of 8.5 % for the duration. In this proposal the first 18 months would be an increase and then it would start coming back down.

Mayor Purcell stated that proposal assumes that the county will put back on the cent sales tax that would go off in December 2008 and the county would reinstitute that.

Warren stated this proposal does not include any monies for the jail.

Mayor Purcell stated he is not talking about the jail. In December 2008 that cent sales tax goes off. He questioned if this proposal assumes that the county would reimpose, effective January 1, 2009, that cent sales tax that went off on December 31, 2008.

Warren stated no. These numbers are 3/8 cent for the city beginning July 1, 2007 and ending January 1, 2015 and includes an 1/8 cent for the county from July 1, 2007 to January 1, 2015. When the cent goes off, that is when it comes back down.

Mayor Purcell stated it includes 1/8 cent going to the county a little earlier than originally, but it does not include putting the second 1/8 cent back on January 1, 2009.

Warren stated that is correct.

Jackson stated it still does increase the overall sales tax by 1/8 for 18 months.

Warren stated it is increasing by cent for 18 months. We would split 1/8 to the county and 1/8 to the city.

Mayor Purcell stated on January 1, 2015 it would drop back down to 7.75 % which is 3/8 cent less than it is now.

Warren stated this gives us a little room for jail discussions.

Jackson stated if Warren will back off of the cent for that 18 months he would support his proposal on the rolling stock money.

Warren stated if they took that out it would really put a cramp in projects.

Jackson questioned how much money the increase for 18 months would generate.

Mitchell stated approximately \$3.7 or \$3.8 million.

Shanklin questioned who validated these figures.

Warren stated he came up with the figures.

Shanklin stated that scares him. He looks at 14 different options. He questioned if Warren thinks he is 100% correct on these figures.

Warren stated the sales tax numbers are real close.

Mitchell stated it will depend on the growth rate. We have averaged about a 3 to 3 % increase in the sales tax for five years.

Mayor Purcell stated the rates are correct, but the dollar figures that are generated may be more or may be less.

Patton stated they should hear what the commissioners think with regards to meeting the county s needs.

Kirby stated on January 1, 2009, when the cent jail tax is removed, is Mr. Warren suggesting that this tax be reinstated.

Warren stated either the cent or the 1/8 cent. He has no way of knowing until they meet and decide what they need to do. That is not included in this proposal.

Turner questioned if anyone had thought about economic development.

Hester stated he did meet with a group of retailers to get their feedback with regards to where we could go with sales tax. He stated they are adamantly opposed to adding to the tax. His other fear is that they will need a 1/8 cent to deal with the school issues. That is why he has pushed the 3/8 cent county wide because it covers so much ground and it doesn t raise it. It leaves a 1/8 cent for the jail and it leaves the potential of a 1/8 cent for LPS if they need it.

Mayor Purcell stated he thought in all the stuff they heard before tonight, they were reserving advalorem to solve the school issue.

Hester stated he is meeting with Barry Beauchamp tomorrow, but he does not have enough bond capacity. Next summer he will have \$9 million of bond capacity and he has a \$30 million project list. He feels it needs to be left out there.

Mitchell stated a 1/8 cent isn t going to fund \$30 million in projects. That is the real problem they are faced with. If you want to spend 1/8 cent on the schools, that will only generate \$1.5 million and that won t do it. If you want to limit yourself on advalorem and then turn around and say you cannot accept over 8.5% on sales tax, you just can t get there.

Haywood questioned if Commissioner Turner was talking about CCIDA when he asked about economic development.

Turner stated yes. He stated basically the cent that is coming off is what is funding CCIDA. They do have some money now, but it will not last forever. If they do not have money to entice people to come to this community it will affect our growth. When this cent comes off, CCIDA s funding will be gone.

Mayor Purcell stated the problem they have is that everyone wants everything done, but no one wants to pay to have it done. The same people who say don t raise my taxes will say they want you to do this. The money has to come from somewhere. They need to bite the bullet and figure out what they need without wasting money and figure out what they need to accomplish in the next four, five or six years for this entire community and accommodate the BRAC input. That is the one thing that will kill them. If they do not accommodate the BRAC input and do it properly, the next BRAC is coming and they will remember that. He stated everyone is working with the state in hopes of some funding there, but they have all been told that they need to come up and take care of the locally if they expect to get any funding from the state.

Kirby stated he agrees but there are some things that are absolutely non-negotiable. He stated crime is up and they have a mutual interest in the county jail and the juvenile detention center. He stated they also need a modern, serviceable sheriff s office to combat crime in the growing areas. He has identified that they need at least an 1/8 cent to operate the county jail. He stated they also all participate in events at the fairgrounds. They all need to

back up and take a look. He stated that both Councilmembers Warren and Jackson's proposals have merit and he is not trying to be greedy, but there are certain areas that will benefit everyone.

Warren stated Commissioner Kirby is correct. He stated if they can accept a cent for 18 months and when the cent comes off, he would not have a problem putting an 1/8 cent on for the jail which would still put us at 8 3/8 %. If that needs to be in the ballot now, he would not have a problem. It would be an easier sell if they all get together and combine this and then go out for the 1/8 cent.

Jackson stated they have not heard much from Commissioner Ulrich. He questioned what she thought about this discussion.

Ulrich stated she was still thinking about it.

Haywood questioned how much tax Commissioner Kirby would recommend.

Kirby stated he does not know, but he personally does not think 8 3/8 % is out of the question. They need to bite the bullet and do this and he is beginning to agree that Councilmember Warren's proposal is not that bad because it would at least get them part of what they want.

Mayor Purcell stated he is hearing that Commissioner Kirby could live with Councilmember Warren's proposal which shows that we would be at 8 % tax for 18 months. He stated he does not believe they can afford to wait on the whole county wide proposal.

Kirby stated he thinks this would be acceptable and they all need to get behind it and do this. There will always be a group out there complaining about this and that is the American way. He stated he could personally endorse Councilmember Warren's proposal.

Jackson stated there are still two key points. He believes the City Council wants to be on the April 3<sup>rd</sup> ballot. The second thing is that he believes whoever it is will be making a mistake and it will go down to defeat if they attempt to raise sales taxes in this county. That is his personal opinion and that is from talking with people who don't want their taxes raised.

Mayor Purcell stated they are going to have to bite the bullet and do something. They are still sitting here and someone else needs to chime in on where they are going. They could discuss this forever.

Warren stated if they can reach a consensus there is no reason they cannot make the election.

Haywood stated if they do not come together tonight, the citizens are going to reject this.

Shanklin stated this looks too complicated to him at the moment and the citizens are not going to understand it. He also worries about the validity of it. The citizens would listen if this came from the City Manager or the Finance Director. He stated there is a seven year CIP they have going now that should have been for five years. If they are going to do this, let's be right when we get there, even if they cannot do this thing for another thirty or sixty days.

Warren stated he does not understand what the confusion is. They are talking about raising the tax a total of a cent for 18 months and that is it. There is no confusion.

Shanklin questioned why Councilmember Jackson and Warren have worked so hard on this when it is not their job. They have a Finance Director that they can help. It is his job to say that they need these many more officers.

Warren stated they are not even talking about police officers now. That is why it is so confusing because Councilmember Shanklin is involving things that they are not concerned with now.

Hester stated it does not cost anything to delay this until October 1<sup>st</sup>. If they are not sure of where they want to be, they need to do it right. All they are doing is delaying the receipt of \$1 million for 90 days. They can run it from October to October.

Jackson stated he is still going back to his original proposal which is so simple. You increase sales taxes for a cent for seven years. You increase sales taxes for 1/8 cent for 5.5 years. This tax is in the city limits only. The county still has the option of going to a county wide election of a 1/8 cent. No sales taxes are increased.

Mayor Purcell stated the increase is the basic difference between the two proposals.

Kirby stated he likes Councilmember Jackson's proposal but it leaves out one thing. From July 1, 2007 to December 31, 2008, the county will lose 1/8 cent for that period of time. That does not give them the money to address the

problems at the juvenile detention center which needs to be addressed now.

Shanklin stated if these problems did not spring up overnight, why have they not addressed them before.

Kirby stated they are looking at \$180,000 that did spring up within this fiscal year.

Mayor Purcell stated they are at the point where someone on the council needs to make a motion.

Kirby stated if they go with Councilmembers Jackson's proposal, they would be forcing the county commissioners to take a 1/8 cent to a vote to take effect July 1, 2007. There are issues that need to be addressed that cannot wait.

Mayor Purcell stated that would put them back in the same position as it would with Councilmember Warren's proposal. They will wind up with the same number.

Drewry questioned if Councilmember Warren's proposal addresses the needs of the county.

Kirby stated yes.

MOVED by Warren. SECOND by Givens, to add a 3/8 cent city sales tax effective July 1, 2007 and ending December 31, 2014. AYE: Drewry, Jackson, Patton, Warren, Shoemate, Givens. NAY: Jackson, Shanklin, Haywood. MOTION CARRIED.

The Comanche County Commission approved a motion to propose a 1/8 cent sales tax to be effective July 1, 2007 and expire December 31, 2014.

Jackson stated he believes that they have assured the defeat of the sales tax election. Now there will be an organized effort to oppose it.

Kirby stated he believes that what they have just done is a necessity to the well being of Comanche County. The money will be spent on things that citizens can see and feel.

The Comanche County Commission adjourned.

Mayor Purcell thanked the Commissioners for attending.

The Mayor and Council recessed at 7:07 p.m. and reconvened in regular, open session at 7:15 p.m. Roll call reflected all members present.

2. Consider approving an ordinance creating Sections 10-14-1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408 and 1409, Article 10-14, Chapter 10, Lawton City Code, 2005, to create the 2007 capital improvement and capital outlay sales tax, providing for severability, codification, and establishing an effective date. Exhibits: Ordinance No. 07-\_\_\_, Draft 2 and Draft 3.

Vincent stated based on the motion to create a 3/8 cent sales tax, neither version in the agenda packet will be correct. He stated they will need to do floor amendments and staff will type it up tomorrow. He stated he needed direction from Council on how to amend 10-14-1404 which discussed the capital projects. He stated they need a project list.

Shanklin questioned how they came up with the percentages.

Warren stated the only one he actually calculated was for rolling stock and that was figured at what was normally generated on a \$4 charge on the utility bill.

Vincent stated the ordinance has no dollar figures, just percentages of gross receipts.

Warren stated that tax generates \$28,125,000 as an estimate.

Givens questioned if they could vary from the categories in the ordinance and are they locked into these percentages.

Vincent stated they could leave them open ended, but at the time this ordinance was drafted these were the percentages. He stated they could have general categories.

Shanklin stated they are not held to that 20%, that is a guideline.

Vincent stated in all of the other sales tax proposals including the 1995 CIP and the 2000 CIP they had a general catch all called other projects as designated by the City Council. They were required to spend all the money on that

above, and once those projects were built and they had excess funds that they could spend on other capital projects because of that catch all. There is no catch all in this proposal.

Mayor Purcell stated if they do not place any percentages, a City Council six years from now could decide to spend the entire amount of money on one of the projects. Putting these percentages will tie the City Council's hands. He feels they are better off assigning percentages.

Warren stated it does limit them, but it does keep the Council in the future from spending it all on a road to nowhere.

Givens questioned if they could use a percentage range.

Jackson questioned why they would want to do that.

Givens stated it is hard to get right down to an exact percentage.

Vincent stated it has to come out to 100%. He suggested they take a percentage for miscellaneous projects not listed above.

Patton stated they need some accountability.

Mayor Purcell stated if they add something they will have to take some percentages away from other projects.

Jackson questioned what would entail new infrastructure. He feels that is a catch all.

Warren stated new or expanded would cover new and existing.

Vincent stated the projects listed are not all capital improvement projects. Number four is homeland security and public safety capital items. That could be a police car, fire truck, fire station or anything that fits within the definition of public safety and homeland security. They could use it for grant match.

Mayor Purcell stated you could not use it for salaries.

Shanklin questioned what would happen if a future council changes the percentage.

Vincent stated people are going to vote on this ordinance as it is written and they could hold the council accountable if they spent more than the designated percentage.

Givens stated he would like to see the percentages reduced and have a contingency category.

Warren stated that under new infrastructure, the way the paperwork is worded it talks about new or expanded infrastructure limited to the following. That is the catch all.

Givens stated they could not spend any of that for homeland security or rolling stock.

Shanklin suggested they put 15% in the contingency category.

Mayor Purcell stated they could take the first category which says 30%, change it to 15% and add a miscellaneous category with the other 15%.

Warren stated if they took away 15% from the new infrastructure account and left it at 15% they are looking at \$4,200,000 and there will be a new account called contingency miscellaneous which would have \$4,200,000 which is 15%.

Mayor Purcell stated this should accomplish what Councilmembers Shanklin and Givens are saying.

Shanklin stated the only problem is that historically they have failed to generate the money for the projects they said they would do.

Mayor Purcell stated this will prevent that because it is a percentage. The dollars will go up or down with the dollars collected.

Jackson questioned what was meant by homeland security and public safety capital items.

Warren stated that is capital items only. No salaries. This could be used for grant matches, if we needed fire trucks, radios, or if we wanted to pitch in on the E-911 center.

Jackson questioned what was meant by new infrastructure.

Warren stated that would be the installation of new sewer lines, streets or the expansion streets, sewer lines, or match state or federal grants.

Mitchell stated number three is maintenance and replacement and this is where they are talking about residential streets.

Warren stated that is not just patching a pothole, but pulling up a half block and repairing the road.

Mayor Purcell stated this would be a good purpose for that contingency fund. If a future council decides they need more on internal streets, they could use some of the 15% out of the contingency fund.

Warren stated regarding the waterlines and upgrading maintenance, it is up to the City Council, but his priority would be replacing undersized lines that staff has identified as undersized. If funds are left they could do some maintenance on other lines.

Shanklin questioned if they were going to decide that themselves with all their expertise, or are they going to let staff do it.

Warren stated staff already knows where the undersized lines are.

Shanklin stated he thought they might prioritize.

Vincent stated the duration of the ordinance is set out in Section 1409 which is December 31, 2014.

Mayor Purcell clarified that staff would add a number six to Section 1404.

Vincent stated he would add a category for miscellaneous capital outlay items.

Mayor Purcell questioned if there were any other changes in the ordinances.

Vincent stated no.

Mayor Purcell questioned if Council understood where they were at in this ordinance.

MOVED by Warren, SECOND by Shoemate, to approve Ordinance 07-04, waive the reading of the ordinance, read the title only. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: Jackson, Shanklin. MOTION CARRIED.

(Title read by City Attorney) Ordinance 07-04

An ordinance pertaining to finance and taxation adding Sections 10-14-1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408 and 1409, Article 10-14, Chapter 10, Lawton City Code, 2005, by creating the 2007 capital improvement and capital outlay sales tax, providing for severability, codification, and establishing an effective date.

3. Consider approving a resolution authorizing the calling and holding of an election in the City of Lawton, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the question of the approval or rejection of Ordinance No. 07-04 of the City relating to an excise tax to be imposed on the City of Lawton and defining the purposes for such tax including specified City purposes, establishing the duration of the excise tax and authorizing the Mayor and City Clerk to execute the Proclamation. Exhibits: Resolution No. 07-\_\_\_ and Proclamation.

Vincent went through the corrections made to the resolution and proclamation that was published in the agenda packet. Any reference to .25% was changed to .375% to begin on July 1, 2007 and ending on December 31, 2014. Anything referring to an additional .125% was deleted.

MOVED by Warren, SECOND by Drewry, to approve Resolution 07-07 with all changes discussed. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry. NAY: Jackson. ABSTAIN: Shanklin. MOTION CARRIED.

4. Consider adopting a resolution proposing amendments to the charter so as to conform the dates for filing of candidates for Mayor and City Council members to be adjusted to provide for the orderly processing of absentee ballots. Exhibits: Resolution No. 07-\_\_\_.

Vincent stated during the last filing period, the Comanche County Election Board staff had trouble getting the absentee ballots out. Thanksgiving is right between the filing period and the election dates. By federal law we are



required to give sufficient time for absentee ballots to be printed and mailed. He stated he visited with the Election Board Secretary and they agreed on setting the last full week of October as the filing period. This will give staff three weeks to get the absentee ballots printed and mailed.

Mayor Purcell stated the election board has to send some 600 absentee ballot requests overseas.

Shanklin questioned if the date of election will be changed.

Mayor Purcell stated the election date is the same, this will just change the filing period.

MOVED by Shanklin, SECOND by Patton, to approve Resolution 07-06. AYE: Patton, Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

5. Consider adopting a resolution calling for an election to be held on April 3, 2007; providing for the approval or rejection of amendments to the charter concerning municipal elections; to provide for the orderly processing of absentee ballots; providing that Precinct 42 not be opened; directing that a copy of the resolution be forwarded to the Secretary of the Comanche County Election Board; directing that a copy of the amendments to the city charter and the notice of election on the amendments to the city charter be published in full in a newspaper of general circulation within the City of Lawton for twenty-one days; and directing that the resolution be published in full in a newspaper of general circulation within the City of Lawton, Oklahoma. Exhibits: Resolution No. 07-\_\_.

Vincent stated this resolution sets the ballot title and the election proclamation.

MOVED by Warren, SECOND by Drewry, to approve Resolution 07-08. AYE: Haywood, Warren, Shoemate, Givens, Drewry, Jackson, Patton. NAY: None. ABSTAIN: Shanklin. MOTION CARRIED.

Mitchell stated he is making the assumption that on the agenda for February 13<sup>th</sup> the City Council will want an agenda item to discuss how to fund the other part of the proposal for public safety officers.

Warren stated this will be a direction to the City Manager for the budget sessions.

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

JOHN P. PURCELL, JR., MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK