

1. Consider the following damage claims recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claim which is over \$400.00: Herman and Wanda Hammon in the amount of \$257.65 and Betty Smart in the amount of \$25,000.00 **(Res. 07-134)**. Exhibits: Legal Opinions/Recommendations, Resolution No. ___.

2. Consider the following damage claims recommended for denial: Julio and Donna Macias in the amount of \$901.38 and Southwestern Bell Telephone, L.P. in the amount of \$1,080.35. Exhibits: Legal Opinions/Recommendations.

Jensen stated Donna Macias called today to request that her claim be pulled until the November 6th City Council meeting. He stated staff recommends denial of the claim from Southwestern Bell Telephone.

MOVED by Shanklin, SECOND by Jackson, to table the claim of Julio and Donna Macias until November 6, 2007 and deny the claim of Southwestern Bell Telephone, L.P. in the amount of \$1,080.35. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Hanna, Drewry. NAY: None. MOTION CARRIED.

3. Consider accepting the first Big Read grant of \$20,000 from the National Endowment for the Arts thru Arts Midwest to be received in two installments. Exhibits: The Big Read agreement is on file in the City Clerk's office.

Carrie Dennis, representing Congressman Tom Cole, presented a check for \$20,000 to David Snider, Library Director. She stated Lawton is only one of 117 communities in the nation to be hosting the Big Read program.

Snider stated the National Endowment for the Arts and the Institute for Museum and Library Services provides funds to do one-book/one-community. He stated the Lawton Library has selected The Grapes of Wrath. He stated they have received great support from Lawton Public Schools, Nigh Library from Fort Sill, Cameron University and the entire community.

MOVED by Drewry, SECOND by Hanna, accept the Big Read grant in the amount of \$20,000. AYE: Shanklin, Patton, Haywood, Warren, Shoemate, Hanna, Drewry, Jackson. NAY: None. MOTION CARRIED.

4. Consider closing certain areas of Elmer Thomas Park and granting to the Holiday in the Park Beautification Committee for the Parks and Recreation Commission of the City of Lawton permission for restricted access to Elmer Thomas Park and Stage area to include the festival site for the purpose of lighting the park and providing holiday festivities during the timeframe of November 10, 2007 through January 5, 2008 and provide that this event to be a City of Lawton co-sponsored event waiving all permit fees and charges. Exhibits: Elmer Thomas Park Restricted Access Contract.

Jackson stated he is concerned that for almost two months traffic will be restricted on Ferris. He questioned if there was another way to do this other than restrict access of east bound traffic on Ferris between 5:00 p.m. and 11:00 p.m.

Kim Shahan, Parks and Recreation Director, stated they have planned for this for several years. He stated everyone will have access to their homes, there is no westbound traffic.

Jackson stated for two months there is no westbound traffic. He questioned if they could push this back from 7:00 p.m. to 11:00 p.m.

Shahan stated that employees need to prepare the streets before they get off work.

Jackson stated there are a lot of people that use Ferris Avenue to get from 2nd Street to 11th Street and he feels this is rush hour traffic time and he hates to see it close at 5:00 p.m.

MOVED by Jackson to push back the time from 7:00 p.m. to 11:00 p.m.

Haywood questioned if the public could get into the museum.

Shahan stated there is no restriction into any area, it is just that there will be no westbound traffic on Ferris.

Haywood stated he does not have a problem with the time from 5:00 p.m. to 11:00 p.m.

Warren stated if the time does get changed, they will have to pay someone overtime to come out at 7:00 p.m. and put up barricades.

Jackson questioned if they had to pay overtime at 5:00 p.m.

Shahan stated they will fit it into their schedule.

Jackson stated they will receive complaints from people who cannot use that road for two months.

Shoemate stated they would still be able to utilize Euclid and Cache Road.

Warren stated before we had Gore Boulevard shut down for two months.

Jackson stated this is just an imposition to citizens who drive Ferris Avenue.

ORIGINAL MOTION DIED DUE TO A LACK OF A SECOND.

MOVED by Warren, SECOND by Haywood to approve an Elmer Thomas Park Restricted Access Contract authorizing the closing of certain areas of Elmer Thomas Park and granting to the Holiday in the Park Beautification Committee for the Parks and Recreation Commission of the City of Lawton permission for restricted access to Elmer Thomas Park and Stage area to include the festival site for the purpose of lighting the park and providing holiday festivities during the timeframe of November 10, 2007 through January 5, 2008 and provide that this event to be a City of Lawton co-sponsored event waiving all permit fees and charges and authorize the Mayor and City Clerk to . AYE: Patton, Haywood, Warren, Shoemate, Hanna, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

5. Consider providing financial support to the Santa Shops Lawton Campaign in the amount of \$5,000 (Five Thousand Dollars) to be used solely for the mega event grand prize of \$10,000 (Ten Thousand Dollars) at the request of the Lawton Fort Sill Chamber of Commerce and Industry and take action as deemed necessary. Exhibits: Request letter from Lawton Fort Sill Chamber of Commerce.

6. Consider approving a resolution in connection with the issuance of obligations by the city of which the city is beneficiary for the payment of demolition expenses to J.L. Walker Construction Inc for contract awarded on September 25, 2007. Exhibits: Resolution 07-___ declaring the intent of the City of Lawton in connection with the issuance of obligations by the city.

Shanklin stated he received a call from a constituent wanting to know where this money was coming from. He stated in the back of his mind he remembered we had \$800,000 to build out at the landfill.

Mitchell stated that money is still in the CIP program.

Shanklin stated if we were short of money we could have used that.

Mitchell stated the reason they wanted this resolution is because we have already issued ad valorem for the sewer rehab program. Basically we are doing an interim loan until we get phase II ready to award.

MOVED by Shanklin, SECOND by Hanna, to approve **Resolution 07-135** in connection with the issuance of obligations by the city of which the city is beneficiary for the payment of demolition expenses to J.L. Walker Construction Inc for contract awarded on September 25, 2007. AYE: Haywood, Warren, Shoemate, Hanna, Drewry, Jackson, Shanklin, Patton. NAY: None. MOTION CARRIED.

7. Consider adopting **Street Light Resolution No. 453** to authorize the installation/removal of street lights at the location listed in the Resolution. Exhibits: Street Light Resolution No. 453.

8. Consider accepting the Emergency East Cache Creek 24 Waterline Replacement Project #2007-8 as constructed by Evans & Associates Utility Services, Inc. and placing the Maintenance Bond into effect. Exhibits: None.

9. Consider awarding a construction contract to Bauman Instrument Corporation for the SCADA System Replacement Project #2005-5. Exhibits: None.

10. Consider acknowledging completion of the Oklahoma Department of Transportation (ODOT) reconstruction project for the NE Flower Mound Road (Cache to Rogers Lane) Project #2004-18 as constructed by Allen Contracting, Inc. Exhibits: None.

11. Consider setting the date of November 27, 2007, to hold a public hearing and consider an ordinance closing the 800 block of NW 40th Street located in Heinz Addition, Part 8. Exhibits: Application, Location Map and Council Policy 5-1.

12. Consider accepting NE 34th Street and a 10 waterline to serve the Independence Place Apartment project located on East Gore Blvd. Exhibits: Location Map. Warranty Deed, Easements, and Maintenance Bonds on file in City Clerk s Office.

13. Consider approving the record plat for Oak Pointe Addition, Part 1A, and accepting an escrow agreement in lieu of completion of functional improvements, warranty deed for park land, and easements outside the platted area. Exhibits: Plat Map. Escrow Agreement, Warranty Deed, and Easements on file in City Clerk s Office.

14. Consider entering into a Lease-Purchase Agreement with Brentwood Development for approximately 1,064 linear feet of 12 inch diameter sanitary sewer main and approximately 745 linear feet of 15 inch diameter sanitary sewer main located west of SW 67th Street and north of SW Bishop Road and accept maintenance bond. Exhibits:

Lease-Purchase Agreement with exhibits and Maintenance Bond are on file in City Clerk s Office.

15. Consider entering into a Lease-Purchase Agreement with Brentwood Development for approximately 2,373 linear feet of 18 inch diameter water main and approximately 980 linear feet of 12 inch diameter water main located west of SW 67th Street and north of SW Bishop Road and accept maintenance bond. Exhibits: Lease-Purchase Agreement with exhibits and Maintenance Bond are on file in City Clerk s Office.

Shanklin questioned how the Lease-Purchase Agreement works.

Mitchell stated the agreement guarantees that if a developer puts in the water or sewer line improvements, if someone else ties on then they get reimbursed through the impact fees that are collected. He stated this is the first one. He stated it would be a 25 year lease purchase agreement. Once the agreement is executed, the developer would be guaranteed repayment as we collect our sewer impact fees.

Shanklin questioned if it was 100% reimbursement.

Mitchell stated that depends on how many people connect onto that line and how much we collect in taxes.

MOVED by Shanklin, SECOND by Patton, to approve a Lease-Purchase Agreement with Brentwood Development for approximately 2,373 linear feet of 18 inch diameter water main and approximately 980 linear feet of 12 inch diameter water main located west of SW 67th Street and north of SW Bishop Road and accept maintenance bond. AYE: Warren, Shoemate, Hanna, Drewry, Jackson, Shanklin, Patton, Haywood. NAY: None. MOTION CARRIED.

16. Consider accepting the sanitary sewer line serving Lots 5 through 15, Block 8, Runyon Hill Side Addition and maintenance bond. Exhibits: Location Map. Maintenance Bond on file in City Clerk s Office.

17. Consider adopting a resolution approving Amendment No. 1 to the Downtown I Urban Renewal Plan adding professional offices and financial institutions as permitted uses in the Commercial-Light Industrial District.

Exhibits: **Resolution 07-136**, Commercial-Light Industrial District Language from the Downtown I Plan, Map of Downtown I Area and Letter from City National Bank.

18. Consider awarding (RFPC07-054) Life Insurance to Brokerage Services, Inc. of Oklahoma City, OK, representing Lincoln Financial Group of Omaha, NE. Exhibits: Department recommendation, cost comparison.

19. Consider awarding (CL08-013) Side-arm Load Refuse Packer Truck to United Engines, LLC, of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids.

Shanklin stated he just wanted everyone to know that we have three trucks on the way. He questioned how long it will be before we have them on the street.

Mitchell stated approximately six months.

MOVED by Shanklin, SECOND by Drewry, to award (CL08-013) Side-arm Load Refuse Packer Truck to United Engines, LLC, of Oklahoma City, OK. AYE: Shoemate, Hanna, Drewry, Jackson, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED.

20. Consider awarding (CL08-012) Hook Hoist Container Pick-up System to Rush Truck Centers of Oklahoma, dba: Perfection Equipment of Oklahoma City, OK. Exhibits: Department recommendation, abstract of bids.

21. Consider approving appointments to boards and commissions. Exhibits: None.

22. Consider approval of payroll for the period of October 1 - 14, 2007.

BUSINESS ITEMS:

23. Consider approving an amendment to change an agreement signed by the mayor and authorized by the City Council with their approval of the FFY 2005 Consolidated One-Year Action Plan between the City of Lawton and Columbia Square, Inc. Exhibits: The agreement and the amendment are on file in the City Clerk's office.

Tom Aplin, Assistant Director for Housing and Community Development, stated the request for the extension of this contract with Catholic Charities will allow them to delay construction of the decorative fence until after the major demolition and construction has been completed.

MOVED by Shanklin, SECOND by Haywood, to approve an amendment to change an agreement signed by the mayor and authorized by the City Council with their approval of the FFY 2005 Consolidated One-Year Action Plan between the City of Lawton and Columbia Square, Inc. AYE: Hanna, Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate. NAY: None. MOTION CARRIED.

24. Consider approving a revision to the City of Lawton spring, summer, fall and winter quarterly clean ups provided by the Solid Waste Collection division. Exhibits: Exhibit A Memo dated October 7, 2007 and Exhibit B Proposed schedule for 2008 quarterly clean ups.

Jerry Ihler, Public Works Director, stated several council members were appointed to help with some problems staff has been experiencing with the four quarterly clean ups. He stated staff met with those four council members to go through these problems and discuss some short term options they can do to make things work a little more efficiently. He stated Council members Shanklin, Hanna, Haywood and Patton helped with this. He stated they have a manpower shortage as it relates to the clean up. There is not adequate equipment for the clean ups. They used to put everything in the packer trucks but that causes damage. He stated they are now using dump trucks and front end loaders. They need to do a better job of educating the residents on what they can and cannot put out. They have thirteen residential crews. For commercial needs there are four crews. He stated they do use Direct Staffing to fill the shortfalls, but they are not able to provide people with CDL's. They do have problems with having enough drivers for the pick up process. Typically they need 12 from Direct Staffing, but they are only able to get approximately 8 that continue to come back daily, so they go out with a two man crew instead of a three man crew. He stated for a two week clean up, crews are typically out for four weeks before they can get out in the community and get it all picked up.

Shanklin questioned if the tonnage has gone up.

Ihler stated it has not gone up a lot. They get about 250-280 tons on Monday and Tuesdays, Thursdays and Fridays are in the neighborhood of 190 tons.

Hanna questioned if the clean up was still going on.

Ihler stated yes.

Hanna stated there is a big mess over on Dearborn by Ron Stephens stadium.

Ihler stated they started on October 1st and are still going on with the clean up.

Hanna recommended they put that information in the paper the Sunday before it starts.

Ihler stated that is typically when it comes out in the paper.

Hanna stated people need more than one day advance notice.

Ihler stated that during this clean up people just throw everything out at the curb with no bags and no cans. He stated they are spending 35 minutes at one address.

Shanklin stated that was not our intent.

Ihler stated another real problem is that people move out and they place everything at the curb. Another problem is reconstruction. The original intent was not to pick up for contractors doing remodeling. They are getting a lot of that during clean up and regular pick ups. He stated this becomes a problem when they co-mingle. Because there are only three crews with front end loaders, it may a week or two before they are able to come behind and pick up the bigger items like furniture or swing sets.

Shanklin stated there has to be a solution. These items cannot be left out on the curb for two or three weeks.

Ihler stated they just do not have the equipment and the manpower to continue to do this. He stated he has enclosed in the agenda packet several options. Instead of having a two week clean up, let's shorten that to either one week or on Thursday, Friday, Saturday and Sunday and city crews would then start coming around the following Monday. With a two clean up, a person may put out stuff, the crew comes through the neighborhood, but then a neighbor puts stuff out the next week. Then city crews have to come back to that location again. They would like to shorten that to a week for the residents to get their things out and then city crews will only have to go through that neighborhood once. Once they get through the neighborhood, city crews will not come back. With this option, he believes they can get through all of the neighborhoods in a two week period. This would allow everyone to have a quarterly clean up but it lessens the amount of time that things sit out at the curb and it lessens the time staff has to pull crews off of water distribution, streets, drainage and other divisions. It will also provide a longer life for the packer trucks. He stated for the purpose of this time period, staff is asking permission to put out a schedule where either Option 1 or Option 2.

Mayor Purcell questioned why they don't force the issue with the residents in the house. Why should the city employees have to pick up this pig sty.

Ihler stated sometime people move out and they put hundreds of boxes and bags and they will turn them in to Neighborhood Services and they will contact the owner. The owner will be given a specific number of days to clean it up. If they don't clean it up they will be charged a special pick up fee. He stated they leave notices, but most of the time they are not home. In the future it is going to be that 95 gallon container and that one driver picking it up with that single truck. He cannot afford to get out of his truck to pick something up that is sitting outside the can. He would never get through with his route. They are trying to educate the public.

Warren questioned if they have ever looked at the cost of a major pick up the first week of the month and only have once a week pick up for regular trash.

Ihler stated they have tried many times to implement once a week pick up. Typically on Thursday and Friday they pick up 50-60% of what they pick up on Monday and Tuesday. That is typically in the summer months, in the winter months it is less.

Warren stated he has heard from people who would give up twice a week pick up in order to have a major pick up once a month. He stated in real time, people only have a weekend to get all this together for the quarterly clean ups.

Ihler stated right now they do not have the equipment.

Warren stated he was wondering about money saved and applying that savings.

Patton stated he is not sure that there is truly a benefit of having the clean up once a month. He does not think most people have that much stuff for once a month.

Warren stated no matter what they do they just cannot allow people to do this anymore.

Shanklin stated we cannot allow construction people to count on the City of Lawton to haul off their material.

Ihler stated the committee is looking at cutting the time frame to either one week or Thursday, Friday, Saturday and Sunday before city crews start going through the neighborhoods. He stated he believes they can get through the city in about two weeks. In addition they need to educate the residents on what is an acceptable amount.

Drewry stated people should have to call for a special pick up when they have that much.

Mitchell stated residents also have the option of taking it to the landfill at no cost if you are a resident.

Patton stated the committee felt that the clean up is important to the city and gives residents an opportunity to get rid of things but with the cost of the damage that is being done they felt that a week every quarter would be sufficient.

Mayor Purcell stated from what he sees here the committee came up with two options. He stated they could put it out for a whole week or a Thursday, Friday, Saturday and Sunday.

Ihler stated the four day option was not discussed with the committee. That was something that staff just wanted to throw out for discussion purposes.

Drewry stated the four day option is really a good option because it will sit at the curb for a shorter period of time.

Mayor Purcell stated if they go to Option 1 with the one week, residents would have two weekends to get stuff together.

Ihler stated with Option 1, technically things could sit out at the curb for four weekends.

Shanklin questioned if staff was saying they didn't have the equipment or the manpower.

Ihler stated both. He stated as they go to the fully automated trucks they were going to drop the two labor positions and would just have the driver. Now that they are buying these other trucks, they thought they would put those people into those trucks so that eventually in a couple of years they would have the necessary manpower and equipment.

Drewry stated she would prefer Option 2 because the trash will not sit out at the curb so long.

Shanklin questioned if this is how staff would like to do this.

Ihler stated they would like to limit the amount of time the trash is sitting on the curb. They would prefer Option 2 which is the Thursday, Friday, Saturday and Sunday. He stated crews would start coming through the neighborhoods the following Monday.

Drewry stated this would give people a full weekend to get it out to the curb.

Mayor Purcell stated it sounds like everyone agrees that they need to do this, the question is if they want Option 1 or Option 2.

Shanklin suggested they try Option 2 for three months.

Jackson stated this could be a test run and they could bring it back if needed.

Ihler stated they will also do a better job of educating the public about the do's and don'ts.

Warren stated he would like to know if the City Council is interested in seeing the numbers on doing a clean up one week a month and going to once a week regular trash pick up. He does not want staff to do the research if Council does not agree. He stated they may be able to incorporate some recycling in the future.

Drewry stated she feels it is worth looking into.

Mayor Purcell suggested Councilmember Warren bring back an agenda item and they can all address that issue.

MOVED by Drewry, SECOND by Patton, to adopt Option 2 as a clean up schedule. AYE: Drewry, Jackson, Shanklin, Patton, Haywood, Shoemate. NAY: Warren. ABSENT: Hanna. MOTION CARRIED.

25. Discuss commercial and holiday refuse collection policies and take appropriate action if necessary. Exhibits: None.

Jackson stated he brought this issue up because he is personally involved as a representative of small business.

There are a lot of law abiding citizens who own commercial businesses in town that do exactly what they are asked to do with their trash. The problem is on a lot of holidays, if you are on Monday-Thursday route you do not get a pick up on Monday which will result in exceeding the capacity of the dumpster. When that happens and they have put a couple of extra trash bags in front of the dumpster, with the current policy the crews move the bags out of the way and then they empty the dumpster. It does not make any sense to him to take the laborious charge to move the bags out the way and leave them sitting on the ground. He questioned a neighbor of his who has the same problem and he was told that he gives the guys \$20 a month and he gets all of his trash picked up. That is when he got furious about it and decided to agenda an item. He stated if there is a small commercial business that has two or three or four trash sacks sitting around the dumpster as a result of the holiday, we need to just pick it up.

Ihler stated according to the policy, if there are a bunch of trash bags in front of the dumpster and they cannot get to it, they should not pick any of it up. He stated if Councilmember Jackson has knowledge of someone taking money from someone, he needs to know about it so something can be done.

Jackson stated it is a fact and he is not going to get someone in trouble or fired for it.

Ihler stated he cannot do anything about it if he does not know who it is or where it is.

Jackson stated they just need to use a little common sense. Don't move the trash sacks out of the way to get to the

dumpster.

Mitchell stated as soon as we start picking up two or three bags, it will turn into six bags and then eight bags.

Jackson stated then they need to go back and reduce everyone's utility bills.

Ihler stated they do not go back and reduce everyone's residential utility bill when a holiday falls on Monday. Is that what they want to do?

Jackson stated they just need to use common sense.

Warren stated they just need to figure that into your business plan.

Jackson stated they were picking up the bags up until a month ago. He stated commercial businesses pay taxes just like everyone else.

Ihler stated if you have once a week pick up and it falls on a holiday, we are able to get around and pick it up the next day. If you have twice a week pick up, we just don't have the manpower or number of trucks to be able to go around and pick up everyone.

Jackson stated they had enough manpower to pick up his trash bags and move them out of the way.

Mayor Purcell stated that Councilmember Jackson just had two bags. What happens when they go to the next commercial business and they have twenty-two? Where does it end?

Jackson stated he hears all of the excuses, but it is still not fair.

Mayor Purcell questioned if Councilmember Jackson had any suggestions of some action he would like to bring back to the City Council.

Jackson stated he would like to think about exactly what he would like to do about it.

26. Discuss the Council practice of renaming or dedicating streets to recognize deserving local residents and consider establishing a Council Policy that clearly defines the criteria to be used by the City. Exhibits: 11-28-2006 Council Agenda Item #20 and Minutes from 11-28-2006 Council Agenda Item #20.

Mayor Purcell stated there are people in the audience that have requested to speak on this issue.

Shoemate stated he brought this issue up because he has talked with a lot of people that work in emergency services, postal services and his neighbors. Every one of them feel that those who we have named streets after do deserve some kind of honor, but not changing the streets. He feels the best thing is to dedicate those streets and avoid a hardship for those living on those streets. Those people deserve to be honored, but he does not want to see us changing our established streets that are a part of history.

Haywood stated a lot of these things were done without any input from the community. He stated technology can direct those public service people when they have a question about those street changes. He stated those names that he brought forward came through the neighborhood associations at Patterson and Lawton View. He did not make the last recommendation. He did not want the dedication put at the bottom of those signs. Those other individuals like Rev. Davenport, N.H. Jones and Whitlow, those are from Lawton View. Then they have Dr. Jones and Albert Johnson. Those are in specific communities where these people have made an impact. He stated that there is a sign that says VFW Way at 20th Street and Gore. That is not a dedication.

Mayor Purcell stated that is a dedication because the street name has not been changed, it just has a sign that says it has been dedicated as VFW Way. The address is still the original street. He stated he was on the City Council when this was done.

Haywood stated he would not look at the sign that said 20th Street, he would look at the sign that said VFW Way.

Mayor Purcell stated the reason that was not renamed is that the post office objected to it because they would have to change everything in the system. The businesses on that street did not want to change. The police and fire departments also objected. Now we would have to go in and reprogram the E-911 system.

Haywood stated we did not put a Dr. Martin Luther King Avenue in this town. We put it on the interstate. He still says I-44, not Dr. Martin Luther King interstate. It is a misconception on certain things. He stated all of these individuals came through neighborhood associations. Everyone had the opportunity to come here and voice their opinions. It is not the fault of the people.

Shoemate stated these are good people, but if we keep changing all of these street names, where do we stop? Are we going to rename the whole town?

Haywood stated that they are all divided by northwest and southwest. He stated police and fire know this.

Warren stated he generally has not supported renaming streets in the past and will not support it in the future. It causes grief and hardship on people to honor other people and that is not right. He does not think that these people being honored would want other people to be put out. The honor should be the dedication and it does not bring hardship to those businesses and homes on that street. Those businesses have spent money for yellow page ads, signage, business cards and all types of things that would have to be changed. It serves no purpose to make fifteen people change their address to honor one. In his eyes it would be a bigger honor to dedicate the street.

The neighborhoods never have a say in the naming of streets. He stated we could dedicate every street in town and he would not have a problem with it. He will never support the changing of a street ever again. He stated he would like to go back and dedicate G Avenue and not change the name of that street.

Jackson stated in the late 1980 s they honored Jack Carter by dedicating Rogers Lane to his memory. He feels that is an appropriate thing.

Richard Jensen, 1001 NW Arlington, stated he owns three houses in the 500 block of G Avenue and he was not notified of what was going on. He stated there are eleven businesses in that area that will have to change their stationary and records. He requested that they use accuracy when looking at these street changes. He stated Mr. R. L. Smith has done more for that community but he would not want a street named after him. His birth certificate states 512 G Avenue, so he has been there 75 years. There are two Williams Streets in this town and that should never happen.

Ronald Webb, 1711 NW Great Plains Boulevard, stated he has had a business on G. Avenue for twenty years. He has also worked for Kirk s Ambulance Service. Everyone does not use 911, which have the maps. Some people call the police and fire directly. Sometimes the streets are changed for two or three months before people know about it. Taking a couple extra minutes to figure out the address could make a difference in someone s life. Most of the streets in Lawton were established in 1901 and why should we change history. There are hundreds of people in this town that deserve recognition and they don t get it. He would support the dedication of streets. People that are not involved in this town do not know to look at north, east, south and west. We need to keep this simpler.

Mayor Purcell stated there is really no action to be taken on this item.

27. Consider adopting an ordinance adding Section 2-5-1-502, Division 2-5-1, Article 2-5, Chapter 2, Lawton City Code, 2005 by establishing procedures and guidelines for naming or renaming public streets, honorary designation of a street, and naming or renaming of a public facility or building, providing for severability, codification, and declaring an emergency, and consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to establish a filing fee for naming or renaming public streets, honorary designation of a street, and naming or renaming of a public facility or building, and establish an effective date. Exhibits: Ordinance No. 07-___; Resolution No. 07-___.

Jensen stated staff had been asked to prepare this ordinance. He reviewed the ordinance today and it is not ready to be passed tonight. It is not in proper form. He stated if any Councilmember has any input to this ordinance they need to let him know.

Jackson stated he does not think anyone should be charged for naming a street, but maybe there should be a charge for renaming a street.

Mayor Purcell stated the ordinance will not allow anyone to rename a street.

Jackson stated he does not want any charge.

Jensen stated he will bring it back with no fees.

Shoemate stated he would not vote for a fee.

Mitchell questioned if there was a need to publish a notice for a street dedication.

Jensen stated they would be doing that under this ordinance.

Mitchell questioned who would be paying that publication fee.

Haywood stated anyone who would try to rename the street would pay for that publishing.

Jensen stated they could say there would be no fees except for publication costs.

Mayor Purcell questioned if there would be a publication cost for dedicating a street.

Jensen stated under this ordinance, they would give surrounding residents written notice and publication in the newspaper.

Mayor Purcell stated if all we can do is dedicate, why would we be publishing a notice.

Jensen stated he needs that direction from the Council. Right now the ordinance addresses renaming of streets and dedication of streets.

Mayor Purcell stated he thinks the Council is saying that they want the renaming of streets to go away.

Patton questioned if they were also talking about prohibiting the renaming of buildings.

Mitchell stated that is what they need to re-work in this ordinance.

Jensen stated he will bring back an ordinance that addresses the dedication of streets with no fees involved.

Mayor Purcell questioned if that is what the majority of Council wishes to do.

Jackson stated he wants to make sure that they do not rename streets.

Haywood stated he would like to see the option where you can rename a street. He suggested that staff bring back both options for a vote.

MOVED by Jackson, SECOND by Drewry, to table to November 6, 2007 Council meeting. AYE: Patton, Haywood, Warren, Shoemate, Hanna, Drewry, Jackson. NAY: None. ABSENT: Shanklin. MOTION CARRIED.

Warren questioned what would be the proper procedure to bring back the G Avenue item. Does it have to be brought back by someone who voted in the affirmative?

Jensen stated he will have to suspend the rules or follow the Council Procedures.

Haywood stated there will be some really mad people and this would cause some real problems. There have been a lot of changes since 1901.

Warren stated he will also make a lot of people happy. He stated this is about naming a street and causing people to have to change their address.

28. Discuss Non-union Pay Plan and take appropriate action if necessary. Exhibits: None

Jackson stated several weeks ago an item came before the City Council to attempt to create a pool plan for non-union employees. He fears that if they create a new employment schedule for certain employees they will get themselves into a trap of being forced to pay more money out of the budget. He does not think this is right. The concern has always been that the City Manager does not have the leeway to hire a difficult position like City Engineer or City Planner. He stated let s give him that authority, but not do it as a pooling of the entire city supervisory staff. He does not want to be locked into a total pool plan.

Patton questioned if they took any action when the issue came before City Council.

Mitchell stated the minutes from August 28th meeting are in the agenda packet. At the conclusion of that discussion, the City Council gave staff direction to move forward to plug the positions into the schedule and bring that schedule back to the City Council. There is really nothing at this point that the Council can vote on up and down. They could vote to discontinue any work staff has done on the proposed pay plan. Staff has been working on this for two years because we now have a group of general employees that want to be recognized as a bargaining unit. There are a group of employees now that are negotiating a bargaining agreement with the City and then there are a group of 120 non-union supervisors and managers that are not going to be recognized by the new union. They are trying to put together a pay plan that has not been reviewed since 1999. All staff asked the Council to do at the August meeting was to simply say that they understood what has been done so far and to proceed with the final steps. The next step would be to plug those positions in so they can see how those positions match up with the market and one another. Every year he gets 45-50 requests for reclassifications. That is telling him that there is something eschew with the current pay plan. The current plan also recognizes those employees who have seniority or longevity with the City. When they go outside the organization and try to hire someone with the same experience, the current plan does not recognize that. He stated the Mayor asked the

Council directly if any Councilmember wanted to sit in and review this work as they plug in those positions. Until they plug those positions in they will not know how it affects the budget.

Mayor Purcell stated what the Council directed staff to do has no numbers yet.

Hanna stated when they received it, it had numbers on it.

Mayor Purcell stated that probably was a big mistake.

Mayor Purcell stated all the Council agreed upon was those positions in categories. Now they need to plug numbers into those positions.

Hanna questioned if when it comes back will it have what the employee is currently making and what is proposed.

Mitchell stated yes.

Jackson stated they have told all three of the unions to not expect a pay increase next year because we will be in a budgetary crises. If this Council gets locked into approving a pay plan, he thinks we will have real budget problems. This is a trap and he can see it coming.

Mitchell stated staff has not asked the City Council to approve a pay plan.

Jackson stated he wants to make sure his conscious is clear and he is not getting the taxpayers that he represents in this trap.

Warren stated they have not approved anything.

MOVED by Jackson to cease all operations of the proposed pool pay plan for non-union personnel.

Shanklin stated some of these people are overpaid and they need to look at this. He feels they need to see it.

MOTION FAILED DUE TO LACK OF SECOND.

29. Discuss uses permitted for C-4 (Tourist Commercial District) zoning and give direction to staff if necessary. Exhibits: Division 18-6-11, Article 18-6, Chapter 18, Lawton City Code, 2005.

Drewry stated C-4 zoning allows for commercial amusement enterprises and this includes types of amusement devices most usually found in amusement parks such as merry-go-rounds, ferris wheels, roller coasters, giants slides, go cart tracks, various rides and coin operated amusements. These can be indoors and outdoors. There are areas of town that are designated C-4 that have residential all around them. She is concerned about highway 62 where they have C-4 zoning, she feels they are going to run into some major problems. She feels these kinds of things should be in C-5 zoning. She cannot imagine the noise factor if these kinds of things are in residential areas.

Mayor Purcell stated Councilmember Drewry is suggesting some of these things be moved to C-5 zoning.

Drewry stated she would like the City Council to give her permission to go through this and identify what should be included in the C-4 zoning.

Shoemate questioned if this would be covered under the noise ordinance.

Drewry stated not according to the code.

Shanklin questioned who encroached on whom first.

Drewry stated the residential has been there for a long time. The C-4 zoning is on the highway and the residential is right behind it.

Patton questioned the main difference between the C-4 and the C-5 zoning.

Richard Rogalski, Planning Director, stated most commercial zoning is C-1, C-4 and C-5. There are more intense uses as you go higher in number. The C-4 zoning is listed as Tourist Commercial but it also has a lot of other uses. In some places it is appropriate but it does not give much protection to the neighborhood.

Mayor Purcell stated if the Council agrees, Councilmember Drewry will work with the staff to bring back some changes to the code regarding C-4 zoning.

Mitchell questioned if these changes would go back to the City Planning Commission.

Rogalski stated yes. He suggested they form a committee to look at this.

Mayor Purcell stated for now, Councilmember Drewry can give some input to staff.

30. Receive an update on Strategic Plan. Exhibits: None.

Drewry stated at the next Council meeting the strategic plan will be distributed. She worked on a committee that included Dan Mullins, Lisa Wade, Keith Bridges, George Moses, Ed Peterson, Tony Pokorney and Tom Rhineland.

She stated they interviewed all of the major businesses in the area to get their input. They also interviewed the Mayors of Cache, Elgin and Geronimo to get input from everyone around the area. They are printing a sixteen page brochure highlighting the plan which will be distributed to the City Council. In the back of the brochure will be a CD of the complete plan. They are also printing books of the complete plan and putting them in three ring binders so they will be easier to update. She stated Mr. Pokorney has offered to work with the City of Lawton at no cost to keep the plan moving forward.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Shoemate stated the majority of the streets in his ward were in bad shape after the construction in the area. He questioned if there was some way to make sure that the contractors that are bringing in heavy trucks have some type of coverage that would make them replace these streets.

Drewry stated the City Council did bring back an ordinance after the construction around Comanche County Memorial Hospital that states that the contractor is responsible.

Warren stated they need to document the condition of the streets to begin with and then document it afterwards.

Jackson stated he has been pursuing the issue of abatement along the railroad tracks. It seems like they are actually getting close with a solution. It looks like we will be able to hire a contractor to do the work and the railroad will reimburse us for the work. He introduced his employee and her mother who was visiting from Denmark.

Shanklin stated he has received some complaints about loud music being played in cars along 3rd and 4th Streets heading towards the park. He stated it ranges from 11:00 p.m. to 3:00 a.m.

Patton stated he was very disappointed to see that the Santa house was burned in Elmer Thomas Park. He questioned if there was a possibility they could get some cameras installed at the park.

Warren suggested they get some sponsors.

Patton stated he could probably get some cameras donated if we could put up the posts.

Warren stated those same cameras could also be used for advertisement of Holiday in the Park when it is all lit up.

Patton stated a good friend of his, Kelly Haynes, was killed last week. He stated he made a tremendous impact on a lot of people in the community.

Mayor Purcell announced that everyone was invited to the airport at 10:00 a.m. on Wednesday, October 24th for a big announcement.

Mitchell distributed a corrected schedule for Phase II of the Old Central High project. They hope the bidding process will begin in early 2008.

Greg Buckley, Assistant City Manager, stated the City Planning Commission has put together a committee to look at a utility location policy and has requested that one or two City Council members sit on that committee.

Shoemate agreed to serve.

Warren agreed to serve.

The Mayor and Council convened in executive session at 8:36 p.m. and reconvened in regular, open session at 9:10 p.m. Roll call reflected all members present.

EXECUTIVE SESSION:

31. Pursuant to Section 307B.2&4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations concerning employees and representatives of employee groups and the proceedings in American Federation of State, County, and Municipal Employees Union vs. City of Lawton, Oklahoma, PERB No. M1400, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item 31.

MOVED by Warren, SECOND by Patton, to adopt **Resolution 07-137** amending Resolution 07-86 by including six additional city positions in the list of position eligible to be in the AFSCME bargaining unit and extending the provisions of Resolution 07-86 to the employees in these six positions with said action including the termination of the July 2007 cost of living increase for the employees in the six positions. AYE: Shoemate, Hanna, Drewry, Jackson, Shanklin, Patton, Haywood, Warren. NAY: None. MOTION CARRIED.

MOVED by Patton, SECOND by Warren, to adopt **Resolution 07-138** appointing the city department directors as alternate members of the City's negotiating team for negotiations with the City's general employee AFSCME union. AYE: Hanna, Drewry, Jackson, Shanklin, Patton, Haywood, Warren, Shoemate. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 9:12 p.m. upon motion, second and roll call vote.

JOHN P. PURCELL, JR., MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK