

Shanklin stated he would like to know when her appeal is so that he can attend.

Greg Buckley, Assistant City Manager, stated he has received the appeal from Ms. Douglas but his secretary has been unable to contact her using the number on the appeal. She has mailed a letter to Ms. Douglas asking her to contact the City Manager's office to set up an appointment date for her appeal.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF JUNE 26, 2007.
(This item was not addresses)

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

Mayor Purcell stated they need to address item #9 separately.

MOVED by Drewry, SECOND by Hanna, to approve the Consent Agenda with the exception of item #9. AYE: Drewry, Jackson, Shanklin, Haywood, Shoemate, Hanna. NAY: None. MOTION CARRIED.

1. Consider approval of Grant Agreement 3-40-0051-023-2007 for Lawton Ft. Sill Regional Airport in the amount of \$ 1,456,555.00 for the reconstruction of Taxiway G (general aviation taxiway) and taxiway stubs that lead to the T-hangars, develop Airport Master Plan and develop Airport Concessionaire Disadvantaged Business Enterprises (DBE) Program. Exhibits: Grant application on File in the City Clerk's office.

2. Consider adopting **Resolution 07-100** amending Resolution No. 07-86 to add four additional city positions to the list of positions eligible to be included in the AFSCME bargaining unit and extending the provisions of Resolution No. 07-86 to the Employees in these four positions. Exhibits: Proposed Resolution 07-__ .

3. Consider adopting **Resolution 07-101** ratifying the action of the City Attorney and the City Manager in filing and making payment of the judgment in the Workers Compensation case of Sam Shubert in the Workers Compensation Court, Case No. 2004-15989 Q. Exhibits: Resolution 07-__.

4. Consider approving contract with Western Enterprises, Inc. for a pyrotechnic display to be presented for the City Of Lawton-Ft. Sill 106th Birthday Celebration with a special salute to the state's centennial for August 4, 2007. Exhibits: Contract on file in City Clerk's office.

5. Consider approving contract with Frontier Music for sound equipment and operators for the City of Lawton - Ft. Sill 106th Birthday/Centennial Celebration for August 4, 2007. Exhibits: Contract on file in City Clerk's office.

6. Consider approving contract with Journey Productions for technical support services for the City Of Lawton - Ft. Sill 106th Birthday Celebration with a special salute to the state's centennial for August 3 and 4, 2007. Exhibits: Contract on file in City Clerk's office.

7. Consider approving contract with Journey Productions for technical support services for the 2007 International Festival for September 21-23, 2007. Exhibits: Contract on file in City Clerk's office.

8. Consider approving the record plat for the Replat of Lot 1, Block 3, Great Plains Addition, Part 1 and Lots 26 and 27, Block 3, Great Plains Addition, Part 2. Exhibits: Plat Map.

9. Consider a resolution amending planning and zoning and subdivision fees in Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005. Exhibits: Resolution No. 07- ____ and Comparison of Current and Proposed Fees.

Richard Rogalski, Planning Director, stated the wrong resolution was included in the agenda packet. He stated the one that was included only covers the changes to Chapter 18, and they wanted to include the changes to Chapter 21. The changes to Chapter 18 were due to increased publication fees. He stated they also included a cost for a Certificate of Architectural Conformance which is part of the overlay district. He stated the increase to fees in Chapter 21 are to cover the cost of the plans review cost with CP&Y. He stated the new fee schedule actually increases as the number of lots increases, which increases the review time.

Shanklin questioned what cities we were comparable to with these fees.

Rogalski stated he did not copy from another city, he looked at the cost that the division was paying out of pocket.

Mitchell stated during the budget workshops the developers agreed that this was a good way to help review subdivision construction plats that were submitted. It has sped up the time for the review process.

Rogalski stated they are just trying to cover the city's cost.

Shanklin questioned if we were behind in the review process.

Rogalski stated prior to upgrading this process the average review time was 39 days per construction plat. They have cut that review time down to 25 days. They got there from sending those plans out. He does believe that these proposed fees are appropriate.

MOVED by Drewry, SECOND by Haywood, to approve **Resolution 07-102** amending planning and zoning and subdivision fees in Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005. AYE: Jackson, Shanklin, Haywood, Shoemate, Hanna, Drewry. NAY: None. MOTION CARRIED.

10. Consider granting permission to grade on City of Lawton property and approving the construction plat for Sherwood Addition, Part 8, subject to conditions. Exhibits: Plat Map.

11. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 480 linear feet of eight (8) inch water line and all appurtenances to serve the Southwest Ready Mix facility, located at 1015 SW Superior Circle, in the SW/4 of Section 31, T-2-N, R-12-W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk s office.

12. Consider accepting the 8-inch waterline to serve Southwest Ready Mix on SW Superior Circle, escrow agreement, and maintenance bond. Exhibits: Location Map. Escrow Agreement and Maintenance Bond is on file in City Clerk s Office.

13. Consider awarding a contract to Evans & Associates Utility Services, Inc. for the Emergency East Cache Creek 24 Waterline Replacement Project #2007-8. Exhibits: None.

14. Consider approving plans and specifications for the SCADA System Replacement Project #2005-5 and authorizing staff to advertise for bids. Exhibits: None.

15. Consider approving contract Amendment #1 with Robert B. Hendrick & Sons Co., Inc. for additional engineering services for the NW 67th Street (Cache Road to Rogers Lane) Reconstruction Project #2003-7 and authorizing additional funding. Exhibits: Amendment #1 to Agreement.

16. Consider acknowledging receipt of permits for the construction of a water line and appurtenances from the Oklahoma Department of Environmental Quality to serve the Water Infrastructure Improvement Phase 1 (Lines) Project #2006-8 located from the new SEWTP to the proposed tower at the intersection of SE Bishop Road & SE 45th Street and to south of the VA Hospital on Flower Mound Road, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct is on file in the City Clerk s office.

17. Consider adopting **Resolution 07-103** authorizing the Mayor and City Clerk to execute an agreement with the Oklahoma Department of Transportation (ODOT) for Right-of-Way, Public Utility, and Encroachments for the NW 67th Street (Cache Road to Rogers Lane) Reconstruction Project #2003-7 - STP-116B(138)UR, State Job No. 23411(04) Construction. Exhibits: Resolution 2007-___. Project Agreement is on file in the City Clerk s office.

18. Consider awarding (CL08-001) Hydraulic Excavator to Warren Cat of Oklahoma City. Exhibits: Department recommendation, abstract of bids.

19. Consider extending the contract (RFPCL05-006) Lease of Office Facilities for Housing & Community Development with Kent Waller of Lawton, OK. Exhibits: Department Recommendation, Proposal Price Sheet, Contract Extension Form.

20. Consider terminating (CL07-034) Nuisance Abatement West Side with Kevin Williams Landscape, Inc., and rebidding the contract. Exhibits: Department recommendation, Kevin Williams Landscape, Inc. letter.

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

22. Consider approval of payroll for the period of July 2 15, 2007.

Mayor Purcell recognized State Representative Don Armes who was in attendance.

OLD BUSINESS ITEMS:

23. Consider an ordinance amending Section 5-1-101, Article 5-1, Chapter 5, and adding Section 5-1-106.1, Article 5-1, Chapter 5, Lawton City Code, 2005, by providing definitions for a Commercial Advertising/Transfer permit and pet shops, and authorizing pet shops to sell, trade, advertise, receive for any compensation or to give away or transfer ownership a limit of fifty (50) dogs or cats per permit, with a maximum of four (4) permits per year, providing for severability, codification, and declaring an emergency. Exhibits: Ordinance 2007-__.

Jerry Ihler, Public Works Director, stated the City Council had directed staff to look at three areas related to the Commercial BAT permit. They had asked that they remove the requirement of mandatory spay and neuter and allow them to have an A or B license. They also asked that an identification form be provided as a transfer form. Staff was also instructed to reduce the fee from \$1,000 to \$250 which will be covered in item #24.

Linda Reinwand, 6208 NE Cache Road, stated she is the Administrative Director of the Animal Birth Clinic. She suggested they be very concerned about this proposal. This ordinance was designed to end the killing at taxpayers expense and put the burden on the backs of the people who are contributing to the problem, rather than the community as a whole. She stated the originally adopted ordinance was fair. She stated the proposal is totally inequitable. A pet shop admitted that they are putting hundreds of dogs and cats into this community and the taxpayers are footing the bill for this pets for profit industry to continue. She stated the original ordinance will take time, but it will work.

MOVED by Hanna, SECOND by Haywood, to adopt **Ordinance 07-45**, waive the reading of the ordinance, read the title only and declare an emergency. AYE: Shanklin, Haywood, Shoemate, Hanna, Jackson. NAY: Drewry. MOTION CARRIED (EMERGENCY CLAUSE FAILED, WILL NOT GO INTO EFFECT UNTIL 30 DAYS).

(Title read by City Attorney)

Ordinance 07-45

An ordinance pertaining to animals amending Section 5-1-101, Article 5-1, Chapter 5, and adding Section 5-1-106.1, Article 5-1, Chapter 5, Lawton City Code, 2005, by providing definitions for a commercial advertising/transfer permit and pet shops, and authorizing pet shops to sell, trade, advertise, receive for any compensation or to give away or transfer ownership a limit of fifty (50) dogs or cats per permit, with a maximum of four (4) permits, per year, providing for severability, codification, and establishing an effective date.

Mayor Purcell recognized and welcomed COL. Robert Bridgford, the Fort Sill Liaison.

24. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges (Animals), Lawton City Code, 2005, to establish a fee for the Commercial Advertising/Transfer permit that may be issued to pet shops, and establish an effective date. Exhibits: Resolution 2007-__.

Drewry stated she is an animal person and she has really thought about this a great deal. She sympathizes with the pet shop owners, but she sees all of these animals out in the community that are being put to sleep. She stated she wishes they could have stuck with the neuter/spay requirement for animals sold at pet shops because she believes this is a big part of the problem. She stated they have put a \$250 fee per litter on breeders and she is not sure that \$250 for 50 animals is fair.

MOVED by Drewry, SECOND by Jackson, to approve Resolution 07-104 amending fee for the Commercial Advertising/Transfer permit to \$500 for 50 animals. AYE: Shoemate, Drewry, Jackson. NAY: Haywood, Hanna, Shanklin. MOTION FAILED.

Jensen stated the resolution requires five votes.

MOVED by Hanna, SECOND by Haywood, to approve Resolution 07-104 as written. AYE: Hanna, Shanklin, Haywood. NAY: Shoemate, Drewry, Jackson. MOTION FAILED.

Jensen stated as of right now there is no fee. He suggested they place it on the next agenda when the entire Council is in attendance.

Mayor Purcell stated they will have to reconsider the item. He stated the ordinance will not go into effect for thirty days so there will be time to bring the resolution back at the next meeting.

MOVED by Jackson, SECOND by Haywood, to reconsider item #24. AYE: Shoemate, Drewry, Jackson, Shanklin. NAY: Hanna, Haywood. MOTION CARRIED.

MOVED by Jackson, SECOND by Drewry, to table to August 14th meeting. AYE: Shoemate, Drewry, Jackson, Shanklin, Haywood. NAY: Hanna. MOTION CARRIED.

25. Discuss Council Policy No. 8-2, regarding additional access requirements for section line roads and arterial streets which have limited access rights and take appropriate action as necessary. Exhibits: Draft Policy and Exhibit A.

Rogalski stated on June 12th the City Council discussed this item for the first time and decided to appoint a committee to look at this issue and come back with a recommendation. On June 26th the committee, which included Councilmembers Patton and Haywood, met and came out with a good policy. They are still looking at three additional access points in each quarter mile, spaced at approximately 330 . At the request of the developers, staff can move around those spaces to match their development.

Jackson questioned what the current policy was.

Rogalski stated at a quarter mile you have zero. In a whole mile you have three.

Jackson questioned what the proposed changes.

Rogalski stated three more in every quarter which would be twelve total for the whole mile.

Jackson stated with each one of the points there will be an exit lane.

Rogalski stated they will put in a right turn lane to get the traffic off of the arterial. They will end up having a limited amount of brakes, no additional left turn median brakes, so they will not decrease the level of service of the roadway by having these controlled access lanes.

Haywood stated the committee agreed that the concrete had to be so many inches which will be paid for by the developer. They did not want to asphalt on the right hand lane.

Mayor Purcell clarified that they are not looking at 12 points in one mile heading in one direction. There will be six on each side of the street.

Rogalski stated that there will be 12 in one mile on each side.

Jackson stated that would be a nightmare.

Mayor Purcell stated that if they are going west on Lee Boulevard between 67th and 80th, there could be 12 cuts in the road where you could make a right hand turn.

Rogalski stated yes, there would be 3 in every quarter mile section. These access points with deceleration lanes do not decrease the level of service of the road. The traffic pulls off the road on the right hand side and decelerates. He stated he should say that there is the possibility of 12. Every one of the points would cost the developer \$10,000, so they may not have that many.

Jackson stated that the deceleration lane is 50 in length and that is not long enough.

Rogalski stated that is the minimum amount. He stated the alternative is to construct a frontage road. They are trying to provide a good level of access for the commercial users.

Jackson stated the intention of west Lee and Rogers Lane were to be limited access roads.

Rogalski stated that ODOT required those to be limited access and required that the existing curb cuts only be three in a mile.

Jackson stated that the intention was to be a smooth flow of traffic and not a lot of congestion. He stated if they put twelve cuts in there they have lost what was originally intended. He stated twelve cuts are too many.

Mayor Purcell stated that Johnny Owens was on the committee and is in attendance. He invited him to the podium to address the Council.

Johnny Owens, Owens Commercial Properties, stated there is a multi-million dollar development coming to Lawton that will have a commercial development in front and about 300 homes behind. The developers are trying to get the access, ingress and egress, so this development will work. He stated they need at least three curb cuts for this development. Access roads into this development would be cost prohibitive. He stated that is why they would like to change this on HW 62 and Lee Boulevard. The state may have set it out to be limited access, but you cannot do developments with limited access. He stated they just want to be reasonable.

Haywood stated they were not going to make any cuts on the left hand side, if there were any cuts they would be on the north side of the road on Lee.

Jackson stated this developer may not make any, but the next guy probably would. He stated he does not want to deny anyone access to commercial property because that is where they make their tax dollars, but he would also like to have a smooth flow of traffic in that area.

Haywood stated it will be smooth by the egress.

Jackson suggested they increase the length of the lanes.

Mr. Owens stated he understands and they do not want to become another Cache Road.

Mayor Purcell stated there is 5,280 feet in a mile, which means every 440 feet they could have a cut, and then there would be deceleration lanes. He questioned if those would only be 50 feet.

Jackson stated 50 feet is the stacking lane.

Rogalski stated that 50 feet is the actual stacking lane. If it is a 12 foot lane, it is a 144 foot transition. He stated 50 foot is a minimum, but they are trying to be sensitive about spending people's money. He stated it does technically work.

Jackson stated if the development is as successful as they hope, four cars stacked in that 50 foot lane is not enough.

Rogalski stated they really should not be stacked because they should be able to move in and turn smoothly.

Jackson suggested they double that stack lane to 100 foot instead of 50 foot.

Rogalski stated the longer the lane, the better. He stated they could have a continuous third lane. He has seen that done in many cities. He stated the developer is only going to use what they need.

Jackson stated he feels the whole thing would work if they just doubled that 50 foot to 100 foot.

Mayor Purcell asked Mr. Owens how this would affect the development.

Mr. Owens stated he would have to discuss the issue with the engineer. He stated they need to come to some resolution because they need to close on this deal. He stated if that is what the City Council wishes to do, they can make it work.

Mayor Purcell stated this is only a Council Policy and they could leave it at 50 feet and they could then waive the Council Policy for a specific development and make it 100 feet.

Jackson stated he would rather look at the benefit of the public and make it the 100 feet.

Mayor Purcell stated either way they could waive the policy.

Shoemate stated it says 50 foot minimum. He stated they could still extend it since the 50 feet is a minimum.

Rogalski stated for a small development the 50 feet may be acceptable. He stated 100 feet will certainly give people more room to get off the road.

Drewry questioned if Mr. Owens will still be able to close on the deal if they make this change.

Mr. Owens stated the minimum is 50 foot and the Council could negotiate with the developer if they want more.

Mayor Purcell stated they could compromise with 75 feet. They need to be reasonable with the developers. He stated this is a Council policy and it could be waived if they wanted.

Jackson stated he would be okay with 75 feet. He just wants to get more cars off of the main roadway. He stated it would benefit the project as well.

MOVED by Jackson, SECOND by Shoemate, to approve Council Policy No. 8-2, amending Exhibit A making deceleration lane a minimum of 75 feet. AYE: Hanna, Drewry, Jackson, Shanklin, Haywood, Shoemate. NAY: None. MOTION CARRIED.

NEW BUSINESS ITEMS:

26. Hold a Public Hearing and Consider Authorizing application and acceptance of the 2007

Department of Justice Edward Byrne Assistance Grant (JAG). Exhibits: None.

Chief Ronnie Smith, Lawton Police Department, stated the Department of Justice notified the LPD that they were eligible for a \$90,683 grant. The grant is shared with the Comanche County Sheriff's Department with an 80/20 split. He stated the City of Lawton will receive \$72,546.40. He stated they will purchase eight 800 Megahertz radios, twenty rifles and a zodiac boat which will be used by both the police and fire. He stated by law a public hearing is required.

Mayor stated all they need to do tonight is to authorize the application. They do not want to authorize acceptance at this point. They will wait until the grant is received and it will come back to the City Council for acceptance.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Drewry, SECOND by Hanna, to authorize the application of the 2007

Department of Justice Edward Byrne Assistance Grant. AYE: Drewry, Jackson, Shanklin, Haywood, Shoemate, Hanna. NAY: None. MOTION CARRIED.

27. Consider approval of a contract and a related budget for FY 2007-2008 between the City of Lawton and the Lawton Fort Sill Chamber of Commerce & Industry, and authorize the Mayor and City Clerk to execute the agreement as necessary. Exhibits: Proposed FY 07-08 Tourism, Economic & Industrial Development Agreement.

Jensen stated the previous evening a special meeting was held with the City Council and representatives from the

Chamber of Commerce and worked out all of the issues with the contract language and both parties are satisfied. He stated the Chamber of Commerce has submitted a budget in the amount of \$650,000.

Mitchell stated the budget that was just handed out will become Exhibit A of the agreement. He stated Exhibit B will be the very same document although they will have a month to date and year to date.

MOVED by Drewry, SECOND by Hanna, to accept agreement with Lawton Fort Sill Chamber of

Commerce & Industry and the budget in the amount of \$650,000. AYE: Jackson, Shanklin, Haywood, Shoemate, Hanna, Drewry. NAY: None. MOTION CARRIED.

Mayor Purcell stated the existing contract requires that a report be given by the chamber the end of July. He asked if the Council would prefer that report tonight or at a later date.

Dana Davis, President of the Lawton Fort Sill Chamber of Commerce, stated he can keep the report very short. He stated a notebook has been distributed to the City Council which includes reports from economic development, tourism and military and governmental affairs. He stated they will continue to distribute monthly reports to the City Council.

28. 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 2007-__.

Mitchell stated this ordinance outlines the proposed sales tax election scheduled for October of this year. The ordinance specifies that the sales revenues collected would be split between three main categories with 28% for replacement and enlargement or extension of existing water and sewer lines and the installation of new trunk lines, 36% for construction, reconstruction, maintenance or repair of existing streets and 36% for the completion of Phase II of the EPA/ODEQ mandated sewer rehabilitation program.

Shanklin questioned if they were going to divide this by eight for each ward. He stated he cannot support this if he will not get any money for ward five.

Drewry stated she assumed that was the plan, that each ward would receive some money.

Shanklin stated he wants a fair share which would be 1/8th.

Jackson stated it should be divided evenly amongst the wards.

Mitchell stated they can do that by resolution or council policy.

Shanklin stated to get it passed, people need to understand that they are going to get some of this money and not be sent someplace else like it has in the past.

Mayor Purcell requested that staff submit a list of all the streets by ward and what it will cost to fix them. He stated 1/8th of the estimated amount will go to each ward. The councilmember of each ward will pick which streets they want fixed.

Shanklin questioned the amount of estimated income.

Mitchell stated it will be \$28 million, \$10 million of that will go towards streets.

Mayor Purcell stated each ward will receive approximately \$1.2 million. Each councilor will decide where it will be spent and it will go into the resolution.

Shanklin stated they had a discussion about a block costing \$5,000 for overlay.

Ihler stated that is if you have no base improvements. He stated they could probably count on one or two base improvement spots, so they are probably looking at \$10,000 a block.

Shanklin stated he has talked about \$5,000 a hundred times.

Ihler stated that is only with a straight overlay and no base improvements. He stated they typically have to dig out a couple of spots in most areas and you are looking at \$10,000 for the whole block.

Shanklin stated he feels that is a little high. He would say it s more like \$7,000.

Ihler stated that if they do an overlay, they will get more blocks done than a reconstruction.

Shanklin questioned how long this will take. They will all want some of the streets done.

Ihler stated that is material cost with the work being done by city crews. If they want them done quicker they will have to contract it out. He can come back with that dollar figure.

Mayor Purcell requested the Mr. Ihler get a list of projects to the City Council.

Ihler stated he does have a list of streets that can be reconstructed. He stated about every street in the community could be overlaid. He stated they would look at \$5,000 for no base improvements and \$10,000 with spot repairs before the overlay.

Shanklin questioned how long it would take city crews if they had another apparatus.

Ihler stated they only have one pavement machine.

Shanklin questioned how it would help if we had another one.

Ihler stated it would just depend. If they had to overlay 200 blocks in every ward, they would be looking at least ten years. That would be 1,600 blocks. Ihler stated he would provide the price for an overlay if contracted out.

Shanklin questioned when the public would begin to see results.

Ihler stated that as soon as they have the dollars, they can see street work being accomplished.

Mitchell stated if the voters approve the sales tax in October, the effective date would be January 1, 2008. They could start street overlaying by spring.

Hanna stated if they have to contract this out, that would mean less money for each ward.

Ihler stated city crews would easily be able to do \$1 million a year.

Jackson stated if they had an additional overlay machine, they would also need more people.

Ihler stated yes.

Mayor Purcell requested Ihler send to the City Council how much it will cost to do a reconstruction on the worst streets in the ward, and then Council can decide. That is what they will publish as what will be done with that 36%.

Ihler stated based on the prices they received on the Hunter Boulevard bid, they are looking at \$160,000 to replace one block.

MOVED by Drewry, SECOND by Shoemate, to adopt **Ordinance 07-46**, waive the reading of the ordinance, read the title only. AYE: Shanklin, Haywood, Shoemate, Hanna, Drewry, Jackson. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 07-46

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.

29. 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-___ 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 2007-___ and Proclamation.

Jensen stated this item will simply set the ballot title and the entire resolution has to be read into the record by the City Clerk.

(Resolution was read in its entirety by the City Clerk)

MOVED by Jackson, SECOND by Drewry, to approve **Resolution 07-104** authorizing the Mayor and City Clerk to execute the Proclamation. AYE: Haywood, Shoemate, Hanna, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

Hanna stated that he would like people to understand that this tax is not a new tax, but the existing old Goodyear tax. He stated a lot of people don't understand this.

30. Consider adopting a resolution calling for an election to be held on October 9, 2007; 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; 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-___.

MOVED by Haywood, SECOND by Hanna to approve **Resolution 07-105**. AYE: Haywood, Shoemate, Hanna, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

31. Consider an ordinance amending Section 4-1-1-101 and 108, Division 4-1-1, Article 4-1, Chapter 4; repeal Sections 4-1-1-110, 111 and 112, Division 4-1-1, Article 4-1, Chapter 4, Sections 4-2-1-201, 208, 209, 211.1 and 212, Division 4-2-1, Article 4-2, Chapter 4, Section 4-2-2-246, Division 4-2-2, Article 4-2, Chapter 4, Section 16-5-3-331, Division 16-5-3, Article 16-5, Chapter 16; add Sections 4-3-1-301 through 310, Division 4-3-1, Article 4-3, Chapter 4, Lawton City Code, 2005, by including additional definitions and imposing a duty on any person having control of any residence or other private property and who knowingly hosts, permits, or allows a party, gathering, or event, to take all reasonable steps to prevent the consumption of alcoholic beverages by minors, providing for severability, codification, repealer, and declaring an emergency. Exhibits: Ordinance 2007-___.

Jackson stated he requested this ordinance because he had wanted to stop the hosting of parties where alcoholic beverages are served to minors by adults, for example graduation parties or prom parties. He wanted the police department to have the teeth to be able to do something about this. He stated this is similar to an ordinance from Edmond. He stated the City Attorney included a lot of clean up and incorporated it into this ordinance.

Shanklin questioned if this was easy to put together by staff. He questioned if they still had the policy where they had to ask the Council when it took more than two hours of staff time.

Mayor Purcell stated that most of this was clean up language put in by staff.

MOVED by Jackson, SECOND by Drewry, to adopt **Ordinance 07-47**, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Shoemate, Hanna, Drewry, Jackson, Shanklin, Haywood. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 07-47

An ordinance pertaining to alcoholic beverages amending Section 4-1-1-101 and 108, Division 4-1-1, Article 4-1, Chapter 4; repeal Sections 4-1-1-110, 111 and 112, Division 4-1-1, Article 4-1, Chapter 4, Sections 4-2-1-201, 208, 209, 211.1 and 212, Division 4-2-1, Article 4-2, Chapter 4, Section 4-2-2-246, Division 4-2-2, Article 4-2, Chapter 4, Section 16-5-3-331, Division 16-5-3, Article 16-5, Chapter 16; add Sections 4-3-1-301 through 310, Division 4-3-1, Article 4-3, Chapter 4, Lawton City Code, 2005, by including additional definitions and imposing a duty on any person having control of any residence or other private property and who knowingly hosts, permits or allows a party, gathering or event, to take all reasonable steps to prevent the consumption of alcoholic beverages by minors, providing for severability, codification, repealer, and declaring an emergency.

32. Approve an ordinance declaring as surplus and authorizing the advertising and solicitation of sealed bids for a 1998 Caterpillar 623F scraper, S/N 6BK00530, with a minimum bid price of \$250,000.00 and a 1994 Caterpillar 623F scraper, S/N 11N10983 with a minimum bid of \$200,000.00. Exhibits: Department recommendation, agenda item for award for contract CL07-007, Self-propelled, self-loading scraper, copy of ordinance .

MOVED by Jackson, SECOND by Shoemate to adopt **Ordinance 07-48**, waive the reading of the ordinance, read the title only. AYE: Shoemate, Hanna, Drewry, Jackson, Shanklin, Haywood. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 07-48

An ordinance pertaining to Lawton City Charter, Article 4, Section C4-3, sale of surplus property valued at more than fifty thousand dollars (\$50,000.00), providing for severability and establishing an effective date.

33. Consider an ordinance pertaining to business amending Sections 7-30-1-3001, 7-30-1-3003, 7-30-1-3004, 7-30-1-3005, and 7-30-1-3006, Division 1, Article 30, Chapter 7, Lawton City Code, 2005, amending the requirements for body piercing and tattoo parlors, and establish an effective date. Exhibits: Ordinance No. 07-___.

MOVED by Jackson, SECOND by Hanna to adopt **Ordinance 07-49**, waive the reading of the ordinance, read the title only. AYE: Hanna, Drewry, Jackson, Shanklin, Haywood, Shoemate. NAY: None. MOTION CARRIED.

(Title read by City Attorney) Ordinance 07-49

An ordinance pertaining to business amending Sections 7-30-1-3001, 7-30-1-3003, 7-30-1-3004, 7-30-1-3005, and 7-30-1-3006, division 1, Article 30, Chapter 7, Lawton City Code, 2005, by amending requirements for body piercing and tattoo parlors, providing for severability and establishing an effective date.

ADDENDUM:

1. Consider authorizing the Fire Department to accept a \$23,020.22 reimbursement grant from the State Office of

Homeland Security for the specific purpose of purchasing additional Rescue/WMD equipment for the Regional Response Vehicle that was previously awarded by the State and accepted by Council in 2005.

Chief Bart Hadley, Lawton Fire Department, stated this is additional money that Homeland Security has available after paying for the initial projects out of the 2004 grant. The City Council approved the money and equipment in 2005 and there is approximately \$23,000 available to the City of Lawton to purchase additional equipment. He stated the approved list of equipment is attached to the commentary. He stated this is a reimbursement grant and the City will have to front the money and it will be typically a two to four week turnaround.

Shoemate questioned what equipment they were looking at purchasing.

Hadley stated they are going to get another extrication tool with a larger pump that will allow them to operate two extrication tools off of the one pump. He stated they are also looking at some Hazmat suits and boots and chemical and biological detection strips and badges. He stated there are some hand tools that they are also looking at purchasing.

MOVED by Shoemate, SECOND by Drewry to authorize the Fire Department to accept a \$23,020.22 reimbursement grant from the State Office of Homeland Security for the specific purpose of purchasing additional Rescue/WMD equipment for the Regional Response Vehicle that was previously awarded by the State and accepted by Council in 2005. AYE: Drewry, Jackson, Shanklin, Haywood, Shoemate, Hanna. NAY: None. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Mayor Purcell stated that Mr. Ihler has talked with Councilmembers Hanna and Patton about participating in a committee for policy changes on how they want to handle the trash collection pickup during the four clean up periods during the year. They will look at what they want to pick up and what they don't. Staff had requested Council participation in this issue. He stated if the Council agrees, Councilmembers Hanna and Patton will be placed on a committee to meet with staff to come up with a policy that will be brought back to the City Council for consideration.

Shanklin stated he would like to participate on that committee.

Jackson stated he found it interesting that there were two letters to the editor regarding the responsibility of the work that was done to help the citizens of east Lawton with the water break and flooding. He stated he would like to thank the sewer rehab division, the water rehab division, street division, waste disposal division, police department, fire department and especially Jerry Ihler, Chief Smith and Chief Hadley for being on call.

Drewry stated that it shows how our city can come together and react to a situation like this. She was very proud of everyone.

Hanna stated he would like the City Council to consider those who are coming into Lawton to build and become part of our community. He recommended they be friendly and help them out as much as possible. He stated without that tax base, we would not be here. That money helps our city grow and helps finance projects for the city.

COL Bridgford reminded the City Council that mid August they will start having traffic pattern changes on Fort Sill Boulevard and for the foreseeable future in the next few years as all of the construction begins on Fort Sill. He stated about 40% of the contracts of the first \$138 million have been let. The last three contracts are out for bid.

Mayor Purcell reminded the City Council that on Friday, August 3rd from 4:00 p.m. to 5:00 p.m. there will be a reception at Central Junior High building to celebrate the construction. He stated there are some problems with the State Centennial funding. Out of the \$15 million that was appropriated this year by the legislature, this project should receive from \$400,000 to \$600,000. However all of the money is on hold due to a lawsuit. He invited everyone to the Lawton birthday celebration on Saturday, August 4th. Everyone needs to be there by 4:00 p.m.

Mitchell stated the conversion of the E-911 system is finished and complete. He stated all of the county dispatchers are located in the City's dispatch office and everything is up and running.

Mayor Purcell stated if anyone would like to attend the OML or NLC conference, please notify the City Clerk.

The Mayor and Council convened in executive session at 7:49 p.m. and reconvened in regular, open session at 8:07 p.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEMS

34. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2007-2008 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session if necessary. Exhibits: None.

Jensen read the title of item 34.

MOVED by Jackson, SECOND by Hanna that the City of Lawton approve the 2007-2008 Collective Bargaining Agreement between the City of Lawton and the International Union of Police Association AFLCIO, Local 24, and authorize the Mayor and City Clerk to

execute. AYE: Haywood, Shoemate, Hanna, Drewry, Jackson, Shanklin. NAY: None. MOTION CARRIED.

35. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the evaluation review of Michael Corrales, Municipal Judge, and if necessary, take appropriate action in open session. Exhibits: None.

This item was stricken.

There being no further business to consider, the meeting adjourned at 8:08 p.m. upon motion, second and roll call vote.

JOHN P. PURCELL, JR., MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK