

Meeting of 2007-8-21 Special Meeting

MINUTES  
LAWTON CITY COUNCIL SPECIAL MEETING  
AUGUST 21, 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

Mayor Purcell called the meeting to order at 6:00 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 (Arrived @ 6:36 p.m.)

James Hanna, 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

BUSINESS ITEMS:

1. Receive a presentation from Public Works regarding infrastructure improvements for the proposed 2008 CIP and provide direction to staff identifying and setting priorities for those improvements. Exhibits: Information Fact Sheet.

Mitchell stated in the agenda packet there was a draft of the fact sheet which summarizes the ballot question and the revenues that they anticipate receiving if the election is successful. In addition to the presentation from the Public Works Director, they would also like to have some discussion about how the City Council would like to fill out the fact sheet and how they would like to proceed with providing the information to the community.

Jerry Ihler, Public Works Director, stated they would like to go through the proposed 2008 CIP and cover the areas that were approved at the previous meeting and get into a discussion as it relates to which streets and how they would like to spend the money whether it is arterials or residential collectors.

Shanklin stated this is a ten year program and he questioned why it was 7 years and 3/8 of a cent. He stated he is not going to be here ten years from now and for them to try and prioritize projects for someone three or four years from now, and who is going to be first? He stated in seven years, the streets they prioritize now, there may be some ten times worse. He does not know what they are trying to do here. They questioned if they were in cement on the 3/8 of a penny.

Mitchell stated yes. He stated after the April election failed, staff came back to Council and asked for direction. The Council approved the ballot language and the ordinance that included a 3/8 of a penny sales tax and the duration commencing in January 2008 and expiring in June of 2015.

Shanklin questioned what happens if they sell some bonds.

Mitchell stated if the election passes, they can sell bonds with that anticipated revenue. Sales tax is collected on a month to month basis.

Shanklin stated they will have to do some of this by the private sector. Public Works can't do it all. He was told they can only do \$1 million a year. He stated it takes \$1 million for a machine and a crew to be put together.

Ihler stated he will cover that in the presentation.

Shanklin stated he is questioning why they are going to try and delay this city's infrastructure in the road department for ten years. They do not have any pride in this city and they are not going to get this done in ten years. He stated there are other ideas about what they are going to do with this money. He questioned if anyone has any idea about how they want to do \$5,000 a block. They are asking the working man to pay for this.

Jackson stated he personally has a lot of pride in the city of Lawton. He stated the 3/8 sales tax came from the fact that the remaining dollars left over from what the County encumbered with their approval of the sales tax. The 3/8 was derived from no increase in sales taxes. It was a continuation of a sales tax that was already in existence. He did not want anything to do with an increase in sales tax. This is simply an extension of a previous sales tax that fell off on June 30<sup>th</sup>.

Shanklin questioned if they could say that Keith Jackson is the innovator and motivator of this program.

Jackson stated there are eight of them up here.

Shanklin stated that ya ll came back with that 3/8.

Jackson stated ya ll didn't.

Shanklin stated he did not. He does not think he voted for it yet.

Jackson stated he is in favor of 3/8 and not increasing taxes.

Shanklin stated so this is Mr. Jackson's program.

Jackson stated this is not his program.

Mayor Purcell stated they do not need to talk about the 3/8 and seven years. That is set in concrete and they cannot change that tonight, it has already gone to the election board. The purpose of the meeting tonight is to set up priorities and say that each Council member was going to get X amount of money out of the streets and then Council members would determine which streets in their wards they wanted done with the money they are getting from the sales tax.

He stated they could just let staff get it done. They know what the priorities are without regards to the politics. They will do the worst roads. He stated Councilman Shanklin wanted the meeting and the Council agreed. That is why they are here tonight. They need to let Mr. Ihler tell them what he has.

Shanklin stated they did 17 roads for Mr. Givens a year ago. He stated no one else got anything done that year.

Hanna stated it was four blocks.

Mayor Purcell stated that Mr. Ihler spent a lot of time putting this presentation together and they need to hear what he has to say. Then they can have a discussion.

Ihler stated the Council has approved a funding breakdown of street improvements for 36% at approximately \$10 million, Phase II sewer rehab for 36% at approximately \$10 million and water and sewer line improvements at 28% at approximately \$8 million for a total estimated revenue of \$28 million. He stated some of the discussion was that each ward would receive 1/8<sup>th</sup> of the \$10 million for street funds which would be approximately \$1.25 million. He stated there may be some other things they want to consider as to how they provide funding for some of these things. He stated the five areas of street improvements that they will provide information on are residential collector reconstruction, residential collector overlays, safety concerns, arterial BRAC related needs and existing capital improvement commitments that the voters have already approved but they have funding shortfalls.

Ihler distributed a ward priority list. He stated it will be a continuously changing list with time because priorities will change. He stated the list consists of streets that staff feel should be reconstructed. The estimated cost is based on the bids they received on the Hunter Road reconstruction project. He stated the actual costs for Hunter Road was \$160,000 per block. He distributed a list of projects staff feels could be overlaid. He stated it varies on the cost for each ward. In addition to this list, it would be no trouble finding additional roads that need to be overlaid. He feels this is a good start to show the citizens that these are the blocks that they will overlay. As far as in house estimated costs, if they have to do minimal prep work it is about \$8,000 a block. If they have a 5% failure, the cost goes up because they have to do spot base repairs and they will go up \$12,000 - \$15,000 per block. If they have 10% failure it goes up to \$15,000 - \$25,000. If they have 15% failure it goes up to \$25,000 - \$35,000. He stated much higher than 15% failure it is highly likely that the remainder of the subgrade is going to fail in a very short period of time. He stated only for the purposes of discussion, they said about \$18,000 per block, and that would include a couple of base failures that they would have to take care of. He spoke with a contractor and

estimated cost with minimum prep work is about \$13,000 per block. The cost of the labor is about \$5,000 more than in house.

Shanklin questioned what a block was.

Ihler stated they utilize a block as 500 feet for a cost comparison. He stated on a collector overlay, if they assume that they want to do \$5 million for overlays, with current conditions, the number of blocks they are capable of completing in a year, with current crews and equipment, is about 50 blocks. A contractor could do 100 blocks in a year. The total number of blocks based on \$18,000 and the \$27,000 for a contractor, they would be able to get about 280 blocks and a contractor would get about 185 blocks. He stated the money would go farther with in house personnel, but to do that it would take them about five years to complete those projects. A contractor could complete the 185 blocks in two or less years. He stated he was asked to look at the cost of a new overlay crew. In order to do this they would need a new paving machine. He stated irregardless, staff is going to recommend that they buy a new paving machine because the current one they have is only 13 feet wide and they have to make three passes in order to do a block. A newer paving machine can complete in two passes. The cost for a new paving machine is \$280,000. A pavement roller machine would be another \$180,000 and the personnel cost of seven employees is \$350,000. He stated the total first year cost is \$960,000. The second year cost is estimated at \$415,000. He would not recommend that they put together a crew specifically for this because it would leave them little money to do the actual overlays.

Ihler stated one of the areas they talked about last summer was some arterial collector safety concerns where they had push ups on Gore Boulevard and Cache Road. They did hire a contractor to do that work and spent about \$700,000 and were able to take care of about 70 locations. A big portion of that cost was traffic control. They probably have about 20 more they need to address. He has heard a lot of discussion about arterial BRAC related needs. Some of these projects are Rogers Lane from Flowermound to I-44. He stated there are some existing capital improvement commitments that the voters have approved through previous CIP s. One of these is 38<sup>th</sup> Street from Gore Boulevard to Cache Road which was part of the 2005 CIP program. There is a budget of about \$5 million and they have about \$4.3 million so they are about \$700,000 short. A 2000 CIP project is Gore Boulevard estimated at \$6 million. It is a joint project with ODOT. They are hoping ODOT will provide more but they are actually \$1.2 million short for that project. He stated another project is SE 45<sup>th</sup> from Arlington to Lee. If ODOT gives them \$3.3 million, we do have \$2.2 million and they will be \$500,000 short. He stated the total shortfall for the projects that the voters have already approved is about \$2.4 million short. He stated they may want to do some of the engineering portion of a BRAC related project, which they would suggest setting aside \$600,000 for the engineering. If they want to do some residential reconstruction, they suggest that they have a consultant design those to get them out as soon as they can. He stated they could allocate another \$600,000 for contingency. He stated city crews could do the overlays and he would hope the Council would consider a new paving machine out of that contingency which would allow them to be more efficient with a wider paving machine. The existing machine is ten years old. If the Council set aside this \$3.6 million for existing projects, BRAC related project, residential construction design and contingency, this would leave \$6.4 million. This would leave approximately \$800,000 for each ward.

Ihler stated he would like to cover the other two areas which have been identified for funding. The Phase II Sewer Rehab is about \$31 million to complete. They have already funded \$21 million of that through 2005 sales tax and 2005 ad valorem tax. They have also received an EPA grant for \$2 million. They are \$10 million short to finish the funding for Phase II, which is a mandated requirement by EPA.

He distributed a hand out that showed where the Phase II money is being spent.

Patton questioned if they are actually laying new line.

Ihler stated yes. He stated in sub basin 315 they are replacing existing lines with new line by either pipe bursting or open trench construction.

Mayor Purcell stated when they first started the sewer rehab, everyone remembers the number to comply with EPA is \$61 million. He requested that staff give the Council some kind of recap. He stated in Phase II it will be \$31 million, they have a number actually in Phase I and they probably have an estimate in Phase III. He would like to see how that number compares to that \$61 million they estimated nine years ago.

Ihler stated they were able to do about \$18.3 million for Phase I and Phase II is now \$31 million. He is going to guess they will look at something like \$40 million for Phase III.

Mayor Purcell stated that \$61 million will now be in the neighborhood of \$90 million because of the increase in costs.

Ihler stated the third area was water line and sewer line replacement at about \$8 million. They identified some low flow fire areas. He presented a map showing those locations. He stated the areas that will receive the most money will be in central Lawton where there are a lot of 4-inch water lines. He stated now they do not allow anything less

than 8-inch. He stated there are a couple of areas identified as high maintenance water line problems where there are a lot of water line breaks. The estimated cost for these are around \$5 million. They would go out and bid each project in about a \$1 million increment so there may be one done a year. He stated that would leave about \$3 million. They have talked about doing the nine mile creek sewer design. That is something they want to do in house but have not been able to get that accomplished. They would suggest that a consultant do the design and there is money there for right of way acquisition. He is not saying that it will cost \$3 million, but there is \$3 million available based on the estimated revenues to be collected.

Ihler stated they need to determine what they want to do with the \$3 million on the water and sewer line side and determine what to do with the monies for streets, existing projects and BRAC related projects.

Patton stated if they choose the \$1.25 million for each ward, he questioned if that was based on in house or private contractor.

Ihler stated either way. He stated some will choose reconstruction. The prices provided are based on existing contracts that they have recently been dealing with as well as existing costs of overlays. If they get at least \$2 million worth of reconstruction projects, the cost will go down.

Mitchell stated there is also \$1 million in the budget annually that they could supplement those projects. That money is used for basic street maintenance and repairs.

Ihler stated out of that \$1 million, about \$600,000 has been used for asphalt overlays for these types of projects. They are doing projects in each ward.

Mayor Purcell stated that thanks to Senator Bass and Representative Armes there was a bill passed that makes money available for BRAC. That money will be in the form of a loan where the state would go out and purchase bonds and the first five years the interest would be paid for by the state and we would have to pick up the interest beginning in year six and pay back the amount of the bond. He stated the City Manager has also been looking into the opportunity fund which is being worked on in the next legislature. They will need to have some money that they can match and/or pay back those bonds. If they spend the whole \$10 million and allocate it for interior streets, they will not get any money from the state.

Shanklin stated nine mile creek will cost \$3 million for engineering and right of way. He thought they were getting the right of way free.

Ihler stated he has never said they would get the right of way free.

Shanklin stated he thought they had some of it already given to us.

Ihler stated that some people will donate. That \$3 million was not necessarily the cost for that project. He was showing that there would be \$3 million left over to do something other than those \$5 million water lines. He stated as an example they could utilize it for the nine mile creek design and right of way, whatever the cost would be.

Mayor Purcell stated the total cost of nine mile creek was estimated at around \$8 million.

Shanklin stated they flooded again Saturday night at 10<sup>th</sup> and I Avenue. He questioned when they would address that issue so they don't get sued. He questioned if we could flood those people forever.

Vincent stated technically yes, but morally they probably shouldn't.

Shanklin stated they are not worried about morals around here.

Ihler stated there are a lot of needs in the community to include drainage. The only mechanisms they have are the CIP's that the voters approve. They started downstream on Numu Creek and have gone as far as they could with the monies they have. Hopefully the next CIP they will get more money to continue.

Shanklin stated that CIP will be down the line.

Ihler stated it will be in 2012.

Shanklin stated he does not see how they can delay some of this roadwork for eight or nine years and expect it to stay the same.

Ihler stated if the Council decided they wanted the Street Division to do all of the overlays with the existing crews it will take them about ten years.

Shanklin stated that Ihler is saying the money will not last ten years.

Ihler stated they could probably accomplish this as far as they can get the money on a cash flow basis. They could keep up with the overlays. If they decided to use \$ 6 million on overlays, they can do \$1 million a year with a new paving machine and existing crews. He stated if they had planned, if they got the new paving machine, every other year they could come in everybody s ward. They could do 10-12 blocks every other year in someone s ward. They would work in four wards every year.

Shanklin stated the machine they are using now looks like it is doing a pretty good job.

Ihler stated it is ten years old and they have to make three passes now. It takes a third more time than if they had a new machine. With a new machine they would only have to make two passes.

Shanklin questioned if they would get rid of the old one.

Ihler stated they would be able to use both.

Haywood questioned how much a concrete machine cost.

Ihler stated he would have to get some numbers. He stated they just don t have the capabilities or the personnel to be able to go out and reconstruct concrete streets.

Haywood stated he does not like asphalt.

Ihler stated he likes concrete streets also. That is why they would recommend that if they do any reconstruction that they bid for concrete and asphalt. The asphalt has to be an equivalent to the concrete section as far as thickness and strength of the street. With the price of fuel concrete has been as economical as asphalt.

Haywood stated he understands that there will be some streets that will need to be overlaid, but there may five or six bare spots that they could just pave instead of overlaying the entire street.

Ihler stated like Bishop Road between 38<sup>th</sup> and Sheridan, they have done a good job of going out and putting a good base down and laying some asphalt on that. If they have four or five spots in that mile, they would just go out and fix those spots.

Warren stated they do have a responsibility to the voters to finish the projects that they have said they would do. They need to find a way to make right on those projects before they start looking at anything else.

Patton stated that would be a big mistake.

Haywood stated that there has been no one with the knowledge of streets better than David Tracey and he thanked him for serving this community.

Mayor Purcell stated they are short \$2.4 million on these CIP projects that were approved by the voters because other projects were running over on project costs because of the cost of materials and construction. He questioned how they were doing with total collection with the CIP.

Ihler stated the Gore Boulevard project is the 2000 CIP and it does not show that there are any additional funds to accomplish this project.

Mayor Purcell stated that rather than taking the money for those projects that have already been voted on, what is the possibility that they will have enough money in terms of where they stand now on CIP dollars from where they though they might be collected. The current CIP runs through 2011 and they should be picking up population during that time so there may be more CIP dollars. He questioned if there was any possibility that the additional collections may be over and above the estimations and may make up for the new estimated costs on these CIP projects.

Rick Endicott, Finance Director, stated that may be a real possibility. There has been grown in the sales tax for the last five years, but the cost of materials keeps going up They estimate a 3-5% growth per year, but the cost of materials is going up 25-50%.

Mayor Purcell stated sometime in 2011 the population should be up 10,000 and it just seems that there will be more CIP money and it will offset those costs if they are talking about bonds so they can get it done faster. He is trying to find a way where they don t have to take the \$2.4 million that they are short out of this new \$10 million for streets.

Warren stated if there was only something else they could pledge other than the hope of growth.

Ihler stated in 2005 CIP program alone, they are just starting year three and they have deferred \$7 million worth of projects already. The commitment to the CIP should be to go back and complete those deferred projects.

Patton stated it is hard to go back to the people and say you voted for this project in the past, but that is going to be short so now you will vote for another project where they will use some of that money to finish what we said we would do before. He understands that they cannot control costs, but he feels it will be a hard sell.

Warren stated the alternative is you have to go to the public and say that those projects that we promised to do are never going to happen.

Patton stated they can still happen, we will just have to find another source.

Warren stated they are \$2 million short now and we have a 3% increase in income but a 40% increase in costs every year. We will be further behind at the end of the CIP than we are now. We are not going to be better off.

Patton stated for this next CIP who is to say that they are not going to have enough to cover what they say on these streets. He stated it is always kind of a shell game.

Warren stated they have fought for years and years with people saying that they voted for that and it never happened. That is what they are setting themselves up for if they don't figure out some way to fund these projects.

Shanklin questioned how they are going to do this.

Warren stated he is just looking at this as a voter. If these projects don't get done, what have they accomplished?

Ihler stated they have provided some priorities and lists of projects and we tell the voters we are going to do \$10 million worth of street projects, these are the priorities and we are going to do as many as we can get with that \$10 million.

Shanklin stated that Norman generates \$39 million in sales tax and we are trying to get \$19 million. Ardmore generates \$14 million for 23,000. He stated we just don't have enough people in the sales tax program.

Jackson stated he feels that Mr. Ihler has done an outstanding job of putting together a plan and the Council is now charged with trying to figure out what they can do about the \$2.4 million. He chooses to take pride in Lawton and do something about it rather than always complain about it.

Shanklin stated these are facts.

Mayor Purcell stated they need to give some guidance. In regards to streets they have \$10 million that everyone has agreed will go into streets. They have had two things come up, one is that they are short on street projects in CIP by \$2.4 million. He questioned if they take the \$2.4 million to cover the past CIP street projects and that will leave them with \$7.6 million to spread among the eight wards, or do they take something to set aside for matching funds or do a specific project such as Cache Road or Gore Boulevard and then split the remainder of the money between wards.

Drewry suggested they take \$1 million to put towards the past CIP program and then hope we can make it up with an increase in tax revenue. That would leave \$1 million for each ward.

Jackson stated that \$7.6 million breaks down to \$950,000 per ward. He stated \$950,000 would take care of the project list in Ward 4.

Mayor Purcell clarified that Councilmember Drewry suggested taking \$1 million and put aside against the \$2.4 million shortfall that they now anticipate on prior CIP projects, which would then leave \$9 million. He questioned if they wanted to put anything aside for matching funds.

Drewry stated it looks like they are going to need some matching funds.

Mayor Purcell stated if they take \$1 million and put towards matching funds that would leave \$8 million which would leave \$1 million per ward.

Jackson stated that is not too bad.

Mayor Purcell questioned what projects they would need for the matching funds of \$1 million.

Ihler stated that \$1 million is not going to get enough to match. He stated \$1 million will allow us to get the engineering going and some right of ways.

Mayor Purcell stated they need to be able to tell people what they are doing with that \$1 million. He suggested they say that the \$1 million will go towards BRAC roads which would be city wide.

Ihler stated as an example, the city's portion on 67<sup>th</sup> street to match what they are getting from ODOT is \$2.6 million to do a mile. He stated it is a lengthy process to get the plans done, the right of ways approved and get through the ODOT process. He stated they could at least get the engineering started and that would give them an idea of the project cost.

Haywood stated they cannot get any work done unless they get a new paving machine. He questioned where that \$280,000 was going to come from.

Mayor Purcell stated they cannot wait to buy the machine. They will have to approve the money to buy the machine whether it comes in next year's budget or a supplemental this year so he can order it.

Shanklin questioned what if it fails.

Mitchell stated if the vote fails they will not do any projects.

Mayor Purcell clarified that they are talking about \$1 million to put against the \$2.4 million, \$1 million for matching funds for streets. They need to be able to show those at the state level that they can pay back those bonds that they will pay the interest on. That will leave \$8 million to spread among the wards.

Patton stated he feels the cost of the machine should be taken out of the money from the wards, unless they want to do it out of rolling stock next year.

Mayor Purcell stated they could take it out of the budget out of rolling stock.

Mitchell stated the cash flow won't start until January, so they could start in the spring with replacing water lines, buy the paving machine during the budget and get the program set up and start paving in the fall after they have replaced the water lines. They do not want to pave streets and then go in and repair water lines. The question is not only how they split up the money on the streets, but how do you set priorities on which project to start with.

Mayor Purcell questioned if anyone had any other suggestions besides what had been discussed.

Patton questioned if all four projects were approved in the 2000 CIP program.

Ihler stated Gore Boulevard was the 2000 CIP program, 67<sup>th</sup>, 38<sup>th</sup> and 45<sup>th</sup> were in the 2005 CIP program.

Patton questioned why they did not do Gore Boulevard.

Ihler stated that ODOT has not agreed to fund its share. He stated that ODOT said they would fund 67<sup>th</sup> Street, but not Gore Boulevard.

Mitchell stated that ODOT did say they would start funding Flowermound Road.

Patton stated that they really need to add \$3.3 million to that \$2.4 million deficit because the state is not going to kick in.

Mitchell stated that ODOT did not say they would not fund Gore, but their priorities are higher for other streets.

Ihler stated they do have a letter from ODOT saying they have committed that they will do this project on Gore when they are able to find the funding. He stated they do have the funding for 67<sup>th</sup> Street and that is the project that will bid sometime after the first of the year. He stated they did not want to wait five years for the 38<sup>th</sup> Street project so they decided to fund that project 100% with city funds. They hope to bid that project sometime after the first of the year. He stated the only project that ODOT has committed to do with hard cash is 67<sup>th</sup> Street.

Shoemate stated that he understood that ODOT has committed to Rogers Lane once Flowermound Road was completed.

Vincent stated that they told the KCA that ODOT is looking at Rogers Lane. There are no plans done, but they are interested.

Mayor Purcell stated that when they did the CIP, they had Gore between 67<sup>th</sup> and 82<sup>nd</sup> as a priority. ODOT came

back and said they did not want to make that a high priority, they wanted 67<sup>th</sup> to be a high priority, so they came up with the funds for 67<sup>th</sup> Street. He stated they are getting the same kind of vibes from ODOT regarding Rogers Lane, between I-44 and Flowermound, because it is tied to BRAC and part of the bypass system.

Hanna questioned if the 2005 CIP was broke.

Ihler stated no.

Hanna questioned if money was taken out of the 2005 CIP to take care of the recent water line problems.

Ihler stated they set aside \$4.6 million for water line improvements and they utilized that source and they also hope they get reimbursed from FEMA for 85 or 90% of that.

Mayor Purcell stated they have not collected all of the 2005 CIP, it runs to 2012.

Shanklin stated they spent a lot of money that maybe they didn't have to. The 10 million gallons is eventually going to cost them about \$40 million.

Ihler stated the water plant is about \$30 million.

Shanklin stated Bartlesville built a 26 million gallon water plant for \$46 million. If we equate those dollars, we will build a 26 million gallon plant and will cost us \$100 million. We don't have \$100 million. We just don't have the competition. We have to be able to get a bigger bang for our buck.

Mayor Purcell stated he is tired of hearing this. If we would have built the water treatment plant ten years ago we would not have spent all the money. It is costing us a fortune because we didn't build it then and if we wait another ten years it will cost us more. That is part of our problem, we put things off and that water plant is costing us many millions of dollars more than it would have if we built it ten years ago. We would not have spent all the money at the one at Lake Lawtonka if we would have done that. He is tired of hearing about all the money we have saved the citizens, we are costing them millions because we didn't build that plant when we should have.

Shanklin questioned what we would do with those 10 million gallons if the plant was on line in the morning.

Mayor Purcell stated when the water line broke on the east side they would have flipped a switch and there would have been water for the citizens.

Jackson stated he feels they have a good program with this 7 year project list and they are not too far off.

Warren suggested they take \$2.4 million for the previous construction projects that have not been funded, \$2 million for BRAC, that would leave \$5.6 million which would be \$700,000 per ward, which is approximately 35 blocks of repair. He stated most of the wards would have money left over. He stated \$700,000 will address a lot of the issues we have.

Drewry questioned why they would need to take the \$2.4 million if they still have money coming in until 2012.

Warren stated if they only work off collections it will never get done. Cost of construction is going up faster than the increase, even with the extra 10,000 people. They will be further behind in the next 7 years. He feels like they need to finish what they started.

Jackson stated he could almost support that if they just left the matching money for BRAC related projects to \$1 million instead of \$2 million. He does not like to add to a wish list. He stated his original suggestion was to put as much money as they possibly could into street projects.

Warren questioned if \$1 million provides them with anything as far as BRAC is concerned. The \$2 million would get them Rogers Lane.

Mayor Purcell stated if they put aside \$1 million or \$2 million and get nothing from the state, then they will not do Rogers Lane and that money could just roll back in to one of the other projects.

Warren stated they need some money available if our legislators come through.

Mayor Purcell stated the City Manager is suggesting they set aside \$3.5 million to do either the earlier projects of \$2.4 million or the matching, whichever is needed. That would leave \$6.5 million for wards.

Warren stated he could support that if they could guarantee that they will do Gore Boulevard.



Mitchell stated you cannot guarantee that because it is an ODOT project and if ODOT does not fund it you cannot guarantee it.

Warren questioned if they were just going to let that money sit in an account for the next thirty years.

Mayor Purcell stated the money will not be there for six or so years and you do all of the other projects and collect that at the last minute and spend it. He stated if ODOT doesn't fund 67<sup>th</sup> Street then it probably won't get done or ODOT doesn't fund Rogers Lane, you then have part of that \$3.4 million left over to go back in and put into internal streets.

Mitchell stated they could do 67<sup>th</sup>, 38<sup>th</sup> and 45<sup>th</sup> and then there would still be money to match Rogers Lane.

Warren stated he is still hung up on Gore Boulevard because there is still no funding mechanism for that project even if ODOT comes up with the money. He stated \$1.5 million has already been collected. He questioned if they are just going to sit on that money?

Jackson stated you put Gore Boulevard back on the project list and explain to the voters that ODOT would not fund that project and we need to fund it ourselves.

Warren stated they should be saying that right now because it is a past project, it is over.

Mayor Purcell stated they were going to fund that project based on ODOT paying 80/20, we were never going to fund it totally.

Warren stated if they are eventually going to take that \$1.5 million out and put it someplace else, why don't they just do that now.

Ihler stated that it is next on the list as far as ODOT is concerned.

Vincent stated the \$1.5 million for Gore and the \$4.3 million for 38<sup>th</sup> were all voted on either as ad valorem or sales tax and they would have to go back to the list that was voted on by the people. If it was ad valorem tax it cannot be spent anywhere else, they would have to give it back. If it is sales tax, they would have to go back to that CIP list and that is the only place you can spend that money.

Ihler stated they are both sales tax.

Shanklin stated he would not confuse the voter any more than they have to.

Mayor Purcell stated that is why they are here tonight to lay out exactly what the tax is going to be spent for.

Drewry stated she feels that the City Manager's suggestion is a good plan.

Patton requested they clarify that proposal.

Mayor Purcell stated they take the \$10 million for streets and put aside \$3.5 million to apply against the \$2.4 million shortfall and any other BRAC matching they need, which would leave \$6.5 million or \$812,500 to be spread among the eight wards.

Warren questioned what they were doing regarding the additional paving machine.

Mayor Purcell stated they will pay for that out of rolling stock.

Patton stated basically they are saying that there will be \$812,500 to be used on streets in each ward. He stated that is really what his constituents care about.

Drewry stated she feels they also care about those main streets they travel on every day.

MOVED by Jackson, SECOND by Drewry, to set aside \$3.5 million of the \$10 million allocated for streets to be used for the shortfall of prior year projects and any matching funds for BRAC, leaving \$6.5 million to spread equally among the eight wards. AYE: Hanna, Drewry, Jackson, Patton, Haywood, Warren, Shoemate. NAY: Shanklin. MOTION CARRIED.

Mayor Purcell stated that each Councilmember will have \$812,500 to spend on streets. He stated they were provided a list from staff of recommended street projects and the estimated cost. He stated that each Councilmember needs to get with Mr. Ihler and tell him which streets they want done in each ward that equals \$812,500. Mr. Ihler will bring that list back and everyone will agree to those projects as a Council.

Haywood state the project list is not in stone.

Mayor Purcell stated yes. There could be a street fail in a couple of years and they may want that street repaired instead of one currently on the list.

Patton questioned if the reconstruction projects will be all or nothing.

Ihler stated they could cut some of those projects down. If they had some money left over, he would suggest that they look at another overlay project.

Mayor Purcell stated the \$10 million for Phase II sewer rehab is federally mandated and the projects are identified. He stated they need to discuss the \$8 million for water sewer lines. Staff is recommending that \$5 million be used for fire hydrant improvements. He questioned if everyone agreed with this recommendation.

MOVED by Warren, SECOND by Jackson, to approve \$5 million to be spent on submitted projects for fire flow hydrant improvements. AYE: Drewry, Jackson, Patton, Haywood, Warren, Shoemate, Hanna. NAY: Shanklin. MOTION CARRIED.

Jackson stated they have been struggling with nine mile sewer line for 22 years. In order to maintain a balanced community for Lawton they need that nine mile sewer line. He stated \$3 million is a good start for engineering and right of way acquisition.

Mayor Purcell stated he does not think they want to tie it specifically to right of way acquisition, he feels they should just put nine mile creek.

Shoemate stated the biggest headache has been that years ago they widened the southern part of Lawton instead of the north in taking it through town. Until they widen that area starting north and bring it through the main part of town we are going to have some flooding around 11<sup>th</sup> Street.

Jackson stated this is for sewer lines.

Shoemate stated he is concerned about flooding.

Shanklin stated he was told that we could be sued.

Vincent stated that anyone who wants to spend \$267 can sue us.

Shanklin stated that Mr. Vincent told him that if we got into a lawsuit, we would probably bring them in and go after the developer together.

Vincent stated he did say that.

Jackson stated regarding the right of ways for nine mile sewer, there are people who are willing to donate for this project.

Mayor Purcell stated this project is needed if we are ever going to grow to the east. That is where the Lawton Public School District is. We can keep growing west, but that is in Cache School District.

MOVED by Jackson, SECOND by Patton, to approve \$3 million to be spent on nine mile creek. AYE: Jackson, Shanklin, Patton, Haywood, Warren, Shoemate, Hanna, Drewry. NAY: None. MOTION CARRIED.

Mayor Purcell stated each Councilmember needs to study their street project list and get back with Mr. Ihler quickly so they can agenda an item for the August 28<sup>th</sup> meeting.

Jackson stated he does not want to lock in projects in his area.

Mayor Purcell stated that Councilmember Shanklin wanted this meeting so they could tell the voters every street they are going to do. He questioned what the City Council wants to do.

Jackson stated his project list may change. He wants to prioritize the list.

Mayor Purcell stated the list will be subject to change. He questioned if they should agenda an item at the next meeting so they can explain to the voters what each Councilmember has decided to do.

Council agreed.

There being no further business to consider, the meeting adjourned at 7:59 p.m. upon motion, second and roll call

vote.

/s/ John P. Purcell, Jr.  
JOHN P. PURCELL, JR., MAYOR

ATTEST:

/s/ Traci Hushbeck  
TRACI HUSHBECK, CITY CLERK