

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
JUNE 26, 2012 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Mayor Fred L. Fitch
Presiding

Also Present:
Larry Mitchell, City Manager
Frank V. Jensen, City Attorney
Traci Hushbeck, City Clerk
COL Paul Hossenlopp, Fort Sill Liaison

Mayor Fitch called the meeting to order at 6:11 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Father Joseph Ross, Blessed Sacrament Catholic Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Michael Tennis, Ward Two
Jay Burk, Ward Four
George Moses, Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
Doug Wells, Ward Eight

ABSENT: Rosemary Bellino-Hall, Ward Three

CERTIFICATE OF RECOGNITION TO RICK SINNREICH

Mayor Fitch presented a Certificate of Recognition to Rick Sinnreich for his work as Chairman of the Personnel Board and work on Charter Review Committee.

AUDIENCE PARTICIPATION:

Bambi Hampton, 6513 SW Oak Cliff, stated she moved back to Lawton from Austin after 30 years. She stated she is concerned with the way city committees are formed to include LETA and LWA and the way a councilmember sits on these committees. It feels that this is a conflict of interest and that checks and balances are not in place. She requested the city review the way the charter is written and separating these committees so that council members are not serving and voting.

Mayor Fitch stated the Lawton Water Authority is comprised of all the council members.

Ms. Hampton stated she would like to see Lawton bring back some culture and see more citizen involvement if the city was willing to reexamine the charter and provide some checks and balances and a little more diversity.

Mayor Fitch stated the charter was reviewed and rewritten earlier this year. The Mayor does make appointment of council members to various committees and a lot of it is to get the cross section between the council and the committee that make requests to the city council. It helps the other council members to know what is going on because a council member is there at the time and they understand the workings of the committee. He stated he serves as chairman of the Lawton Economic Development Authority and this was approved by the Attorney General. It was also approved for him to serve as a member of the CCIDA. He stated they will take into consideration to the request of Ms. Hampton.

Mitchell stated there are 36 citizen committees and they are always looking for people to serve.

Annette Wiseman-Vaughan, 112 Fullerton, stated she would like the city council to consider implementing a program called “Quality of Life Donation Pilot Program”. She stated our community is very generous and this program would benefit public safety, library, Elmer Thomas Park, youth athletic fund and animal welfare. She would like to see a box on the water bill where people can mark to donate funds. She suggested the pilot program last from six months to one year and no spending take place and keep track of what donations come in. She feels the quality of life issues in Lawton are worthwhile.

Mayor Fitch suggested Ms. Vaughan make contact with the Finance Director.

Burk stated they have done this on behalf of LETA to beautify Lawton. He stated they average about \$2 a month and this goes out to approximately 30,000 customers a month. He suggested they set up a fund that is not on the utility bill.

Ms. Vaughan suggested they do a PSA through markets of media to inform people.

Michael Dudley, stated he feels this is a great idea. He stated in the past they have received \$80,000 to redo two ball fields. They still need to do this to seventeen other fields. He stated this idea could help in making these improvements.

Eugene Lee, 312 SW H Avenue, stated he is here to complain about 804, 807 and 810 4th Street. He has spoken to neighborhood services and the property was supposed to be condemned, then remodeled. He does not see how you can remodel a burned out building. He would like to know when this permit expires.

Mayor Fitch stated they will follow up with neighborhood services in the morning and will be in touch.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR
MEETING OF JUNE 12, 2012.

MOVED by Wells SECOND by Burk to approve the minutes of June 12, 2012. AYE: Moses, Zarle, Haywood, Wells, Shoemate, Tennis, Burk. NAY: None. MOTION CARRIED.

Wells requested items #5 and #10 and Tennis requested item #20 be considered separately.

MOVED by Burk SECOND by Tennis to approve the consent agenda with the exception of items #5, #10 and #20. AYE: Zarle, Haywood, Wells, Shoemate, Tennis, Burk, Moses. NAY: None. MOTION CARRIED.

1. Consider approving an Agreement between the Lawton Community Theatre and the City of Lawton to fund activities by the Theatre designed to encourage, promote and foster tourism in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement with Attached Budget
2. Consider approving an Agreement between the Lawton Chamber of Commerce Inc., and the City of Lawton to fund activities by the Chamber designed to encourage, promote and foster tourism, economic and industrial development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Agreement and Proposed Budget.
3. Consider approving an Agreement for Limited Services between the Lawton Enhancement Trust Authority (LETA) and the City of Lawton to fund activities by LETA designed to encourage, promote and foster economic development in the City of Lawton, and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Agreement for Limited Services and LETA Budget.
4. Consider approval of an Agreement in Principal with the Lawton Fort Sill Chamber of Commerce for a Contract for Services with Bill Phelps & Associates, LLC, beginning July 1, 2012 through June 30, 2013, for the purpose of providing professional consulting/lobbyist services to the City and authorize the Mayor and City Clerk to execute the Agreement. Exhibits: Proposed Consultant Agreement.
5. Consider approving a resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, to implement increases in water and sewer rates as set forth in Exhibit A of the Resolution and establishing an effective date. Exhibits: Resolution 12-57 and Exhibit “A”.

MOVED by Wells SECOND by Tennis to approve **Resolution 12-57** as amended by the Lawton Water Authority. AYE: Haywood, Wells, Tennis, Burk, Moses. NAY: Shoemate, Zarle. MOTION CARRIED.

6. Consider accepting a grant of \$300 from the Friends of the Lawton Public Library for the July 25th Summer Reading Program by Critter Tales performed at 11am and 1:30pm. Exhibits: None.
7. Consider accepting a donation of \$786 from the Friends of the Library for a Summer Reading Program presented by The Sugar Free All-Stars, professional children’s musicians, on July 11th at 11am and 1:30pm. Exhibits: None.

8. Consider approving the annual Cooperative Agreement and an Agreement for Limited Funding between the City and Transit Trust to provide funds for the operation of a public transit system and authorize the Mayor and City Clerk to execute the same. Exhibits: Cooperative Agreement and Limited Funding Agreement are on file in the City Clerk's office.
9. Consider approving a Memorandum of Agreement between the Comanche County Health Department and the City of Lawton for public health services and authorize the Mayor and City Clerk to execute the document. Exhibits: Memorandum of Agreement
10. Consider Rescinding Council Policy 4 – 2 “Establishment and Maintenance of a Grant/Disaster and General Fund Reserve.” Exhibits: Council Policy 4 – 2, Ordinance 10 – 26.

Wells distributed partial minutes from the March 1, 2003 council meeting that established this policy. He stated he assumed during budget sessions and budget approval they discussed the \$1.50 increase to the utility bill with 50 cents of that going into a reserve fund. It seems that at some point they were collecting that and we ended up loaning \$400,000 to the museum for a grant who were suppose to pay us back.

Mitchell stated it was used as cash flow for a state grant through ODOT and it has been paid back.

Wells questioned if it was put back in a reserve fund.

Mitchell stated it was 50 cents on the sanitation fee and after several years it was rescinded. The \$400,000 got put back into a reserve fund that has been used for grant matches and to pay interest on a bank loan.

Wells stated he would like to see this item tabled until the next meeting and he would like to see a copy of the rescension of this charge.

Mitchell stated it was not an official rescension. During a budget workshop one year the council decided not to continue the fee. The fee never got reinstated.

Wells questioned if they took the 50 cents off the sanitation fee.

Mitchell stated yes. He does not remember what year, maybe 2005 or 2006.

Wells stated if it was discussed in the budget session there should be something in the minutes.

Mitchell stated it would be part of the budget documents, but we don't take minutes at budget workshops.

Wells requested Mitchell pull up the information that rescinded the 50 cents.

MOVED by Wells SECOND by Moses to table until next meeting. AYE: Wells, Shoemate, Tennis, Burk, Moses, Zarle, Haywood. NAY: None. MOTION CARRIED.

11. Consider submission of a Tree Grant Application to the Oklahoma Department of Transportation. Exhibits: Location Map, Site Plan of median with planting bed details. Grant Application on file in the City Clerk's Office.
12. Consider approving the record plat for the Replat of Lot 3, Block 1, Bilbrey's East Plaza, Part One, and accepting a letter of credit in lieu of completed improvements. Exhibits: Plat Map. Letter of Credit is on file in City Clerk's Office.
13. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 1,220 linear feet of 8-inch PVC waterline, and all appurtenances to serve the Replat of Lot 3, Block 1, Bilbrey's East Plaza located east of SE 36th Street and north of SE Lee Boulevard in the SW/4 of Section 34, T2N, R11W, I.M., Comanche County, Oklahoma. Exhibits: Permit to Construct on file in the City Clerk's Office.
14. Consider granting an extension of time for the escrow agreement for the waterline and fire hydrant installation for Cache Road Square Shopping Center. Exhibits: None.
15. Consider approving the record plat for Harley Development, a Replat of Lot 1, Block 1, Turnpike Industrial Park North, Part One. Exhibits: Plat Map.
16. Consider re-approving the record plat for Lawton Downtown Center, Part 1. Exhibits: Plat Map.
17. Consider approving the cost sharing agreement for a waterline extension and a fire hydrant to serve Los Arroyo's located at 2514 NW Fort Sill Boulevard. Exhibits: Application, Agreement and Council Policy 6-4.
18. Consider approving the cost sharing agreement for a waterline extension and two fire hydrants to serve Cache Road Square Shopping Center. Exhibits: Application, Agreement and Council Policy 6-4.
19. Consider extending the non-exclusive license agreement between the City of Lawton and PinHigh Investments of Lawton, Inc. to provide bus benches with advertising on LATS bus routes and authorize the Mayor to execute. Exhibits: None.
20. Consider granting a revocable permit for landscaping and irrigation in the median on NW Saint James Place at NW Cache Road. Exhibits: Application and Photos.

Richard Rogalski, Planning Director, stated there was an application to apply some landscaping into the median of NW Saint James Place. This is the entrance into the subdivision and church. This section of roadway was dedicated as a public street. Staff noticed that the developer had been augmenting that median with landscaping and they notified him that he needed to submit a plan and obtain a revocable permit. He stated it is nice landscaping but the rock wall is at the face of the curb. There should be a 2 foot clear zone from the face of the curb before anything

that is a solid item. This provides for drivers that may hop that curb, they will not hit something solid.

Tenis stated these situations are all over town.

Rogalski stated those are usually in neighborhoods and this is right at the entrance off of Cache Road and those driver making that turn will be moving a little quicker.

Tenis stated he feels they should just grant this revocable permit.

Wells stated he feels this could be extremely dangerous especially in the winter time. He thought the council started clamping down on these permits a year or so ago for people who did something without getting it approved first. He is inclined to say no, let's make him take it down and move it back two feet.

Moses stated there are three things that bother him about this item. One is that there seemed to be a bit of bumbling going on as far as what was required of the builder before he started. In the midst of building he was told he had to have a revocable permit costing an additional \$500. It sounds like this discussion was going on as construction was occurring. The second one is the fact that this was built before the permit was granted. The third thing is the liability that comes with an accident that occurs anywhere this clear zone is violated. In spite of that it is built and compatible with a very attractive apartment complex. It seems foolish to require this be torn down and rebuilt. He would be okay with going ahead and letting them get on with it, but he would like for them to look at how they handle these in the future.

Wells stated that landscaping irrigation was installed prior to submitting the plan. The problem is that people are building things and then they come in and ask permission to build them and that is when we find out they put them in the right of way.

Zarle stated this is a beautiful operation down through there. We are begging for new businesses and developers to come in here and spend money and beautify the city. He feels this will save someone instead of hurt them.

Mayor Fitch stated the fact that these roads have been given over to the city and the fact that this took place without a permit, he questioned the liability of the City if there was an accident.

Jensen stated it is a public drive and there is a risk of liability on the part of the City. In his opinion, if there is an accident a claim can be filed against the City of Lawton.

Burk questioned if they had to have a revocable permit to have anything in the median or if they have to maintain something in the median.

Rogalski stated to put structures in an easement or median they need a permit. He stated they try to cover these things by administrative permit. If they had showed landscaping as part of their subdivision plat, which council approves, they could have covered this by an administrative permit. He stated staff is looking at the code with regards to landscaping.

Burk questioned what the cost would be if they had to move this.

Jim Eason, applicant, stated the irrigation has been in for three or four years and the trees have been in for years. He had to replace some of the trees that had died and he put in some additional beds. He stated the cost would be at least twice the amount to move them back, around \$5,000 or \$6,000. He has in excess of \$60,000 in this project. He stated they made sure that safety was a factor. Two big moving vans have gone in and out of there without any problems.

Burk questioned if Mr. Eason realized he had to have a permit.

Mr. Eason stated he turned in the money on May 8th and they went ahead. It was June before they told him he didn't have the permit.

Wells stated he is concerned about the rock wall. One car wreck where someone is seriously hurt or killed will cost the City of Lawton a lot more than \$6,000. What was built was a solid wall that will not give if it is hit by a car.

Mr. Eason stated this is a stacked wall with all the concrete in the back. If something hit it, it will give way. All the maintenance would be on him.

MOVED by Tennis SECOND by Zarle to grant a revocable permit for landscaping and irrigation in the median on NW Saint James Place at NW Cache Road. AYE: Shoemate, Tennis, Burk, Moses, Zarle, Haywood. NAY: Wells. MOTION CARRIED.

Moses stated we cannot have things that require permits being built before the permit is granted. He is looking to ensure that the safety and welfare aspects of whatever is built is in compliance with what is best for our citizens. Construction has to stop before that permit is issued.

Wells stated the problem is that a lot of these things are done after the permits are issued. Staff has no knowledge these are being done. License and Permit Division is not overly punitive on people that start ahead of the game. They will typically let people fold into the process. In this case he believes Mr. Eason did not know a permit was required.

Moses stated there may be a philosophy issue in which builders don't come and ask for a permit because they can come and get an exception. Maybe we need to take a more positive attitude with out builders and say we want to cooperate with you and help you achieve what you want to achieve, but there are things that must be complied with and we have to know what those are and express those upfront. The attitude between city staff and the builders and developers needs to be revisited and find a more cooperative stance we can take so they feel they are getting something of value from us when they come and get a permit.

21. Consider approving an agreement with Pipeline Analysis, LLC for professional engineering services for the Phase 2 Post-Construction Flow Monitoring Assessment and Report for the Wolf Creek Basin. Exhibits: A copy of the agreement is on file in the City Clerk's office.

22. Consider awarding a construction contract to RCJ Construction, Inc. for the Carwash Facility Project #2012-1. Exhibits: A copy of the agreement is on file in the City Clerk's office.
23. Consider awarding contract (CL12-046) Police Vehicle Equipment Items 1, 2, 5, 7 and 8 to Gall's LLC of Lexington, KY. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
24. Consider awarding contract (CL12-046) Police Vehicle Equipment Items 3, 4 and 6 to Adamson Industries Corp of Haverhill, MA. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
25. Consider awarding contract (CL12-047) Police Vehicle Radars to Applied Concepts Inc. of Plano, TX. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
26. Consider extending contract (CL11-033) Traffic Signal Poles & Arms with Valmont Industries of Valley, NE. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
27. Consider extending contract (RFPCL11-043) Temporary Workers with Express Employment Professionals of Lawton, OK. Exhibits: Department Recommendation, Contract Extension Form, Price Sheet.
28. Consider awarding contract (RFPCL12-048) Filter Media (GAC), Removal & Replacement to SNR Technologies of Katy, TX. Exhibits: Department recommendation, Abstract of Bids, Price Sheet.
29. Consider approval of payroll for the periods of June 11 - 24, 2012.

NEW BUSINESS ITEMS:

30. Hold a public hearing and consider a resolution amending the 2030 Land Use Plan to designate land as Commercial and an ordinance changing the zoning from F (Floodplain District) to C-5 (General Commercial District) zoning classification on property located approximately at 2315 East Gore Boulevard. Exhibits: Resolution No. 12-__, Ordinance No. 12-__, Location Map, Site Plan, Application and CPC Minutes.

Rogalski stated this request for a 165 foot by 330 foot tract of land located south of the Fort Sill Apache Casino. It is some office structures they have put in place and the City noticed they were there and there was some confusion as to whether this was trust property. Even our land use plan shows the area as trust property, however it turned out it is not. The C-5 zoning is the same zoning as the rest of the hotel and the future conference center. The current zoning is floodplain, but the proposed zoning is C-5. This is a binding site plan. On May 10, 2012, the CPC opened the public hearing, and at the request of Mr. John Kinslow, attorney for the applicant, continued the public hearing until May 24, 2012. During the public hearing one person, Mr. Kinslow, spoke in favor of the request, and no one spoke against the request. The CPC by a vote of 7 – 0, recommended approval of the request for C-5 zoning subject to revising the site plan to include landscaping and a proposed warehouse. A revised site plan has been

submitted which includes the future warehouse but does not meet the landscaping requirement. The landscaping requirement will have to be met during the building permit phase of the parking lot. The office buildings are already existing.

PUBLIC HEARING OPENED.

John Kinslow, 511 SW C Avenue, stated he represents the Fort Sill Apache Tribe. He stated they need this zoning change to bring it into compliance with the city code and also so that the casino and hotel operation can use the property for offices and storage. There will be a minimum amount of parking.

Mayor Fitch questioned if they change the zoning from floodplain to C-5 and they get flooded, will the City be liable?

Rogalski stated this is floodplain zoning but the latest FEMA maps have taken it out of the floodplain.

Burk requested that they address the road issues he previously spoke about on East Gore. That road is torn up because of construction and he does not have any money to have that repaved. He hasn't heard a commitment from anyone that they are going to do anything to help with those road repairs. He supports the development but he needs help. These developments need to take some responsibility for the destruction of roads that are connecting.

Shoemate stated once the access road coming out south of the Comanche Casino is completed, people will be able to go in and out of Lee and alleviate some of that traffic on Gore.

Burk stated it is the construction traffic that is causing the problem. He is thankful they have done a lot for the drainage in that area, He wishes they would help him figure something out about that lane.

PUBLIC HEARING CLOSED.

MOVED by Burk, SECOND by Zarle to adopt **Resolution 12-58** amending the 2030 Land Use Plan to designate land as Commercial, AYE: Tennis, Burk, Moses, Zarle, Haywood, Wells, Shoemate. NAY: None. MOTION CARRIED

MOVED by Burk, SECOND by Zarle to adopt **Ordinance 12-18**, waive the reading of the ordinance and read the title only. AYE: Haywood, Wells, Shoemate, Tennis, Burk, Moses, Zarle. NAY: None. MOTION CARRIED

(Title read by City Attorney)

Ordinance 12-18

An ordinance changing the zoning classification from the existing classification of F (Floodplain District) to C-5 (General Commercial District) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; approving the site plan attached

as exhibit A; and authorizing changes to be made upon the official zoning map in accordance with this ordinance.

31. Consider a resolution approving the execution and delivery by the Lawton Economic Development Authority of a 2009 Economic Development Capital Improvement Reformed Note in the amount of not to exceed \$12,000,000 in aggregate amount outstanding at any one time for the purpose of establishing a later maturity date of September 5, 2012. Exhibits: Resolution No. 12-__ and Revised Note.

Mayor Fitch stated this is a 90 day extension of the current note we have.

MOVED by Wells, SECOND by Haywood to adopt **Resolution 12-59** approving the execution and delivery by the Lawton Economic Development Authority of a 2009 Economic Development Capital Improvement Reformed Note in the amount of not to exceed \$12,000,000 in aggregate amount outstanding at any one time for the purpose of establishing a later maturity date of September 5, 2012. AYE: Wells, Shoemate, Tennis, Burk, Moses, Zarle, Haywood. NAY: None. MOTION CARRIED

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

COL Hossenlopp announced the Alan Jackson concert will be held on June 30th starting at 6:00 p.m.

Wells questioned if there was any information regarding the letter they all received regarding some problems at the Animal Welfare Division.

Jerry Ihler, Public Works Director, stated what was left out of the letter was that the kind gentle dog had attacked the mailman on two occasions and the mailman actually contacted the animal shelter and that is why staff picked up the dog. He stated the council will receive a written report. There were several inaccuracies in the letter.

Wells stated it is very difficult when council members turn in properties to Neighborhood Services and they go out and next to that property is city owned property with grass that is five feet high. We need to come up with some kind of program to make sure city property is taken care of.

Mitchell stated we have hired contractors that maintain our property. He stated it would probably have to do with mowing schedules.

Shoemate stated several people have suggested we start putting trash on only one side of the street which would save gas.

Burk stated we do have some issue with regards to drainage maintenance areas around Kingsbriar and Brentwood. There are some areas with broken trees and tall grass. We are mowing to a certain point, but there are huge areas that are not being touched at all.

Mitchell stated he will be on vacation starting Thursday through July 9th.

Haywood thanked city staff who helped with the Juneteenth Celebration. He stated the news media is very important to the citizens of Lawton.

The Mayor and Council convened in executive session at 7:24 p.m. and reconvened in regular, open session at 10:00 p.m. Roll call reflected all members present excluding Shoemate and Tennis.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

32. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in Comanche County District Court of City of Lawton v. International Union of Police Associations, ALF-CIO, Local 24, and Charles Todd Palmer, CV-2011-173, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #32.

MOVED by Wells, SECOND by Haywood to appoint George Moses as city's representative to attend the scheduled settlement conference in the case of City of Lawton v. IUPA Local 24 and Charles Todd Palmer. AYE: Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED

33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2012-2013 between the Police Union, IUPA Local 24, and the City of Lawton, and, if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #33.

MOVED by Burk, SECOND by Wells to adopt **Resolution 12-60** extending the provisions of fiscal year 2010-2011 collective bargaining agreement between the City of Lawton and IUPA Local 24 for the period of July 1, 2012 through June 30, 2013 or until such time as the parties reach an agreement for the fiscal year 2012-2013 collective bargaining agreement. AYE: Burk, Moses, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED

34. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review the employment of Frank V. Jensen as City Attorney, and in open session take other action as necessary. Exhibits: None.

Mayor Fitch read the title of item #34.

MOVED by Wells, SECOND by Haywood to approve an increase in the salary of Frank Jensen of 5%. AYE: Moses, Zarle, Haywood, Wells, Burk, Fitch. NAY: None. MOTION CARRIED

35. Pursuant to Section 307B3 and C10, Title 25, Oklahoma Statutes, consider convening in executive session for the purposes of conferring on matters pertaining to economic development, including the purchase/transfer of property, incentive proposals, and financing in connection with the Lawton Downtown Redevelopment Project and other development projects under consideration in the City, and take appropriate action in open session as necessary. Exhibits: None.

Jensen read the title of item #35. No action was taken.

There being no further business to consider, the meeting adjourned at 10:04 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK