

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
DECEMBER 10, 2013 – 6:00 P.M.
NEW CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Fred L. Fitch, Mayor
Presiding

Also Present:
Bryan Long, City Manager
Frank V. Jensen, City Attorney
Traci Hushbeck, City Clerk

Mayor Fitch called the meeting to order at 6:05 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Pastor Mark Hensley, Westminster Presbyterian Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT:

Bob Morford, Ward One
Keith Jackson, Ward Two
Rosemary Bellino-Hall, Ward Three
Jay Burk, Ward Four
Dwight Tanner, Jr., Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
Doug Wells, Ward Eight

ABSENT:

None.

PRESENTATION FROM ARVEST BANK ON BEHALF OF WALTON FAMILY FOUNDATION

David Madigan, President of Arvest Bank, presented \$5,000 grants to Lawton Police Department, Lawton Fire Department and Lawton Enhancement Trust Authority on behalf of the Walton Family Foundation.

EMPLOYEE SPOTLIGHT PRESENTATION TO RICHARD GOOCH, SEWER SYSTEM TECH DIVISION.

Mayor Fitch and Bryan Long recognized Richard Gooch, Sewer System Tech Division.

PRESENTATION FROM KIMI CHAMBERS REGARDING CITIZENS POLICE ACADEMY

Kimi Chambers, President of the Lawton Citizens Police Academy Alumni Association, briefed the council on the upcoming 12-week Citizens Police Academy that starts in January. She distributed application packets.

AUDIENCE PARTICIPATION: None.

CONSENT AGENDA

Jackson requested items #3 and #14 be considered separately. Tanner requested items #21 and #22 be considered separately.

MOVED by Wells SECOND by Jackson to approve the consent agenda with the exception of items #3, #14, #21 and #22. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Sharon and Kurt Meisenzahl in the amount of \$675.00 (**Res. 13-75**), Adora Bayman in the amount of \$125.00 and Clarice Jackson and Michael Suttles in the amount of \$113.95. Exhibits: Legal Opinions/Recommendations and Resolution 13-____.
2. Consider the following damage claim recommended for denial: Randy Jackson in the amount of \$355.63. Exhibits: Legal Opinion/Recommendation.
3. Consider approving a revised Outside Water Sales Contract with the Fraley Water Association, which would serve the Southeast Quarter of Section 14, Township 1 North, Range 11 West, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Location Map. Contract is on file in the City Clerk's Office.

Jackson stated over the years we have had a lot of questions about the integrity of the lines that are in that area. He questioned if there was going to be a master meter placed on this particular area because of the problems in the past with leaking water lines and illegal water lines.

Jensen stated there is a master meter on this system, but historically we have read only the master meter for some customers and associations and others, like this one, we have read not just the master meter but the sub meters. He stated we are trying to get away from reading the sub meters, because they are responsible for their system.

Jackson stated we have had a considerable amount of problems in this area with illegal water lines and leaky water lines and not matching the master meters numbers. He wants to make sure there is a master meter on this line.

Mayor Fitch stated when the master meter does not add up with the individual meters, he questioned if they still bill the master.

Jensen stated they will discuss this issue at length at the next council meeting as far as a claim they have about that discrepancy. We are billing from the master meter.

MOVED by Jackson SECOND by Morford to approve a revised Outside Water Sales Contract with the Fraley Water Association, which would serve the Southeast Quarter of Section 14, Township 1 North, Range 11 West, and authorize the Mayor and City Clerk to execute the

Contract. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

4. Consider adopting a Resolution authorizing the City of Lawton to accept funds in the amount of \$216,000 as identified within the project application plan on behalf of the City of Lawton and the Lawton Airport Authority, through the Oklahoma Department of Commerce, in the grand total amount of \$216,000. Exhibits: **Resolution of Support 13-76** and Oklahoma Strategic Military Planning Commission Grant Application Form.
5. Consider approving the Professional Services Contract for Consultant Brokerage services concerning employee health benefits held by Higginbotham Insurance Agency, Inc. for one additional year. Exhibits: Contract extension form.
6. Consider accepting donation of funds donated by Wal-Mart #269, for Lawton Police Department to aid in funding community awareness events, such as “I Got Flowers Today”, a domestic violence symposium that was hosted by the department. Exhibits: None.
7. Consider accepting the contract with the Oklahoma Highway Safety Office and the City of Lawton for an overtime reimbursement to reduce the number of accidents with injuries and fatalities for their 2013-2014 grant initiatives. It will also allow for assistance to OHSO with data and information gathering for their Combined Enforcement Grant. Exhibits: Copy of the project contract award in the amount of \$27,000.00 is on file in the City Clerk’s office.
8. Consider accepting \$15,100.00 which was authorized by the Highland Cemetery Board of Trustees from their Highland Cemetery Perpetual Care Fund, and approve allocating said amount into the City of Lawton Cemetery Care Fund for the purchase of cemetery maintenance equipment. Exhibits: August 28th, 2013 letter from Cris Elledge, Chairman of the Highland Cemetery Board of Trustees.
9. Consider approving the Blanket Purchase Agreement (BPA) for the rental of the McMahon Memorial Auditorium for 434th Brigade IET/AIT rehearsals and graduation ceremonies, Fort Sill, Oklahoma, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Blanket Purchase Agreement on file in City Clerk’s Office.
10. Consider approving a request from the Holiday in the Park Committee to extend the hours of operation for Elmer Thomas Park for a New Year’s Eve Family Celebration at Elmer Thomas Park complete with a Fireworks Display at 12:00 am midnight on January 1, 2014. Exhibits: None.
11. Consider approving the application and issuing a Revocable Communications Cable Permit to Medicine Park Telephone Company to install approximately thirty-eight thousand five hundred and sixty feet (2,337 rods) of fiber optic cable within the city limits right of way along Interstate 44, Highway 7, and SW Belmont Avenue. Exhibits: Revocable Communications Cable Permit.

12. Consider granting a revocable permit for parking and maneuvering in the public utility easements located at 2910 SW Lee Boulevard for Archers Corner. Exhibits: Revocable Permit (on file in City Clerk's Office), Application and Site Plan.
13. Consider approving the construction plans for a 12-inch waterline and left turn lane on NW Cache Road to serve the Armed Services YMCA located at 900 NW Cache Road subject to conditions. Exhibits: Location Map.
14. Consider waiving the building permit and inspection fees for the Armed Services YMCA located at 900 NW Cache Road. Exhibits: Letter from CDBL.

Jackson stated in the exhibit letter CDBL requested that the City assist in construction of the water main improvements that are required to provide sufficient water pressure for the fire suppression system. He wanted to make sure that we have no intention of providing funding for this project because we have denied other requests for this same thing.

Richard Rogalski, Community Services Director, stated we have not agreed to that request because that policy is frozen until we have some funding.

MOVED by Jackson SECOND by Morford to approve waiving the building permit and inspection fees for the Armed Services YMCA located at 900 NW Cache Road. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

15. Consider accepting a temporary easement & a warranty deed from Raymond L. Armstrong Jr. & Lisa F. Armstrong for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
16. Consider accepting a warranty deed from David Bowden for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
17. Consider accepting a temporary easement from Christopher Allen Combs for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the document and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.
18. Consider accepting a warranty deed and a permanent easement from Emprise Partners, a partnership comprised of Bedford M. Mitchell and Loyal Farmer for right of way needed for the SE 45th Street Reconstruction (Between Lee & Gore) Project #2006-12, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Map. Document is on file in the City Clerk's office.

19. Consider accepting the Lawton City Offices –Sidewalk Rehabilitation (New City Hall) Project #2013-01 as constructed by Parathon Construction, LLC. and placing the Maintenance Bond into effect. Exhibits: The Maintenance Bond is on file in the City Clerk's office.
20. Consider accepting a public access easement at 3 SW Lee Blvd from Airgas USA, LLC to give the City of Lawton access to maintain Numu Creek from Lee to 2nd street, authorizing the Mayor and City Clerk to execute the document. Exhibits: Location map. Easement is on file in the City Clerk's office.
21. Consider approving an Agreement with Element Markets, LLC for the sale of carbon credits produced from greenhouse gas emission reductions generated by the Landfill Gas Collection & Control System (GCCS), approving the revenues from the carbon credit sales be deposited into an account for maintenance and operation of the GCCS and authorizing the Mayor and City Clerk to execute the Agreement. Exhibits: Carbon Credit Purchase and Sale Agreement is on file in the City Clerk's office.

Tanner stated he was not around in 2010 when this project was implemented and from what he read it cost approximately \$8 million.

Jerry Ihler, Public Works Director, stated that is not correct. In the 2005 CIP there was \$8 million provided for a landfill gas collection system which was about \$1 million of that \$8 million. The other \$7 million was for actual construction and expansion of the next landfill cells that we are currently using at the landfill. He stated methane gas is a green house gas issue and EPA, in the near future, is going to require all landfills to have a landfill gas collection system so that we can destroy this methane gas. The other issue is that EPA will also require a methane gas system based on the size of your landfill and it is believed that when the City does its next expansion we will be required to put in a methane gas collection system. We had a study done to determine what we could do with the by product of the methane gas. One alternative was to try to sell the methane gas to Goodyear or Republic Paper. He stated this would be the best long term payback for this gas collection system, however, the upfront capital investment was approximately \$7 million and we don't have that.

Tanner stated right now we have this broker who is selling these carbon credits. He questioned who was paying for these carbon credits?

Ihler stated the broker pays for the credits and companies buy credits from the broker. He stated it is just like a stock exchange.

Tanner stated it is not the federal government.

Ihler stated no. Once the EPA dictates that a landfill has to put in a landfill collection system, then we can no longer collect any funds because it will not be voluntary.

Tanner stated he is glad we are ahead of this and he looks forward to the day when we can capture this and use it for energy. He questioned the commission of the broker.

Ihler stated the broker pays us and then turns around and sells the credits at a profit. He stated right now we are getting \$1.25 per ton for this and that generates \$68,000 - \$70,000 per year. There are costs to operate and maintain the verification each year of the carbon credits which cost us \$30,000, so we only see a net result of \$40,000 per year.

MOVED by Tanner SECOND by Wells to approve an Agreement with Element Markets, LLC for the sale of carbon credits produced from greenhouse gas emission reductions generated by the Landfill Gas Collection & Control System (GCCS), approving the revenues from the carbon credit sales be deposited into an account for maintenance and operation of the GCCS and authorizing the Mayor and City Clerk to execute the Agreement. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

22. Consider awarding (RFPCL14-006) Animal Shelter Management Software & Support to Multiple Options Inc. of Providence, RI. Exhibits: Department recommendation and Abstract of Bids.

Tanner questioned if spending \$15,000 is considered a routine item in that it is on the consent agenda. To him, \$13,500 for this software and the \$1,200 for maintaining this software seems costly.

Ihler stated it is council's wish on whether items are on the consent or regular agenda. He stated they typically put construction contracts worth \$10 million on the consent agenda. He does not know that there is a limit on dollar amounts. On each agenda there are typically ten to fifteen items where we are purchasing something and they are on consent. He does not know if council would want to discuss each item.

Tanner stated it takes a lot of time, but in times of budget crises, \$13,500 is a lot of money. He questioned what software the animal shelter currently uses.

Ihler stated they do not have anything, they basically use pencil and paper. What triggered the purchase of this software was two years ago they had an audit by the city auditors and they strongly recommended that they obtain a software program that will tie the cash register to the computer system so that they had a good way to determine exactly what their transactions were. This will also be used to inventory their drugs.

Tanner stated next years' budget is six months away and if it is an item that is not 100% necessary, he does not see why we should spend money on this item.

Ihler stated in his perspective this is an item that is 100% necessary to operate efficiently.

Bellino-Hall stated that if Mr. Ihler says it is 100% necessary, then it is 100% necessary.

Wells stated the cost of this software is coming out of licensing fees, not really general fund monies.

Inler stated that is correct.

Mayor Fitch stated it has been a burden to do all of this manually.

Jackson stated there is a lot of cash changing hands and some of them have had concerns. This will get some control.

Tanner stated he is trying to be prudent with taxpayers' money.

Burk stated the reason the council has a consent agenda is because the council would be here until 1 a.m. trying to go through every one of these items individually. He stated he and others on the council make these calls after they receive the agenda. When he gets his agenda, he starts making calls to department directors and asking questions so he can be informed. They are not trying to hide something on the consent agenda, but the reality is that when there are 40 or 50 things on an agenda, there is no way they can go through all of them. You can pull anything off if you have a concern, but this is a good policy.

Tanner stated this is just his perspective, but \$13,500 is a lot of money.

Mayor Fitch stated technology costs money.

MOVED by Tanner SECOND by Wells to award (RFPCL14-006) Animal Shelter Management Software & Support to Multiple Options Inc. of Providence, RI. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

23. Consider approving the contract renewal for the emergency notification system Everbridge. Exhibits: Everbridge contract renewal form.
24. Consider approving appointments to boards and commissions. Exhibits: None.
25. Consider approval of payroll for the periods of November 12 – December 8, 2013.

NEW BUSINESS ITEMS:

26. Hold a public hearing to consider Change 1 to the Consolidated Plan for FFYs 2010-2014, receive input from citizens, discuss the proposed revision to the community priorities, and if appropriate, pass a resolution authorizing the Mayor and City Clerk to execute the documents for submittal to the U.S. Department of Housing and Urban Development (HUD) and any related documents required by HUD to implement the CDBG and HOME programs. Exhibits: Resolution 13-__. A copy of Change 1 to the Consolidated Plan for FFY 2010-2014 is on file at the City Clerk's Office.

Tim Libby, Assistant Director for Housing and Community Development, presented a power point presentation which is on file in the City Clerk's office. Staff recommended the change to the five year plan which would allow him to recommend changes to the one year plan which is covered in the next agenda item.

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

MOVED by Haywood SECOND by Wells to approve **Resolution 13-77** authorizing the Mayor and City Clerk to execute the documents for submittal to the U.S. Department of Housing and Urban Development (HUD) and any related documents required by HUD to implement the CDBG and HOME programs. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

27. Hold a public hearing to consider changes to the Consolidated One-Year Action Plans to include Change 5 for FFY 2008; Change 3 for FFY 2009; Change 2 for FFY 2011; Change 1 for FFY 2012; and Change 1 for FFY 2013, receive input from citizens, and authorize the Mayor and City Clerk to execute the implementing documents. Exhibits: Exhibit A: The Consolidated One-Year Plan Changes for FFY 2008, Change 5; FFY 2009, Change 3; FFY 2011, Change 2; FFY 2012, Change 1; and FFY 2013, Change 1.

Libby presented a power point presentation which is on file in the City Clerk's office. He stated he proposes to fund the \$75,000 by closing out previous first time home buyer projects and transferring that money into a tenant based rental assistance project to be administered by the Lawton Housing Authority. He stated there is a two year time limit on these funds. It is their goal to have each family that they assist be a self sufficient family living on their own within that two years. They will extend that in cases that are extreme.

Wells stated on a slide it says it will provide a one year security for the Northside Chamber of Commerce. He questioned if they were still in business.

Libby stated that is an error, they have been out of business for three years.

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

MOVED by Haywood SECOND by Wells to approve changes to the Consolidated One-Year Action Plans to include Change 5 for FFY 2008; Change 3 for FFY 2009; Change 2 for FFY 2011; Change 1 for FFY 2012; and Change 1 for FFY 2013 and authorize the Mayor and City Clerk to execute the implementing documents. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

28. Hold a public hearing and consider an ordinance amending Division 18-10-1, Chapter 18, Lawton City Code, modifying the regulations of the Historical Preservation Overlay District. Exhibits: Ordinance No. 13-__.

Rogalski stated after addressing a couple of requests for the Historical Preservation Overlay District, the Historical Preservation Commission decided that some of the processes needed to be reviewed and possibly revised; for example, establishing a process to expedite the issuance of Certificate of Appropriateness by allowing the Planning Director and/or a subcommittee to approve routine requests for Certificate of Appropriateness.

The Historical Preservation Commission (HPC) reviewed proposed changes on October 22, 2013, and the proposed ordinance is the result of their meeting. The highlights of the revision include minor modifications or clarifications of the design guidelines adopted with each HP Overlay District may be made by the HPC for the following: expansion or clarification of the list of allowable materials, modification of the requirement or regulations regarding driveways and the parking of vehicles and landscaping requirements. For all other modifications, the HPC will make a recommendation to the City Council, and the City Council will make the final decision after providing notice to all affected property owners.

Certificate of Appropriateness may be approved by the Planning Director, the HPC Subcommittee, or the HPC, depending upon the nature and significance of the work. Administrative approval may include the following: roofing, portable accessory structures no greater than 200 square feet in size, widening of a driveway, installation of mechanical or electronic equipment, fencing and repair or replacement of structural elements with identical or like materials.

For demolitions, the Planning Director shall have the authority to approve a Certificate of Appropriateness for the demolition of accessory structures and fences, and the HPC shall have the authority to approve a Certificate of Appropriateness for demolition of major structures.

Rogalski stated there is a correction to the ordinance on page 8. In paragraph C, subparagraph 7, the last sentence should be stricken.

Morford stated just because there were no carports in Morford Hills that does not mean they could not be on Fort Sill Boulevard.

Rogalski stated it is specific to each district that they are dealing with.

Tanner stated he liked the section which states that nothing in this article shall be construed to prevent ordinary maintenance or repair of any structure except exterior change.

Morford stated this does not exempt a person if they are required to get a building permit for a project.

Wells stated you can do inside painting but the outside has to comply with the rest of the historical district.

Tanner stated the color could be an issue.

Rogalski state there are guidelines that they have put on their structure.

Tanner questioned if the ordinary maintenance and repair is kind of open ended.

Wells stated it is only in that historic district, it does not affect the rest of the city. They put rules on themselves.

Tanner clarified that as long as you are keeping everything the same then you can do ordinary repair.

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

MOVED by Wells SECOND by Burk to adopt **Ordinance 13-39** as amended, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Haywood, Wells. NAY: Zarle. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 13-39

An ordinance pertaining to zoning amending Division 18-10-1, Chapter 18, Lawton City Code, 2005, modifying the regulations of the historical preservation overlay district and providing for severability.

29. Consider adopting a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, by amending existing and establishing new fees pertaining to animal welfare services. Exhibits: Resolution 13-__.

Ihler stated this resolution was brought to council on November 19, 2013. The resolution will increase fees for a few services in order to cover the cost of providing those services. The resolution establishes new adoption fees for certain types of animals. As an example there were never fees for parrots, rabbits and fowl. In the area of boarding fees, we currently charge \$7 per day and we just can't cover our costs, so we increased that amount to \$15 per day. Vets currently charge \$18 - \$20 per day. The other increase was in the pick up of deceased animals. The cost was \$20 and it was raised to \$40 to cover the cost. Deceased animal pick up for the elderly increased from \$5 to \$10. This also establishes a new fee of \$15 for non-residents who voluntarily release their animal to the animal shelter for adoption or \$40 to be euthanized.

Tanner stated at the last meeting he opposed the raising of fees for picking up deceased animals from \$20 to \$40 and he opposed raising that fee for the elderly from \$5 to \$10. The way the fee is structured now it is per deceased animal. We want to cover our costs, but the fee to pick up animals from animal hospitals or clinics is \$55 per load. Why are we charging citizens more?

Ihler stated the \$55 cover the costs of the trip out there. There is additional time that they spend out there unloading freezers, etc.

Tanner stated the \$55 is more than fair, but it is unfair to what we are charging the average citizen. Maybe we should charge the clinics \$40 per animal.

Ihler stated staff has indicated that they have never been called out by a citizen to pick up more than one animal.

Tanner stated it is not fair to charge the citizen more than the vet clinics when they are making money. He stated he talked with staff about this BAT permit which costs \$200 per dog or cat. He feels this is very pricy.

Ihler stated if you have a fixed animal that you want to sell, it does not cost a penny. The reason for the \$250 fee for those that want to breed or that do not have a fixed animal is that ten years ago when they put this into place, we euthanized approximately 5,000 – 7,000 animal every year because there were stray animals running everywhere. The BAT fee is to deter people from selling animals that are not fixed. Since this program has been into effect, we now euthanize approximately 2,000 – 3,000 animals a year. It is a very successful program.

Tanner questioned if individuals that are selling one dog or cat are considered breeders? It will cost them \$250 to sell a \$100 dog.

Wells stated years ago there was a committee appointed which got a lot of people involved and they came up with these fees and it has worked very well. Our program has been recognized nationally for the way we are controlling the animal population. The simple solution is to spend \$35 to have the animal fixed and then you can give it away. If you want to sell a dog that is not fixed you have to pay the fee. We don't want animals running wild.

Tanner questioned if the council thinks \$250 is a reasonable fee.

Wells stated absolutely.

Jackson stated he was on the committee that established the BAT ordinance. He stated they purposely set those fees so expensive and it has worked. Staff gets contacted from people around the nation.

Tanner stated he agrees with keeping the limit as low as possible, but the reason it may be decreasing is that people are taking them out to the country to drop them off. He stated he likes that the first impoundment is \$0 if your dog is fixed. These fees to redeem you dog or cat are the back end. There is a front end cost and they are called fines. If your dog gets impounded you are going to get fined and that fine can be as high as \$750 and you may get 60 days in jail.

Wells stated we have fifteen departments in this city and there are very few departments that have the ability to recoup funds for the cost of their operation. Most services are paid for by utility rate increases. If we don't have fees that cover our costs then we are spreading that cost to all the citizens of the community through water rates.

MOVED by Wells SECOND by Burk to adopt **Resolution 13-78.**

Jackson stated he has had some phone calls from people who are on the committee that established the BAT ordinance and they don't feel that we should charge anyone to drop off their animal at the shelter. He also does not feel there should be a fee to drop off your animal at the shelter.

Tanner questioned if there is a portion of the fine money that the animal shelter gets to keep.

Ihler stated they receive 5% of the citations based on the BAT permit.

Tanner stated some people may see this as an incentive if the animal shelter is going to be able to maintain a certain portion of the fine money instead of giving the citizens some mercy and writing them a warning, they will just go ahead and write the ticket.

Wells stated they don't get to keep that much of the money.

SUBSTITUTE MOTION by Tanner to adopt **Resolution 13-78** and reduce the BAT permit from \$250 to \$10 and the pickup for deceased animals stays at \$20 and \$5 for elderly.

Motion died due to lack of second.

VOTE ON ORIGINAL MOTION: AYE: Morford, Bellino-Hall, Burk, Haywood, Wells. NAY: Tanner, Zarle, Jackson. MOTION CARRIED

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Morford requested the council set up a committee to discuss inspections on apartments in the city. He stated in Ward One, the apartments north of Cache Road and west of Sheridan Road are having a lot of crime and the buildings are very shabby. In the past few years several groups like this have been built and he does not want to see the same thing happen to them.

Mayor Fitch suggested they may want to include some apartment owners or real estate people.

Morford stated they may want to have just council members in the initial meeting and then they can organize it how they want.

Mayor Fitch appointed Morford, Wells and Burk to sit on this committee. He agreed with Morford that this is an issue that needs to be addressed.

Long stated the Lawton Police Department graduation will be held on Friday at 1:30 p.m. at the Great Plains Technology Center. He reported that we now have an animal adoption fan page on Facebook.

The Mayor and Council convened in executive session at 7:37 p.m. and reconvened in regular, open session at 8:24 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

30. Pursuant to Sections 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the purchase of real property as one option, among others, for the proposed expansion of Fire Station #1 (a.k.a. Central Fire Station), and take appropriate action in open session. Exhibits: None.

Jensen read the title of item #30. No action was taken.

31. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case in the Western District of Oklahoma of Billy Ray Chandler vs. City of Lawton and Bryan P. Long, 13-CV-1082-HE, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #31. No action was taken.

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 Michael L. Davis, Deceased By Willis Davis and Florine Davis vs. City of Lawton, CJ-2013-834, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #32. No action was taken.

33. Pursuant to Section 307(B)(3), Title 25, Oklahoma Statutes, consider convening in executive session to discuss the proposed sale of approximately 50 ½ acres, collectively or by parcel, of City-owned real property in the vicinity of NW 67th Street and Rogers Lane, as authorized by Ordinance No. 11-07, and take appropriate action in open session. Exhibits: To be distributed in executive session. STRICKEN FROM AGENDA.

ADDENDUM:

EXECUTIVE SESSION ITEM:

1. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss a pending investigation of matters involving the Lawton Police Department, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of the addendum. No action was taken.

There being no further business to consider, the meeting adjourned at 8:26 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK