

Mayor Pro Tem Wells presented a proclamation to public works employees proclaiming May 8-24, 2014 as National Public Works Week.

AUDIENCE PARTICIPATION: None.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF APRIL 22, 2014.

MOVED by Jackson SECOND by Wells to approve the minutes of Lawton City Council regular meeting of April 22, 2014. AYE: Morford, Jackson, Bellino-Hall, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

CONSENT AGENDA

Mayor Fitch stated on item #2 they will strike the first two claims but act on the claim of Patricia Johnson. He stated items #8 and #25 will need to be discussed separately and they will strike item #9.

MOVED by Jackson SECOND by Morford to approve the consent agenda with the exception of items #2 (first two items), #8, #9 and #25. AYE: Morford, Jackson, Bellino-Hall, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

1. Consider the following damage claim recommended for approval: Terrie and Robert Howard in the amount of \$1,153.07. Exhibits: Legal Opinion/Recommendation and **Resolution No. 14-55.**
2. Consider the following damage claims recommended for denial: Allan and Nina Dacci in the amount of \$17,787.00 (**STRICKEN**), William and Laura Swagger in the amount of \$800.00 (**STRICKEN**), and Patricia Johnson, Property Manager for, Lanestone LLC. in the amount of \$1,800.00. Exhibits: Legal Opinion/Recommendations.
3. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Kimberly Sickles. Exhibits: **Resolution No. 14-56.**
4. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Teresa Crabtree. Exhibits: **Resolution No. 14-57.**
5. Consider adopting a resolution approving the compromise settlement and making payment in the workers' compensation claim of Erlene Maroon. Exhibits: **Resolution No. 14-58.**
6. Consider approving a professional services agreement with Dan Wigington for appraisal services, and authorize the Mayor and City Clerk to execute the agreement. Exhibits: Agreement is on file in the City Clerk's office.

7. Consider ratifying the action of the Lawton Water Authority to approve an Assignment of Grazing Lease for Landfill-1 and Landfill-2 between the Lawton Water Authority and Lance John, Inc., an Oklahoma corporation, d/b/a L&L Farms. Exhibits: Assignments of Bailing/Grazing Leases are on file in the City Clerk’s Office
8. Consider approving a Third Amendment to Declaration of Trust of the Lawton Industrial Development Authority, and authorize the Mayor and City Clerk to execute the amendment. Exhibits: Third Amendment to Declaration of Trust of the Lawton Industrial Development Authority.

Jensen stated the Lawton Industrial Development Authority (LIDA) did meet at 5:00 p.m. to consider the approval of the amendment to their trust indenture. The proposed amendment was initially to allow residents of Comanche County and not just the City of Lawton to serve as trustees on LIDA. When LIDA met there was a proposed change to the amendment by Councilmember Tanner and the new amended language would read “the trustees of this trust shall be five in number each of whom shall be a bonified resident of Lawton, Oklahoma or upon unanimous vote of the Lawton City Council, a bonified resident of Comanche County, Oklahoma.” That is the amendment that LIDA passed and recommended that the City Council consider and pass as well.

MOVED by Tanner SECOND by Haywood to approve the amended Third Amendment to Declaration of Trust of the Lawton Industrial Development Authority AYE: Morford, Jackson, Bellino-Hall, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

9. Consider accepting from Arledge & Associates, P.C. Addendum #2 to the Single Audit Engagement Letter Dated June, 24, 2013. Exhibits: April 15, 2014 Addendum #2 to the Single Audit Engagement Letter. **STRICKEN**
10. Consider approving resolution 2014-_____ amending Appendix A, Schedule of Fees and Charges, Lawton City Code, as amended, by adding a collection agency fee and changing the returned check fee and establishing an effective date. Exhibits: **Resolution No. 14-59.**
11. Consider adopting a resolution authorizing Kellogg & Sovereign Consulting, LLC (“KSLLC”) to file FCC Form 471 for funding year 2014-2015 in accordance with the agreement authorizing KSLLC to provide E-Rate Management Services for the Lawton Public Library and further authorizing payment of the Lawton Public Library’s share of requested services subject to E-Rate funding and receipt of services. Exhibits: **Resolution No. 14-60.**
12. Consider accepting a \$4,499.94 donation to the Library from the Friends of the Library to be designated for library material money and library programming. Exhibits: None.

13. Consider allowing the Parks & Recreation Department to Co-sponsor with We Are Lawton, the 2nd Annual Project X Unity Festival as a fundraiser to support the building of a new skate-park for local youth. Exhibits: None.
14. Consider allowing the Parks & Recreation Department to Co-sponsor with Scott Brown for a benefit baseball tournament as a fundraiser for three year old Austyn Grace. Exhibits: Pray for Aussie information sheet.
15. Consider renewing the lease and operating agreement between the City of Lawton and the Lawton YMCA for use of the municipal swimming pool in Mattie Beal Park for the benefit of public use and the development of swimming lessons during the months of May through October. Exhibits: Lease and Operating Agreement.
16. Consider accepting a refund check in the amount of \$2,000 from the United States Post Office and approving the deposit of these funds into the Revenue Services Division Telephone and Postage account (050-0414-000-00-0241-0000). Exhibits: None.
17. Consider approving the construction plat for CVS Lawton Addition subject to condition. Exhibits: Location Map.
18. Consider approving Archer Western Construction, LLC. Change Order #1 to the existing Medicine Park Water Treatment Plant Clearwell Rehabilitation Contract Project #2013-06. Exhibits: Change Order #1 (on file in the City Clerk's office)
19. Consider approving Resolution Number 2014-____ authorizing the filing of a grant application with the Bureau of Reclamation within the United States Department of the Interior to assist with funding a feasibility study regarding modifications needed at the City's Wastewater Treatment Plant in order to facilitate water recycling and reuse; designating the City's matching funds for said feasibility study; and authorizing the Mayor and City Clerk to execute the documents necessary to file the application. Exhibits: **Resolution No. 14-61** and Grant Synopsis.
20. Consider accepting a special warranty deed and a temporary easement from The National Retail Properties, LP, fka Commercial Net Lease Realty, L.P., 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. Documents are on file in the City Clerk's office.
21. Consider accepting a warranty deed and a temporary easement from Virginia Earline Whitsell, a single person, 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. Documents are on file in the City Clerk's office.

22. Consider accepting two permanent easements and a temporary easement from The Precious Bethalena Isbell Ballard Revocable Trust for right of way needed for the Nine Mile Creek Sanitary Sewer Interceptor Project#2008-2, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Map. Documents are on file in the City Clerk's office.
23. Consider accepting a permanent easement and two temporary easements from Young Men's Christian Association of Lawton, Oklahoma for right of way needed for the Nine Mile Creek Sanitary Sewer Interceptor Project#2008-2, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Location Map. Documents are on file in the City Clerk's office.
24. Consider adopting a Resolution of Necessity for real property acquisition for the SW 52nd Street (From railroad tracks to Gore Blvd.) Project #2012-4. Exhibits: **Resolution 14-62**. Resolution No. 14-__ with Exhibit "A" is on file in the Engineering Division Office.
25. Consider accepting the 2012 CIP Street Mill & Overlay Project (West Gore Boulevard from Lawton Country Club to NW 67th Street, #2013-05) as constructed by T&G Construction, Inc., assessing liquidated damages and placing the Maintenance Bond into effect. Exhibits: The Maintenance Bond is on file in the City Clerk's office.

Jerry Ihler, Public Works Director, stated they are assessing liquidated damages as explained in the background, but the staff recommended action did not incorporate the assessing of liquidated damages so they need to have this approved to include that action.

MOVED by Haywood SECOND by Jackson to accept the 2012 CIP Street Mill & Overlay Project (West Gore Boulevard from Lawton Country Club to NW 67th Street, #2013-05) as constructed by T&G Construction, Inc., assessing liquidated damages and placing the Maintenance Bond into effect. AYE: Morford, Jackson, Bellino-Hall, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

26. Consider awarding contract (CL14-037) Custom Wraparound Bleacher Cover Structure to Shade Systems, Inc. of Ocala, FL. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
27. Consider extending contract (RFPCL12-045) Recycling Center Operations to Horn Sanitation, Inc of Lawton, OK for an additional year. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
28. Consider extending contract (CL12-047) Police Vehicle Radars to Applied Concepts, Inc of Plano, TX. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
29. Consider awarding contract (CL14-040) Precast Concrete Manholes (Large) to Primary Structure, Inc of Guthrie, OK. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.

30. Consider rejecting bids on contract (CL14-038) Reinforcing Bar Products. Exhibits: Department Recommendation.
31. Consider awarding contract (CL14-039) 20x28 Park Pavilions to Cunningham Recreation of Charlotte, NC. Exhibits: Department Recommendation, Abstract of Bids, Price Sheet.
32. Consider extending contract (RFPCL12-028) Cellular Telephone Services to US Cellular of Tulsa, OK. Exhibits: Department recommendation, Contract Extension Form, Price Sheet.
33. Consider rejecting the bids received on contract (CL14-036) 8' Chain Link Fence. Exhibits: Department Recommendation
34. Consider approving appointments to boards and commissions. Exhibits: None.

McMahon Auditorium Authority

Thomas R. Kelly
Deputy To Garrison Commander
462 Hamilton Road Suite 120
Fort Sill Oklahoma 73503
06/30/17

Lawton Art & Humanities Council

Diane Denham
911 NW Arlington Avenue
Lawton, Oklahoma 73507
06/30/17

Jean Schucker
PO Box 87
Medicine Park, Oklahoma 73557
06/30/17

Bobbie Matchette
3411 NW Atlanta
Lawton, Oklahoma 73505
06/30/17

Jamie Hill
3908 SW Mesquite
Lawton, Oklahoma 73505
06/30/17

Jim Manley
Library Tech Nye Library
Fort Sill, Oklahoma 73503
06/30/17

Sally Soelle, Ph.D.
1311 NW 75th Street
Lawton, Oklahoma 73505
06/30/17

Dale Nomura
10 NW Heatherstone Drive
Lawton, Oklahoma 73505
06/30/17

June Rain
3307 NW Baltimore Avenue
Lawton, Oklahoma 73505
06/30/17

Industrial Development Authority

Onreka Givens
633 SW Arbuckle Avenue
Lawton, Oklahoma 73501
5/25/19

35. Consider approval of payroll for the periods of April 14 – May 11, 2014.

NEW BUSINESS ITEMS:

36. Consider authorizing application of the 2014 Department of Justice Edward Byrne Assistance Grant Local (JAG) and hold a public hearing reference same. Exhibits: Budget Summary, Budget Worksheet, Budget Narrative and Interlocal Agreement with Comanche County.

Assistant Chief James Apple, Lawton Police Department, stated this is the application for the 2014 Byrnes Grant with the federal government. The total amount of the grant is \$78,712 and it is an 80/20 split with the Comanche County Sheriff's department. This grant is used to purchase equipment that they would otherwise not be able to purchase through other means.

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

MOVED by Wells SECOND by Haywood to authorize application of the 2014 Department of Justice Edward Byrne Assistance Grant Local (JAG). AYE: Morford, Jackson, Bellino-Hall, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

37. Hold a public hearing and adopt a resolution declaring the structures located at: 122 N.E. Bell Drive (**Stricken**), 1618 N.W. Irwin Avenue, 1710 N.W. Kingsbury Avenue, and 2008 S.W. McKinley Avenue to be dilapidated pursuant to Lawton City Code 6-5-1, ordering the owner(s) to abate the nuisance, authorizing summary abatement, and authorizing the City Attorney to commence legal action in district court to abate the nuisance. Exhibits: Four Resolutions and Exhibits A.

Mayor Fitch stated that 122 NE Bell Drive has been stricken. Staff has arrived at a solution with the property owner.

Jackson stated that 1424 NW Lindy was listed on the council action but was not listed in the item title.

Anthony Griffith, Neighborhood Services Supervisor, stated the property was sold and they needed to restart the process.

1618 N.W. Irwin Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since July 2012. Griffith presented photographs of the property.

PUBLIC HEARING OPENED.

JoAnn Porter, property owner, stated she has spent \$3,000 on this property. She has sheetrock in there ready to go, but she can't get to it yet and she is requesting a little more time.

Jackson stated they are cleaning up this neighborhood. There is high crime and dilapidated houses that have been neglected. He stated all Ms. Porter has to do is go down and pull a building permit to remodel this home and then the City will give her a certain amount of time to correct this issue.

Ms. Porter questioned if she would only have 30 days after she gets a permit.

Jackson stated she would have 30 days to make significant action on this property. He suggested she contact a contractor. He stated this has been going on for years and they are doing their best to clean up this area and rid it of crime. He suggested Ms. Porter get started on this building permit.

Bellino-Hall questioned how long the property has been empty.

Griffith stated it has been without utilities since July 2012. He could not say how long it has been vacant.

PUBLIC HEARING CLOSED.

MOVED by Jackson SECOND by Morford, to adopt **Resolution 14-63** declaring the structure located at 1618 N.W. Irwin Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Zarle, Haywood, Wells. NAY: Tanner. MOTION CARRIED.

1710 NW Kingsbury Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since July 2011. Griffith presented photographs of the property.

PUBLIC HEARING OPEN.

Rene Sunday, property owner, stated this was his brother's property and he passed away and they have already cleaned up some of the debris. He has not been able to work due to a hernia, but he has someone helping him clean it up. The windows are boarded up because people keep breaking in. He stated it does not look like the pictures.

Jackson questioned what he intends to do with the property.

Mr. Sunday stated he is going to fix it back up and live there.

Bellino-Hall stated the pictures were taken just a few days ago. How could it be completely changed?

Mr. Sunday stated the debris in the front is gone.

Bellino-Hall stated this has not had utilities for three years and suddenly we are making changes in four days.

Mr. Sunday stated he was told to get a permit and he was told it would cost \$150. When he came down to pay he was told it was \$460 and he did not have that much so staff told him to just wait until it went to council to see what they do.

Tanner questioned how much more time Mr. Sunday needed.

Mr. Sunday said about six months to a year.

Jackson stated this is his ward and he wants to leave this on the demolition list and Mr. Sunday can pull a permit and if he makes significant progress staff will allow him more time. He stated we are not looking to tear down property, but for years this neighborhood has been having problems.

PUBLIC HEARING CLOSED.

MOVED by Jackson SECOND by Bellino-Hall, to adopt **Resolution 14-64** declaring the structure located at 1710 NW Kingsbury Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Zarle, Haywood, Wells. NAY: Tanner. MOTION CARRIED.

2008 SW McKinley Avenue

Griffith reported the numerous violations of city code existing on the property are documented on the Property Maintenance Evaluation Sheet. He stated the property has been without utilities since May 2010. Griffith presented photographs of the property.

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

MOVED by Haywood SECOND by Zarle, to adopt **Resolution 14-65** declaring the structure located at 2008 SW McKinley Avenue to be a dilapidated public nuisance. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

38. Hold a public hearing and consider an ordinance changing the zoning from C-2 (Planned Neighborhood Shopping Center District) to C-5 (General Commercial District) zoning classification on property located at 5104 SW Lee Boulevard. Exhibits: Ordinance No. 14-___, Site Plan, Location Map and Application.

Debbie Dollarhite, Senior Planner, stated this request is for an approximately 4 acre tract of land located on the south side of SW Lee Boulevard, east of SW 52nd Street. The property owners are Cecil Powell and George Porter. The zoning of the surrounding area is C-5 to the north and west, R-1 (Single-Family Dwelling District) to the south, and C-1 (Local Commercial District) to the east. The site plan lists proposed uses as all uses in the C-5 district with the exception of

taverns and mixed beverage establishments. The applicants have been advised the site plan is binding if the request is approved, and any significant modification to the site plan would require a public hearing in accordance with Section 18-1-1-114.1 of the City Code. The City Planning Commission held a public hearing on this request on April 10 and April 24, 2014. During the public hearing, one person, Cecil Powell, 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. Notice of public hearing was mailed on April 22, 2014 to 13 property owners within 300 feet of the requested area, and proper notice was published in *The Lawton Constitution* on April 27, 2014. No calls or letters for or against the request have been received.

PUBLIC HEARING OPENED.

Cecil Powell (applicant), 1616 SW 52nd Street, stated the property is currently zoned C-2 and has been for the 43 years they have owned it. He is currently in the process of selling the property and found out that an eatery does not fall under C-2 zoning. Staff suggested he just go with C-5 rezoning. He has had two positive phone calls from the surrounding property owners.

PUBLIC HEARING CLOSED.

MOVED by Haywood SECOND by Wells to adopt **Ordinance 14-12**, waive the reading of the ordinance, read the title only. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-12

An ordinance changing the zoning classification from the existing classification of C-2 (Planned Neighborhood Shopping Center 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.

39. Consider an ordinance pertaining to business amending Section 7-24-3-2432, Division 7-24-3, Article 7-24, Chapter 7, Lawton City Code, 2005, by changing the required license for a taxicab driver's permit from a state issued commercial chauffeur's license to a state issued class D license, making the section gender neutral, providing for severability and establishing an effective date. Exhibits: Ordinance No. 14-__.

Tim Wilson, Deputy City Attorney, stated this is a clean up ordinance. Staff from the police department contacted him to advise him that this portion of the code was outdated. All that is required for a taxi permit is a Class D license. They are fixing the code and making this provision gender neutral.

Morford questioned if the current drivers have to do anything.

Wilson stated this has been out of date for a while and they probably just have the Class D license.

Jensen stated our ordinance is not going to be retroactive. We don't have any control over what they have to do as far as state law.

Mayor Fitch stated basically we are putting our ordinance in line with state statute.

MOVED by Wells SECOND by Haywood to adopt **Ordinance 14-13**, waive the reading of the ordinance, read the title only and establishing an effective date. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 14-13

An ordinance pertaining to business, amending Section 7-24-3-2432, Division 7-24-3, Article 7-24, Chapter 7, Lawton City Code, 2005, changing the required license for a taxicab driver's permit from a state issued commercial chauffeur's license to a state issued Class D license; providing for severability and declaring an effective date.

40. Discuss and provide direction on an ordinance pertaining to finance and taxation that would continue the one-half percent (0.5%) sales tax expiring December 31, 2014, and the three-eighths percent (0.375%) sales tax expiring June 30, 2015, by renewing both in the combined amount of seven-eighths of one percent (0.875%) for a period of eight (8) years beginning January 1, 2015; with the purposes of the revenues derived from the renewed sales tax to include (1) school facility/grounds improvements and vehicles for the Lawton Public Schools, (2) athletic field improvements on the Cameron University campus, and (3) capital improvements for the City of Lawton in the areas of public safety, roadway/bridge, water/sewer system, library/recreation and sidewalks; and with the requirement that all revenues and proceeds derived from the renewed tax be deposited and credited into the 2015 capital improvement fund of the City in accordance with the provisions of Title 11, Oklahoma Statutes, Section 17-109, to be used solely for the purposes set forth in the ordinance. Exhibits: Ordinance No. 14-__.

Jackson stated he has been involved with at least six capital improvement programs, five have been successful. Our CIP programs are the one thing that the City of Lawton, Lawton Public Schools and Cameron University has going for it that pays for big ticket items. We don't have money in the general fund to build new streets and roads, police station and courthouses, new water lines or upgrades to schools. These programs have been working since 1982. They think they have a good plan put together. There is a proposed eight year project list. On December 31, 2014 our current 1/2 cent sales tax is going to expire, in the past this has been dedicated to the school system and in June 2015 the 3/8 cent sales tax will also expire. Some on the council chose to combine those two issues because what we want to do with this CIP, we could not get there with having a five year program. This CIP program is intended to be a public safety issue with a new police station, courthouse and jail facility. They also worked with the fire department with upgrading their facility, new pumper trucks and completion of fire station #8. This is the most important issue with the city of Lawton. The next opportunity we will have is not until 2019, so we need to get this approved and the money out to those that desperately need it. There have been hours invested in this program and they want to make it fair and balanced that a lot of

people can benefit from. There is also money included for parks system, streets and road, upgrading water lines and a significant amount dedicated to Lawton Public Schools.

Burk stated public safety is something that he has been working on the seven years he has been here. They felt that they needed to address public safety and that meant more than just police and fire, it meant public works being able to do the things they need to do. They have been working on a public safety tax that would accommodate some of our needs. There is a real problem with the existing police and jail facility which was built in 1964. They have outgrown the facility and there are major issues with plumbing. He stated it would take millions to try and rehab a facility that they have already outgrown. There are also major issues in the annex which houses municipal court. He stated Fire Station #1 also has real issues. There is apparatus that will hardly fit in the station. These are facilities where there is no other option other than a CIP to be able to address these issues. They also need to finish Fire Station #8 on the southwest side of town. We also need fire trucks and police cars and this is the only way we are going to be able to acquire vehicles at the rate that we need. He stated with the proposed road projects, we finally have ODOT on board to say it is in their plan and we will have to have the money for our percentage or we will lose out on multi million dollar road projects. He feels they put together a pretty good proposal that included a lot of people who are deserving of some help with these projects.

Mayor Fitch stated he would like to hear from Councilmember Wells since he and Councilmembers Jackson and Burk put this proposed plan together.

Wells stated that yes the three of them met, but the whole council was interested in public safety and no one had agreed to anything at this point. His understanding when they first met is that the City Manager met with department directors and they were provided a list of what the department directors thought their priorities were. This proposed list is pretty much that list with this exception, there was some things done that moved some money around so that there would be a little bit of money in the general fund and they didn't think that was right or that the public would support that. They pretty much accepted the project list that he assumed the departments said were their priorities. He stated the jail is in terrible shape and it would cost millions of dollars to just do repairs. He stated they are trying to help public safety as much as possible. He feels the program that is being recommended is the best they could come up with the amount of money we have available to take care of our immediate needs. He complimented Jackson and Burk for the fine job they did working on this and he hopes the rest of the council understands that although they may not like everything they have to do, sometimes it is necessary just to make sure they have good support throughout the community.

Jackson stated Lawton is a medium sized community and we exist on what this community can come together to help finance.

Bellino-Hall stated she understands the importance of education, however, she cannot give Cameron University money for lights in the park or \$12 million to Lawton Public Schools. We are cutting the pie too small. The number one concern she has is public safety. If you ask the community or the military, Lawton is unsafe and that is why they go to Elgin or Cache. We need a community where people want to live and want to move back to. The perception of this

community is that it is an unsafe place to live and people will not move here or live here and your children will move out. She stated she attended the Citizens Police Academy and it was an eye opener. Our police department is under funded with poor equipment and we do not pay our police officers enough for what they do. We are letting our officers work in draconian situations, who would want to take a job here and have to work in that environment. We desperately need a new police station and jail and we can't cut this pie too small and that is where we need to put our money. We have a lot in this city and we need to be careful where we spend our money, our primary responsibility is public safety and that is where we need to be putting our money. She cannot support this CIP the way it stands, she feels they need to look at the safety of this community. We cannot be a viable community in the future if we do not address public safety.

Morford stated it seems that this may be the most important CIP and budget year that we have ever had. We are trying to become a big city and we are just not there yet and with that we have limited income and there is no where for it to come from. Last year we cut back and the sales tax has only improved a little. He suggested they look at putting a little in for operating expenses. If they want to give the police, fire and general employees a raise it is going to have to come from someplace like this. It is important that they keep the sales tax below the 9%. He feels they need to get a committee working on a plan regarding the issue of water.

Jackson stated you cannot use CIP money for the general operating budget. It is something that will be sunk into day to day operations and it will be lost forever. Our CIP program is the only thing we have to pay for big ticket items.

Morford questioned if that was law.

Jackson stated no, that was his perception. He stated in this CIP program there is money for staff to explore well water and reuse water. He stated it is underway to explore alternative sources. The state of Oklahoma is looking at legislation to where we may be able to use reuse water someday.

Haywood stated he works for the school district and he does not let board members of the school district tell him how to vote. He stated Lawton Public Schools cannot go out on their own when it comes to sales tax, they have to come to the City of Lawton. We were the first city in the state to give sales tax to the schools. Public safety is key, but if you don't have good schools and universities, you have a problem. He stated Cameron University has a baseball and softball field without lights and they could not have tournaments. How could we tell the school district that we are going to cut them? Let the school district go out on their own and he would bet that theirs would pass. He stated he will not support anything that does not include Lawton Public Schools and Cameron University. They need to do what is right for all the citizens.

Zarle stated he was concerned that we didn't include the fourth floor of this building. It will be a long time before we can finish the top floor of this building. He stated he does not know what the cost would be but we need to finish some of these projects we have started before we start taking off on a bunch of new ones.

Wells stated he would like to address Councilmember Morford's question about operations. In the early 1980's we had a two cent CIP program and our operations got into problems and we started using some CIP money for it and then the citizens voted down a CIP program. We were able to explain the need for operational money and then the citizens voted to take one cent of CIP money and make it permanent operations money. If you take this program or any other program and take some money out of it for operations on a temporary basis, you are building a false budget because anytime the citizens could cancel that CIP program and you no longer have that money coming in that you have built in your budget. It is not advisable to take it out of CIP.

Jackson stated the city council has been discussing this for a number of months and we have been sidetracked a couple of time. They jumped in and supported the school bond election so that delayed the project. The state has mandated dates that we can hold elections and currently with the days we have to advertise for the ballot issue we would only qualify for an August election. If they can move on it tonight, it can happen in August. For some reason if this failed they wanted the opportunity to come back again in November. We don't want that to happen. August is the first and last opportunity to pass this CIP project list.

Burk stated they have had multiple meetings with Lawton Public Schools and they have been gracious enough to work with us and met us in the middle. Cameron University is a huge player and they have asked for a small project. He just cannot vote to not include Lawton Public Schools and Cameron University. We need this to be a community CIP. This does not raise the tax at all it is an extension. He appreciates everyone that has worked on this.

Bellino-Hall stated she cannot buy lights for Cameron University when she sees what the police department has to live with.

Wells stated this is an extension, we are not asking citizens to approve a new tax. He stated he is going to talk against the county sales tax proposal because they are asking us to increase our sales tax. He stated 9% sales tax rate would be a disaster for the city.

Bellino-Hall stated she agrees. We are trying to be a retail center for Southwest Oklahoma and if we go to 9% people will shop somewhere else. We need that sales tax to run this city.

Wells stated the county needs to look at what we did last year when we cut about \$4 million out of our budget.

Mayor Fitch stated he does not disagree, we have helped the Lawton Public School system to two five year ½ cent sales tax and now this one which will be \$12.5 million for fifteen years, which is \$65 million that the citizens of this community have paid to the school system for capital improvements. Cameron University was awarded about \$2.5 million when they built the CETES Center by the City of Lawton. We have McMahon ballparks that McMahon has given to the city and funded and they need about \$150,000 - \$200,000 worth of upgrades and repairs and it seems like the things that are given to the city by the McMahon Foundation, we seem to let them deteriorate. He stated McMahon Auditorium needs a new roof, it needs a HVA system, we have money in this program for that. Everybody up here on this council is so appreciative of what McMahon Foundation has done for this city and yet we don't take care of some of the

assets that they have provided for us. Conversations have taken place and the commitment is oral to the schools for the \$12.5 million and to Cameron for the \$360,000. He stated his concern with the schools is they need to raise their mil levy, they are way below the state average. They need to get bond issues passed. This last ½ cent sales tax they spent appropriately, they spent it very well in the areas that were very much needed, but the school system needs to stop relying on the sales tax from the City of Lawton. He stated we have two sources of income for the City and that is through sales tax and our utilities for all the services we provide. We all need to be viable entities for the success of this community and the citizens within this community. He stated he does not have a problem with this CIP, the only problem is that it is a public safety sales tax issue. We have about eight communities in the State of Oklahoma that have a public safety sales tax and as Councilmember Morford outlined, money in these ordinances can be adapted to this sales tax issue and put into the general operating fund. We have police officers that are under paid, we have fire men that are under paid, and we have all of those that can go to another city and start at about a 5-10 year level than what we start them at here. We have got to take care of our people. We have got to narrow that gap of starting wages across the board, not just fire and police, but our general employees. You have to take care of your employees because they are the ones that are taking care of you and making this city prosperous. He stated they have a plan that was put together and he is going to ask for a public participation council meeting next Tuesday night. He stated they have two or three more council meetings before they have to have a deadline to get this on the election. Public safety and education are probably the two most important things within this community. We have excellent educational facilities, we need some work in our public safety and it's not just in building buildings or buying police cars or fire trucks, it's getting the right people employed to operate and man those facilities. He stated he would like to have the support of the council to have a special council meeting next Tuesday night at 6:00 p.m. to line out this proposal. He stated staff will have a handout for the council for other things to look at and that will be made public and will be part of the agenda for next week.

Wells stated next Tuesday is General McDonald's farewell event as well as the school board meeting.

Mayor Fitch stated there are four events for General McDonald. This is something that is very important to this community.

Bellino-Hall stated this needs to be opened up to the public to hear what they want.

Wells stated the Mayor said there would be a handout tonight but no councilmember has seen it yet and they don't have any idea what it is. He questioned why.

Mayor Fitch stated the meeting can be moved to Wednesday, May 21st at 6:00 p.m.

Jackson requested that the proposed CIP program that they put together be placed on the agenda also.

Mayor Fitch stated both plans will be available.

Wells questioned whose plan this is.

Mayor Fitch stated the City Manager.

Wells stated he is surprised that the city council, which is the governing body, knows nothing about something that is going to be passed out.

Mayor Fitch stated a lot of it was his input because he is adamant about taking care of our employees and that has to be addressed.

Haywood questioned if he was talking about all employees.

Mayor Fitch stated yes.

Long stated this is a matter of transparency and he encouraged the public to come and speak on the issue. He stated this should not be a surprise to the council. He has stipulated with them time and time again that he does not agree with this plan. It is not that he disagrees with what is in the plan, but he does give the council regulatory advice and we need to have this discussion.

ADDENDUM:

1. Consider ratifying the approval of an addendum dated March 7, 2014 and a second addendum dated April 15, 2014 to the Single Audit Engagement Letter Dated June, 24, 2013 between the City of Lawton and Arledge & Associates, P.C. for the 2013 annual audit as previously executed by the Finance Director and Mayor. Exhibits: March 7, 2014 Addendum to the Single Audit Engagement Letter and April 15, 2014 Addendum #2 to the Single Audit Engagement Letter.

Brooks Mitchell, Finance Director, stated the first addendum is to add Lawton Enhancement Trust Authority (LETA) to the City of Lawton audit so it would be included this year and the second addendum had to do with additional audit procedures that were going to be required for two of the other trusts, Lawton Urban Renewal Authority (LURA) and Lawton Economic Development Authority (LEDA).

MOVED by Burk SECOND by Jackson to ratify the approval of an addendum dated March 7, 2014 and a second addendum dated April 15, 2014 to the Single Audit Engagement Letter Dated June, 24, 2013 between the City of Lawton and Arledge & Associates, P.C. for the 2013 annual audit as previously executed by the Finance Director and Mayor. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

COL Waters stated he is looking forward to the Armed Forces Day parade this weekend.

Tanner stated he would like to thank LETA and Neighborhood Services Division for putting on a very successful Fresh Paint Day.

Bellino-Hall thanked everyone who participated in Fresh Paint Friday and Trash Off. She stated Tony Griffith really deserves a hand. She thanked Lawton Fire Department for helping her at Trash Off.

The Mayor and Council convened in executive session at 8:12 p.m. and reconvened in regular, open session at 8:50 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

41. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending tort claim of East 75th Water Association, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #41.

MOVED by Wells SECOND by Haywood to deny the damage claim filed by the East 75th Water Association. AYE: Morford, Jackson, Bellino-Hall, Burk, Tanner, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

42. 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

Jensen read the title of item #42. No action was taken.

There being no further business to consider, the meeting adjourned at 8:52 p.m. upon motion, second and roll call vote.

FRED L. FITCH, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK