



City of Lawton
**Lawton Economic
Development Authority**

Lawton City Hall
212 SW 9th Street
Lawton, Oklahoma
73501-3944

Minutes

Thursday, November 20, 2025

2:00 PM

**Lawton City Hall
3rd Floor Conference Room**

Meeting Called to Order and Roll Call

"Official action can be taken only on items which appear on the agenda. The Authority may adopt, approve, ratify, deny, defer, recommend, or continue any agenda item. The Authority may also propose and enact floor amendments to any matter presented before them. When more information is needed to act on an item, the Authority may refer the matter to City Staff. Under certain circumstances, items are deferred to a specific later date or stricken from the agenda entirely."

Chairman Fitch called the meeting to order at 2:00 PM in the 3rd floor conference room of City Hall.

ROLL CALL:

PRESENT: Fred Fitch, David Madigan, Larry Neal, George Gill, Mark Brace, Ron Nance, Randy Warren, Brandie Page

ABSENT: Jason Hensley (excused)

OTHERS PRESENT: Richard Rogalski, LEDA Executive Director; John Ratliff, City Manager; Timothy Wilson, Interim City Attorney; Tammy Branstetter, City Clerk's Office; Michaela Bertoch, Public Utilities Department; Matthew Modeste, Hatch, Croke & Associates; Kim McConnell, Lawton Consitution

Statement of Compliance with Oklahoma Open Meeting Act, 25 O.S. 301-314

Chairman Fitch confirmed with Branstetter that the meeting notice and agenda were posted by the City Clerk's Office as required by State Law.

Business Items

1. Consider approving the minutes of the October 23, 2025, meeting.

A copy of the minutes from the October 23, 2025, meeting may be obtained from the City Clerk's Office upon request.

Motion by Warren, **Second** by Brace, to approve the minutes from the October 23,

2025, meeting as presented. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

2. Consider approving the September 2025 Financial Report from Hatch, Croke and Associates.

Matthew Modeste, Hatch Croke and Associates, presented the September 2025 Financial Report. A copy of the September 2025 Financial Report may be obtained from the City Clerk's Office upon request.

Modeste said the financials will start on page 18 of your agenda packets. We look at the statement of net position on your current assets. You have your seven bank accounts, which totaled \$6.7 million. Interest receivable from BOK, all of that was received in October, \$576.80. Property tax receivable, that is September's property tax, which was received in October. No change in the AR state matching number, so that gives you total current assets of \$7,274,553.51. No change in total fixed assets, no change in other assets, so your total assets are \$11.8 million. On the next page, page 19, you'll find your liabilities and net position. Total current liabilities are \$67,691, which is made up of your accounts payable and accrued interest payable for your note. There was one note payment made in September, totaling \$2,083,492. Because of that, the principal portion of that under the long-term liabilities, the note payable, truist financial, was reduced by \$1,805,000. No change in any of the other long-term liabilities listed. So, your assets less your liabilities gives you a net position of negative \$14.95 million. On page 20, you'll see the combined statement of revenue and expenses. The hotel and motel tax for August was received as \$27,431. Property tax, which was September's property tax, was \$12,346, giving us total revenue of \$39,777. For operating expenses, total operating expenses were \$144,854, and interest income for the month was \$13,215. This gives us a decrease in the net position of \$91,861.79. Page 21 is your statement of cash flows. If you look at the bottom of the page, you'll see that we had a net decrease in cash of \$2 million — the majority of that was the note payment, which was made. So, if you add that to the cash at the beginning of the period of \$8.7 million, that gives you cash at the end of September 30th of \$6.7 million. Pages 22 to 26 of your agenda packet detail the combined expenses that we listed out on page 20.

Madigan asked does it make any sense at all when we're looking at our—I'm going to call it the balance sheet, the statement of net positions—to create a year-over-year analysis? Because on the income statement, we do that, but for the balance sheet, does anybody else want to see the progress of the loan paid down and the cash on hand year over year?

Warren said it would be nice to see the progress.

Modeste said you also can see all those changes, for instance, if you look at page 21, you can see your increase or decrease in your current assets, and your increase or decrease in your current liabilities for the month and for the period.

Madigan said yes, but what I'm talking about is the prior year(s).

Modeste said maybe at the end of the year or something. It would have to be generated outside of the system for the prior year, but I'll discuss with Scott and see.

Richard Rogalski, LEDA Executive Director, said you guys had asked me a little bit about some sort of documentation along those lines, and I'm working on it. I was going to basically do it for your 2026 budget year. I'd kind of give you a year where we forecast what the amounts are going to be coming in. We can kind of put that together a little bit, and then try to tie that back to your cash assets. Maybe we can work with Matthew on something. I don't know what next year is going to be because I'm not sure how Westwin will be assessed. TIF 4 and TIF 3 are your only two steady earners, and we know what those earn — that's about \$1.5 million in revenue, and once I see how the county assesses those other ones, I'll know what to expect. Then, we'll put all that together.

Motion by Madigan, **Second** by Warren, to approve the September 2025 Financial Report as presented. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

3. Receive a report from the City of Lawton Department of Public Utilities and consider approving Pay Application 007 from Fisher59 Properties in the amount of \$33,823.44 for the cost of public improvements associated with the construction of a new warehouse and distribution center made in accordance with the First Amended Redevelopment Agreement between LEDA and Fisher59 Properties, approved on January 14, 2025.

Michaela Bertoch, Public Utilities Department, gave a report regarding Pay Application 007 from Fisher59 Properties. A copy of Pay Application 007 from Fisher59 Properties may be obtained from the City Clerk's Office upon request.

Bertoch said we have Pay Application 007 for the amount of \$33,823.44. Joe Castillo is our inspector on this job. He goes out there all the time to make sure they're doing everything how they should. This one is for site utilities and earthwork that they're doing out there. We're about 42% complete with the job. This week they've been out there at three and four in the morning pouring concrete on the roads, so it's come along.

Gill said I like to look at the amount of money against the percentage of the work completed. You can derive a pattern there that should be at least for certain parameters.

Motion by Gill, **Second** by Nance, to approve Pay Application 007 from Fisher59 Properties. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

4. Consider approving the First Amendment to the Purchase and Sales

Agreement dated effective as of July 17, 2025, between the Lawton Economic Development Authority and JAA Armada Acquisitions, LLC, for Lot Eight (8) of Block One (1), LAWTON DOWNTOWN CENTER, PART 2, to provide that the periods for both the First Inspection Period Extension and Second Inspection Period Extension shall be ninety (90) days rather than thirty (30) days.

Rogalski provided background information on this item. A copy of the First Amendment to the Purchase and Sales Agreement dated effective as of July 17, 2025, between the Lawton Economic Development Authority and JAA Armada Acquisitions, LLC may be obtained from the City Clerk's Office upon request.

Rogalski said we are still under a non-disclosure agreement regarding the affinity of the grocery stores they're working with, but I can tell you that they are working with the grocery stores — they're working very hard. With this agreement, what's come up is - we spoke to the developer and their broker, and Ted was on the call, and they all kind of agreed on this situation, that there's been some changes in the grocery store industry. There's been some acquisitions going on. Companies that were moving forward are now suddenly on the block for sale and that sort of thing. While this is happening, it's kind of delayed people making decisions. So, they requested to extend the timeline. We had a very detailed conversation with them, and they are working very hard. I was impressed by the amount of effort they're doing and the detail they gave us. With this extension, they're still putting down the \$5,000 nonrefundable deposit for the extension, but rather than a 30-day extension, they're requesting a 90-day extension. The second one would be the same — \$5,000 deposit, and it would be a 90-day extension. That's what this amendment does. I believe that it's a prudent thing to do. This is the best deal we've had for a long time, and they are working, like I said. This is a group that's connected and working very hard to get this project done.

Chairman Fitch said they're getting closer to the ICSC meeting in February, and they would like to have the opportunity to go and talk to people at that point in time and not be rushed from us. So this will incorporate that to where they will have plenty of time to do that. Because they're not just looking at grocery stores, you know, they're talking about buying that entire tract, and there's been talk about extending or adding some more retail to that area. These are good guys. I've known one for quite a few years. He was with Sooner Investments years ago, and I had met him and his son both. They're good people and he's a hard worker. So I'm very comfortable with the extension. I don't have any problem with it. And I think it's a good thing that we work with him as closely as we can.

Motion by Warren, **Second** by Gill, to approve the first and second inspection period of the First Amendment to the Purchase and Sales Agreement dated effective as of July 17, 2025, between the Lawton Economic Development Authority and JAA Armada Acquisitions, LLC. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

5. Review a memorandum from the Center for Economic Development Law regarding a Compliance Review under the Economic Development Agreement with Republic Paperboard Company, LLC, dated December 1, 2019, and consider making a determination regarding Republic's compliance with the Economic Development Agreement and the amount of assistance to be provided to Republic in accordance therewith.

Rogalski provided background information on this item. A copy of the memorandum from the Center for Economic Development Law regarding a Compliance Review under the Economic Development Agreement with Republic Paperboard Company, LLC may be obtained from the City Clerk's Office upon request.

Rogalski said for this item, I'm going to ask that you take no action. There's an issue. So what happened is, Lisa Harden and I were kind of working on this at the very tail end of this week, because all the numbers, I have all the certifications, the math all worked. We were looking at something that was a little bit of a discrepancy. And so we actually called the finance director at Republic. And unfortunately, we had an apple as the base year and oranges as the five years we were comparing them to. And so we need to have all apples or all oranges. And so we're working with them on getting that. So, the analysis is no longer complete because we found there was an error. What I want you to know for sure is their 2024 wages requirement is \$2.16 million of additional wages. They're at \$3.8 million, so they're beyond the threshold today. But what this thing does is it averages over five years, so that's why we need to look at that a little better.

Rogalski said the other thing is their minimum employment requirement was originally 145, their minimum was 165, and right now, they're at 183. Those are real numbers—so it's not a matter of them not doing what they're supposed to do. It's a matter of us getting the math right. It's been a very successful project. You've seen that your TIF revenue coming in on this project has exceeded expectations. So, this is a great project.

Chairman Fitch said we will take no action. This will be brought up in the next meeting, hopefully. It should be resolved by then.

No action was taken on this item.

Reports

1. Receive a report from the LEDA Executive Director
 - a. Lawton Downtown Economic Development Plan
 - b. State Match and Council Policy 04-07
 - c. STEM procedures and policies
 - d. Residential redevelopment program

Rogalski discussed the Lawton Downtown Economic Development Plan. Rogalski said that's proceeded very well. The last public hearing before the City Council is scheduled for December 2nd. The notice went out, so we're set on that one.

Rogalski discussed the state match and Council Policy 04-07. Rogalski said you saw in there you had an AR for the state match — we haven't sent that off yet. As we were getting the data together, it was brought to our attention that there's a Council Policy 04-07 that was approved in January of this current year. It has to do with directing how use tax is apportioned. And so we're resolving all that before we can get that state match out. And so I'm just letting you know that's underway. You'll probably see a resolution going to City Council that clarifies and sets that, so we know what we're supposed to do, and then we do that. And just so you know, use tax is not a tremendous amount. I think the total use tax is in the range of \$24,000 every six months, so it's \$48,000 a year total. So it's not a giant number, but it's still got to be done correctly. So it is delaying our state match application because we need to make sure we get the right one in. Rogalski noted that use taxes are separate from sales taxes in state statute, so they are not automatically part of the CIP. However, council policy said, "well, to put more money in the CIP, we're going to go ahead and on our own decide to separate that use tax with 2.18% going to the CIP." So that was sort of like an elective distribution. And so we have to make sure all the legalities are together so that whatever the Council wants, that's what we do. The reason we would argue with Council on this particular item is that if you leave it with us, we get a state match — we double the money. If you take it, you get just that money. You get \$24,000 a year to a \$340 million CIP. But if you leave it with us, I can make it \$48,000 a year. So, I don't think it's resolved. I think it's one of those things that we want Council to act on, and then we work it out.

Rogalski discussed STEM procedures and policies. Rogalski said we've completed kind of the first full year of our STEM program. A little rocky — it's a brand new thing for everybody. Donalynn has done a great job in the City Clerk's Office of working on some of the policies, so we're basically trying to create some better policies for next year. It sort of has to match the school year a little bit with how these things are done, because Lego Leagues match the school year, and we're just trying to do it so it's a little more user-friendly.

Rogalski discussed the residential redevelopment program. Rogalski said that's been one of those things we've talked about a few times—that LEDA would be managing a residential redevelopment program at some point. There's money in the CIP for that. So, I'm just letting you know we're working on some standards and things like that. There's a lot of interest in building a lot right now, and obviously the interest is in affordable housing, which is not easy to do. But I do think that there are some products out there that just might work out and be something where people invest and build a new home in a neighborhood where typically people wouldn't invest in new home construction because they feel like they're not going to get their money out. So, I think there's a lot of that going on, and it's kind of an exciting time. I think we're going to be able to rebuild some of these neighborhoods. So, that's a great deal.

Chairman Fitch asked with some of these areas that we are getting some blocks that could be buildable, are we looking at a situation where maybe there would be some other areas of houses that we could tear down and make a bigger area for building?

Rogalski said absolutely. There are multiple programs going on out there. The Lawton Urban Renewal Authority recently commissioned a blight study. LURA has an active Urban Renewal Plan in the downtown area — there's actually D6, the Civic Center and Downtown I. There are three urban renewal plans that are all connected, so they look like one. This body along with the LURA, about 15 years ago or more, did a major program. The Lawton Town Center was an urban renewal economic development incentivized program. So the question is, where to go? How to do? And has blight receded, or is blight increasing? And actually, I think the downtown is holding its own pretty well. From my look at the study, the study was presented to the LURA in its final form, I think last month. And the expectation is that the Lawton Urban Renewal Authority will maybe look at expanding someplace. I can tell you one place that somehow needs to be acquired and cleared is south of the railroad tracks, south of the mall, because I think the whole neighborhood is a floodplain. And so the best thing to do is clear all that off. And I mean, I've kind of thrown this idea out for the last, I think, 15 years — Numu Creek is a wet creek. It runs. It's kind of spring-fed. Clear it all out, and you build a real channel. You put in cofferdams, just like they did in Oklahoma City, and all of a sudden, you have a waterpark or riverwalk. And so it's a big idea, but you never get there if you never start. But if you start with a big idea, someday you might get there.

Gill said quite a bit of that is in the federal floodplain, and so there are things you have to do, but it would make a good water park naturally. You can't build on a lot of that now. If you tore it down, you couldn't really go back and do low income housing because of those federal restrictions.

Rogalski said what happened is that the water was channeled under the road, but then the underground culvert doesn't have capacity, so then it flows above the road. Well, that's extremely inefficient because it's flowing in people's front yards and around their houses. If I clear that up and channelize it, I can make it much more efficient, and I can reclaim a lot of that ground, but it's an expensive project.

Executive Session

Motion by Warren, **Second** by Neal, to convene in executive session. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

The Authority convened in executive session at 2:30 PM and remained in executive session until 3:17 PM.

Motion by Gill, **Second** by Page, to return to session. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

1. Pursuant to Section 307(C)(11), Title 25, Oklahoma Statutes, consider convening in executive session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, and the creation of a proposal to entice a business to locate within their jurisdiction if the public disclosure of which would violate the confidentiality of prospective business entities, and in open session, take action as necessary.

No action was taken on this item.

Adjournment

Motion by Gill, **Second** by Page, to adjourn the November 20, 2025, meeting. **AYE:** Gill, Warren, Madigan, Brace, Nance, Neal, Page, Fitch. **NAY:** None. **MOTION PASSED.**

There being no further business to discuss, the meeting was adjourned at 3:18 PM.