



City of Lawton

City Council

MINUTES

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

Wednesday, January 17, 2024

1:30 PM

**Lawton City Hall
Council Chambers/Auditorium**

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

**MEETING CALLED TO ORDER WITH INVOCATION BY PASTOR BOB WEGER,
FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

ROLL CALL

PRESENT:

- Mary Ann Hankins, Ward 1
- Kelly Harris, Ward 2
- Linda Chapman, Ward 3
- George Gill, Ward 4
- Bob Weger, Ward 6
- Sherene Williams Ward 7
- Randy Warren, Ward 8

ABSENT:

- Allan Hampton, Ward 5

ALSO PRESENT:

- Stanley Booker, Mayor
- John Ratliff, City Manager
- Tim Wilson, Interim City Attorney
- Donalynn Blazek-Scherler, City Clerk
- COL James Peay, Fort Sill Liaison

BUSINESS ITEMS:

1. Consider approving a resolution amending the City of Lawton FY23-24 budget, as amended, by appropriating \$10,354,329.94 to the ARPA grant account from the income replacement fund received in prior years and the Lawton Water Authority to fund the acquisition and improvement in the operation of the water system at Lake Lawtonka.

Wilson explained that the budget amendment is necessary now that the authority has approved the purchase of improvements at School House Slough. The amendment will update the City's budget to facilitate the payment process.

Dunham explained that the ARPA grant is intended to allocate funds for improvements in the industrial development area of Lawton. He noted that the money is available but was never previously budgeted for this purpose. He emphasized the need to allocate the funds now so Rusty can continue his project in the area.

Mayor Booker asked if these were the same funds originally designated for the sports complex, which were later redirected to Westwin.

Dunham confirmed that these are the funds initially allocated for Westwin, but they were returned after being repurposed.

Ratliff asked the City Attorney if the Floyd Law Firm had provided input on the expenditure of ARPA funds.

Wilson responded that he believes the matter was discussed with Lynn. He explained that the idea of using ARPA funds for this expenditure is not new. It was first brought up during discussions about the amended redevelopment agreement in August, at which point the decision was made to consider ARPA funds instead of the CIP funds originally allocated in the redevelopment agreement. He confirmed that Lynn is aware of this decision.

Dunham confirmed Wilson's statement.

Whisenhunt confirmed it as well.

Williams asked how much was given back from Westwin.

Dunham stated it was \$10,354,329.94.

Wilson stated that the ARPA funds must be spent by a specific deadline. Therefore, carrying out the work that Whisenhunt had planned would ensure compliance with that deadline.

Gill wanted to clarify that the \$10,000,000 plus is allocated for infrastructure in the area, which includes Westwin.

Wilson clarified that approximately \$7 million is allocated for infrastructure, while the \$2.9 million is designated for the purchase of the School House Slough, which is not funded by ARPA money.

Whisenhunt explained that the Westwin project encompasses the Phase I Waterline project, which includes the design and pre-purchase of materials for Phase I. Additionally, it involves the design for the Phase II project, which focuses on the sewer system to support the site, as well as other water infrastructure improvements for the entire industrial area.

Mayor Booker wanted to clarify that the \$10,354,329.94 is not entirely ARPA funds. Of that amount, \$2.9 million is being sourced from loan proceeds to purchase School House Slough.

Dunham confirmed that was correct.

Mayor Booker said that brings up another question because we had approximately \$9.5 million that was dedicated to the Westwin incentive that was returned at the end of that contract period. The \$2.9 million off of here leaves something about \$7.7 million and there was \$9.5 million, so where is the rest of that and what is the plan to properly allocate that in the given time.

Dunham stated that the funds are still sitting in the accounts and have not yet been allocated for expenditure. Once an expenditure is outlined in the plan, he believes the money will be used for developing infrastructure, including water and sewer lines to the industrial site. He added that he anticipates Whisenhunt will need the full amount, though it has not all been allocated yet.

Mayor Booker asked Whisenhunt if this information was accurate.

Whisenhunt confirmed that it was.

Mayor Booker then asked if he expected to reallocate the remaining ARPA funds for infrastructure to the industrial park.

Whisenhunt confirmed that was correct.

Harris stated in section two it says that the City Council does here by amend the budget by \$2,940,000.00 \$940,000.00 of which we need to fix that. It should say \$2,940,000.00 it should say

\$2,000,940.00 to fund the acquisition and improvements of the operations of the water system that provided the benefit to the Lawton Recreational facilities at School House Slough. What is the water system that we have to improve?

Dunham stated that the language in the resolution was provided by the bond attorney. The \$2.9 million approved in the Water Authority meeting is the amount borrowed to be paid for the purchase of School House Slough.

Harris asked if that meant the money wasn't actually going to the water system, but rather to purchase School House Slough.

Wilson explained that, in a broad sense, the water system encompasses the lake and everything associated with it, including the School House Slough area and the improvements being made there.

Harris remarked that the explanation was a bit broad.

Wilson responded that the language was provided by the bond counsel.

Motion by HARRIS, Second by WARREN, to approve a resolution amending the City of Lawton FY23-24 budget, as amended, by appropriating \$10,354,329.94 to the ARPA grant account from the income replacement fund received in prior years and the Lawton Water Authority to fund the acquisition and improvement in the operation of the water system at Lake Lawtonka. AYE: Hankins, Harris, Chapman, Gill, Weger, Williams, Warren. NAY: None. *Motion Passed.*

2. Approve and ratify the action of the Lawton Water Authority in approving a "Purchase and Sale Agreement and Settlement Agreement" between School House Slough, Inc. and the Lawton Water Authority in the amount of \$2,875,000.00.

Wilson stated that this is simply an action item for the Council to ratify the decision made by the Lawton Water Authority regarding the purchase and sale agreement with School House Slough, Inc., which the Water Authority just voted on about 10 minutes ago. The reason it's being brought to the Council is that, when the lease was established between the Water Authority and School House Slough, Inc. back in 1997, the Water Authority was the lessor, and School House Slough, Inc. was the lessee. The City was listed in the lease as the beneficiary and had signed the lease. Therefore, it seemed appropriate for the City Council to approve and ratify the action.

Motion by WARREN, Second by HARRIS, to approve of the Lawton Water Authority in approving a “Purchase and Sale Agreement and Settlement Agreement” between School House Slough, Inc. and the Lawton Water Authority in the amount of \$2,875,000.00. AYE: Hankins, Harris, Chapman, Gill, Weger, Williams, Warren. NAY: None. *Motion Passed.*

ADJOURNMENT 1:52 PM

Motion by GILL, Second by CHAPMAN, TO ADJOURN THE MEETING OF January 17th, 2024. AYE: Hankins, Harris, Chapman, Gill, Weger, Williams, Warren. NAY: None. *Motion Passed.*

There being no further business, the meeting adjourned at 1:52 PM.