

MINUTES
LAWTON CITY COUNCIL SPECIAL MEETING
DECEMBER 18, 2020 – 10:00 A.M.
LAWTON CITY HALL
COUNCIL CHAMBERS/AUDITORIUM

Jay Buk, Mayor Pro Tem

Also Present:

Richard Rogalski, Acting City Manager
Tim Wilson, Interim City Attorney
Traci Hushbeck, City Clerk

Mayor Pro Tem Burk called the meeting to order at 10:00 a.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Charles Barnett, followed by the Pledge of Allegiance

ROLL CALL

PRESENT:

Mary Ann Hankins, Ward One
Linda Chapman, Ward Three
Jay Burk, Ward Four
Allan Hampton, Ward Five
Sean Fortenbaugh, Ward Six
Onreka Johnson, Ward Seven
Randy Warren, Ward Eight

ABSENT:

Keith Jackson, Ward Two

The Mayor and Council convened in executive session at 10:03 a.m. and reconvened in regular, open session at 10:41 a.m. Roll call reflected all members present.

EXECUTIVE SESSION ITEM:

1. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, authorizing executive sessions for the purchase or appraisal of real property, consider convening in executive session for the purpose of discussing the possible purchase and/or appraisal of real property for use as FIRES Innovation Science and Technology Accelerator (FISTA) facilities, and if necessary, take appropriate action in open session. Exhibits: None.

Wilson read the title of item #1.

MOVED by Warren SECOND by Chapman to amend the Agreement approved by the City on October 16, 2020 for the purchase of Central Mall by: 1) Ratifying the First Amendment extending certain deadlines, and 2) Approving a Second Amendment to the Purchase Agreement providing: a) that the closing on the purchase of Central Mall shall occur on January 5, 2021,

with the Seller scheduling that date for closing with the Chicago Title Insurance Company; b) that in addition to the existing credit of \$250,000 deposited with the Escrow Agent as earnest money, Seller agrees to a credit of \$150,000 towards the purchase price as compensation for the condition of the HVAC system in the Sears building; c) that rents payable by tenants for the rental period of December 1 through December 31, 2020, are and will remain payable to the Seller; d) that rents payable by tenants for the rental period of January 1, 2021 through January 31, 2021, are assigned to and will be payable to the Buyer irrespective of the closing date after January 1, 2021, with the rental payments being paid directly to the Buyer; and e) that all rents listed on the Rent Roll provided by the Seller to the Buyer as of December 11, 2020, in the amount of \$914,150 are assigned to and will be payable to the Buyer whether the rents are collected by the Seller before the closing or the Buyer after the closing; and authorize execution of the Amendment by the City's authorized signatories. AYE: Burk, Hampton, Fortenbaugh, Johnson, Warren, Hankins, Chapman. NAY: None. MOTION CARRIED.

There being no further business to consider, the meeting adjourned at 10:44 a.m. upon motion, Second and roll call vote.

JAY BURK, MAYOR PRO TEM

ATTEST:

TRACI HUSHBECK, CITY CLERK