

MINUTES
LAWTON ECONOMIC DEVELOPMENT AUTHORITY
3RD FLOOR CONFERENCE ROOM
NEW CITY HALL
NOVEMBER 17, 2022 2:00P.M.

Fred Fitch, Chair, called the meeting to order at 2:09 PM. in the 3rd Floor Conference Room. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

ROLL CALL:

PRESENT: Jason Hensley, Fred Fitch, Sean Fortenbaugh, Randy Warren, David Madigan,
David Means, Larry Neal, Ernest Sheppard

ABSENT: Ron Nance

OTHERS PRESENT: Joe Don Dunham, Financial Services Director, Susan Schlecht, Financial Services; Michael Cleghorn, City Manager; John Ratliff, City Attorney; Kim McConnell, Lawton Constitution

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

Chairman Fitch verified the posting of notice and agenda in compliance with the Oklahoma Open Meeting Act with Blazek-Scherler.

Introduction of Guests

No guests to introduce.

Business

1. Consider approving a proposed Annual Meeting Notice for Calendar Year 2023.

Motion by Warren, **Second** by Means, to approve the Annual Meeting Notice for Calendar Year 2023. **AYE:** Fortenbaugh, Warren, Madigan, Means, Neal, Sheppard, Hensley, Fitch **NAY:** None.
Motion Passed.

2. Consider approving opening an escrow account at Arvest Bank to hold the remaining mortgage debt from CDBL Construction pertaining to the property located at Lot One (1), Block One (1), Lawton Downtown Center, Part Two (2), an addition to the City of Lawton, Comanche County, State of Oklahoma, according to the recorded plat thereof, recorded in Plat Book 7, Pages 10-10B, as Document No. 2013000649 in the office of the Comanche County Clerk, Oklahoma, commonly referred to as the Bricktown Brewery location.

Chairman Fitch stated this is the escrow account that we discussed at our last meeting. At the closing for Bricktown Brewery, the \$97,356.96 was to be deposited in an escrow account with a yearly payout of \$13,908.14 for the remaining seven years of the agreement as long as a sit-down restaurant remains open in that location.

Rogalski stated for the record that the original amount was \$154,391.00. The agreement accounted for the sales taxes that were collected during construction, which took off \$10,716.74. The amount was then reduced by one-tenth to account for the time the restaurant has been open. The date will remain at the original date, which is about seven years.

Motion by Neal, **Second** by Sheppard, to approve opening an escrow account at Arvest Bank to hold the remaining mortgage debt from CDBL Construction pertaining to the property commonly referred to as the Bricktown Brewery Location. **AYE:** Warren, Means, Neal, Sheppard, Hensley, Fitch, Fortenbaugh. **AYE:** None. **ABSTAIN:** Madigan- Employed by Arvest Bank: Conflict of Interest. ***Motion Passed***

Executive Session

3. Pursuant to Section 307C.11, Title 25, Oklahoma Statute, consider convening in executive session for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business with commercial or retail interest to locate within our jurisdiction, as public disclosure of the matter discussed would interfere with the development of products or services and/or violate the confidentiality of the business. Take action in open session as deemed necessary.

Motion by Hensley, **Second** by Means, to convene into executive session. **AYE:** Madigan, Means, Nance, Sheppard, Hensley, Fitch, Fortenbaugh, Warren **NAY:** None. ***Motion Passed.***

The Lawton Economic Development Authority convened into executive session at 2:15 PM and remained in executive session until 2:43 PM. Roll call reflected all members present. No action was taken.

Adjourn

There being no further business, the meeting adjourned at 2:44PM.

Motion by Warren, **Second** by Sheppard, to adjourn the meeting of November 17, 2022. **AYE:** Neal, Sheppard, Hensley, Fitch, Fortenbaugh, Warren, Madigan, Means. **NAY:** None. ***Motion Passed.***