

MINUTES
Lawton Economic Development Authority
Special Meeting
April 25, 2024—2:00 PM
3rd Floor Conference Room
City Hall - 212 SW 9th Street
Lawton, Oklahoma 73501

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

STATEMENT OF COMPLIANCE WITH OKLAHOMA OPEN MEETING ACT, 25 O.S. 301-314

Meeting notice and agenda were posted by the City Clerk's Office as required by State Law.

ROLL CALL:

PRESENT: Fred Fitch, David Madigan, George Gill, Ron Nance, Larry Neal

ABSENT: Randy Warren, David Means, Ernest Sheppard, Jason Hensley

OTHERS PRESENT: Richard Rogalski, LEDA Executive Director; John Ratliff, City Manager; Garrett Liam, City Attorney's Office; Tammy Branstetter, City Clerk's Office; Rusty Whisenhunt, Public Utilities Director; Susan Schlecht, Finance Department; AJ Arends, VP of Project Management for Westwin Elements; Robert Ratcliff, Member of the Community; Jessica Fullem, Member of the Community; Brenton & Kaysa Whitley, Member of the Community

BUSINESS ITEMS

1. Consider approving the minutes of the January 18, February 26, and March 21, 2024, meetings.

Motion by Madigan, Second by Gill, to approve the minutes of the January 18, February 26, and March 21, 2024 meetings. **AYE:** Neal, Nance, Gill, Madigan, Fitch. **NAY:** None. **MOTION PASSED.**

2. Consider adopting a logo for the Lawton Economic Development Authority and take action as deemed necessary.

Rogalski said he recently approached City staff asking for input to generate a logo for the Authority.

Ratliff said Caitlin Gaitlin and DaLynna Wood, Communications and Marketing, have put this logo together, and they've done a great job.

Fitch said he likes the idea of having a logo for the Authority to use on letterhead and other various documents.

Motion by Neal, Second by Nance, to adopt the logo for the Lawton Economic Development Authority as presented. **AYE:** Neal, Nance, Gill, Madigan, Fitch. **NAY:** None. ***MOTION PASSED.***

3. Consider approving a Redevelopment Agreement by and among the City of Lawton, the Lawton Economic Development Authority, the Lawton/Fort Sill Economic Development Corporation, and Fischer59 Properties, LLC, for the development of a distribution center within the Airport Industrial Park.

Chairman Fitch noted this Agreement is very similar to the one done with Pepsi Co. He asked Rogalski to share details of the Agreement.

Rogalski provided background information on this item. A copy of the Redevelopment Agreement by and among the City of Lawton, the Lawton Economic Development Authority, the Lawton/Fort Sill Economic Development Corporation, and Fischer59 Properties, LLC may be obtained from the City Clerk's Office upon request.

Rogalski said the Authority has approved the initial term sheet for this project, as well as an early version of this Agreement that was in accordance with the term sheet. Rogalski said he thought all parties were done making changes to the Agreement, but additional changes have been made.

Rogalski said the average wage in the original term sheet of this Agreement was \$60,000, but this has been changed to \$48,000 in the final Agreement.

Rogalski said the distribution center will be built near the Airport, and an extension of Gilbert Gibson Road will be needed. The sewer line will need to be relocated, and a water system for the facility will be installed.

Rogalski said this Agreement places a \$1.6 million dollar cap on public improvements. If additional money is needed, they would have to request additional funding from the City Council.

Rogalski said this project will fall within TIF District 5. He said staff is currently working on a major revision of the TIF Districts, and it's likely TIF District 5 will be created with this revision.

Motion by Madigan, Second by Gill, to approve the Redevelopment Agreement by and among the City of Lawton, the Lawton Economic Development Authority, the Lawton/Fort Sill Economic Development Corporation, and Fischer59 Properties, LLC, for the development of a distribution center within the Airport Industrial Park. **AYE:** Neal, Nance, Gill, Madigan, Fitch. **NAY:** None. ***MOTION PASSED.***

4. Receive a report W. Rusty Whisenhunt, Director of Public Utilities for the City of Lawton, and consider approving Draw Request #2 from Westwin Elements for certain hard construction costs related to the Pilot Facility in accordance with the Loan Agreement between LEDA and Westwin Elements, Inc, approved on December 9, 2023.

AJ Arends, Westwin Elements, gave a presentation on the construction status of the pilot plant as of April 19th, 2024.

Chairman Fitch asked for an estimated time of completion.

Arends said it will likely be in June or July.

Whisenhunt said he, Rogalski and Charlotte Brown, Community Services Director, conducted an onsite inspection with Arends on April 19, 2024. He said Westwin is requesting payment for the following construction items: installation of the crane mezzanine, site work grading, electrical installation, and foundation work. The Draw Request includes receipt of all invoices paid, along with the required lien releases.

Whisenhunt noted that there are a few invoices included that were not requested to be paid out on this Draw Request. He said Westwin's next Draw Request will likely include a request for payment on these additional invoices.

Chairman Fitch asked for the approximate amount of these additional invoices.

Whisenhunt said the additional invoices amount to a few hundred dollars.

Whisenhunt said the total amount for Draw Request #2 is \$730,078.84 with a 10% retainage, which brings the total amount payable to \$657,070.96.

Motion by Gill, Second by Nance, to approve payment of Draw Request #2 from Westwin Elements. **AYE:** Neal, Nance, Gill, Madigan, Fitch. **NAY:** None. ***MOTION PASSED.***

REPORTS

1. Receive a report from the LEDA Executive Director

Rogalski said he's been working with Scott Hatch's office regarding the Authority's financials. He said the way the STEDI Project Plan is set up makes the financials a little difficult. Rogalski said he will be talking to Dan Batchelor and Lisa Hardin, Center for Economic Development Law, to see if any changes can be made to the Plan that would make distributing TIF checks to the various eligible entities go a little more smoothly.

Madigan asked if the Authority could expect financials to be presented at the next meeting.

Chairman Fitch said yes.

Rogalski said at the last meeting he reported to the Authority that the hotel motel tax in TIF 2 expired in 2022. However, Rogalski said a document has been found from 2012 that took away that expiration date. He said the appropriate documentation has been sent to the State, and the State match will now resume.

ADJOURNMENT

Motion by Madigan, Second by Gill, to adjourn the April 25, 2024 meeting. **AYE:** Neal, Nance, Gill, Madigan, Fitch. **NAY:** None. ***MOTION PASSED.***

There being no further business, the meeting adjourned at 2:38 PM.