Minutes
Lawton Economic Development Authority
Regular Meeting
September 21, 2023—2:00 PM
City Hall
3rd Floor Conference Room
212 SW 9th Street
Lawton, Oklahoma73501

Fred Fitch, Chair, called the meeting to order at 2:00 PM. in the 3rd floor conference room of City Hall. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

ROLL CALL:

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

ABSENT: Ron Nance (excused)

OTHERS PRESENT: Susan Schlecht, Financial Services; Megan Loftis, City Attorney's Office; Tammy Branstetter, City Clerk's Office; Kim McConnell, Lawton Constitution; Eric Swanson, Southwest Ledger

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

INTRODUCTION OF GUESTS

None.

BUSINESS ITEMS

1. Consider approving the minutes of the June 15, 2023 meeting.

Motion by Means, **Second** by Warren, to approve the minutes of the June 15, 2023 meeting. **AYE:** Means, Fitch, Neal, Sheppard, Gill, Warren, Hensley, Madigan. **NAY:** None. ***MOTION PASSED.***

2. Consider approving invoices, requisitions, and all other submitted materials for payment and take action as deemed necessary.

Schlecht presented the following invoices for the period of June 16, 2023 through September 21, 2023:

- May 2023 TIF2 Legal Expense (Invoice dated 6/13/2023)- $4,945.00 to Center for Economic Development Law
- Legal Expense (Invoice dated 6/30/2023) - $380.00 to Center for Economic Development Law
- Purchase of check endorsement stamp (invoice dated 8/14/2023) - $14.95 to Amazon
- Mowing of Block 1, Lots 3 & 8 (invoice dated 7/31/2023) - $1,800.00 to Lawn Wizards

Madigan asked what the scope of work was for the two invoices paid to the Center for Economic Development Law.

Schlecht said these were expenses related to work they've done regarding TIF District 2.

Motion by Gill, **Second** by Neal, to approve the expenses from June 16, 2023 to September 21, 2023 as presented. **AYE:** Means, Fitch, Neal, Sheppard, Gill, Warren, Hensley, Madigan. **NAY:** None. ***MOTION PASSED.***

3. Receive Financial Report(s) and take action as deemed necessary.

Schlecht presented the Balance Sheet for June 2023, the Income and Expense Activity Report for June 2023 and the LEDA Loan Statement for the time period of September 2, 2022 through August 31, 2023. These documents are available in the City Clerk's Office upon request.

Schlecht said the Finance Department has been working to finalize the annual TIF reports. She said these will be published within the next few days.

Chairman Fitch asked how often the TIF District tax apportionment payments will be made to the eligible entities.

Schlecht said when she spoke to Richard Rogalski about this, it was determined these payments would be made annually once the TIF revenue began trickling in. However, Schlecht said Dan Bachelor suggested these payments be made monthly as to keep a good rapport with the taxing entities. Schlecht said she proposed the payments be made semi-annually, but Batchelor stressed that he feels these payments should be made on at least a quarterly basis.

Schlecht noted that the total amount available in matching funds, $1,020,519.94, is for fiscal year 2022-2023. She said this is down by about 4% from fiscal year 2021-2022.

Chairman Fitch inquired about $160,000 that is listed as due to the LEDC.

Schlecht said this is for infrastructure improvements made to the Pepsi-Cola plant located in TIF District 4.

Gill asked what the tax rate is for hotel motel tax.

Schlecht said it's set at 7%.

Chairman Fitch asked what the total annual revenue is for hotel motel tax.

Schlecht said it's at least $1.6 million, but it could be higher. She noted she doesn't have the exact figure at this time.

Gill noted that the City has been working to change the process of collecting hotel motel tax. This is largely an attempt to ensure all Airbnbs located in Lawton are paying these taxes.

Motion by Hensley, **Second** by Gill, to approve the Financial Report as presented. **AYE:** Means, Fitch, Neal, Sheppard, Gill, Warren, Hensley, Madigan. **NAY:** None. ***MOTION PASSED.***

4. Receive an update regarding Westin Elements and take action as deemed necessary.

Chairman Fitch said a groundbreaking ceremony took place a couple weeks ago at the site where the pilot plant will be built. He said there will be a Westwin Townhall meeting at McMahon Auditorium from 6:00 – 8:00 PM on Wednesday, October 11th. He encouraged Authority members to attend this event.

Chairman Fitch noted that Westwin plans on obtaining their raw material/elements from mining facilities located within the United States when possible. It would be possible for them to obtain materials from the Congo, but this would be pricey.

Hensley asked if any of the involved entities have required Westwin to conduct an environmental impact study.

Chairman Fitch said Westwin must obtain clearance from the Environmental Protection Agency (EPA) before they can begin conducting the refining process.

Sheppard asked if Westwin has considered hiring security for the upcoming townhall meeting in October.

Chairman Fitch asked that staff ensure security is present during this event.

No action was taken on this item.

5. Discuss possible businesses to be placed on 2nd Street and take action as deemed necessary.

Chairman Fitch said there are three entities that are interested in adding a business on 2nd Street. He said one would take over the building that was formerly occupied by Charming Charlie's. Another business would take over the building that formerly housed the UPS shipping/packing store. The third business would occupy a vacant space next to Viridian. Chairman Fitch said he will have more information regarding these new operations in the coming weeks.

No action was taken on this item.

EXECUTIVE SESSION

6. Pursuant to Section 307B.1, Title 25, Oklahoma Statute, consider convening in executive session for the purpose of discussing negotiations concerning potential candidates for Executive Director and take action as deemed necessary in open session.

Motion by Means, **Second** by Warren, to enter executive session. **AYE:** Means, Fitch, Neal, Sheppard, Gill, Warren, Hensley, Madigan. **NAY:** None. ***Motion Passed.***

The Authority convened in executive session at 2:46 PM and reconvened in regular, open session at 3:29 PM. Roll call reflected all members present.

No action was taken on this item.

ADJOURNMENT

Motion by Gill, **Second** by Warren, to adjourn the September 21, 2023 meeting. **AYE:** Means, Fitch, Neal, Sheppard, Gill, Warren, Hensley, Madigan. **NAY:** None. ***MOTION PASSED.***

There being no further business, the meeting adjourned at 3:31 PM.