MINUTES
LAWTON URBAN RENEWAL AUTHORITY
SECOND FLOOR CONFERENCE ROOM
July 18, 2023

Minutes of the Lawton Urban Renewal Authority meeting held July 18, 2023, in the 2nd Floor Conference Room, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:30 p.m. by Dr. Ernest Sheppard.

Roll Call

MEMBERS PRESENT:	Dr. Ernest Sheppard Jacob Brox Jesse Cross Joe Abshere
MEMBERS ABSENT:	John Purcell
ALSO PRESENT:	Madison Aust, Recording Secretary Charlotte Brown, Director of Community Services/Planning Gregory Gibson, City Attorney Cindy Augustine Real Property Coordinator Susan Schlecht, Finance Christy Ryans-Huffer Administrative Assistant II Johnny Owens Cummins-Setters Commercial Partners Andrew Zamora, All American Car Wash Ryan Bigbee Attorney Bronte Staugaard Attorney

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2. Verify posting of meeting according to The Open Meeting Act (Title 25, Okla. Statues 301-314).

Meeting was posted on July 7, 2023, at 11:10 am by Tammy Branstetter.

3. Establish Quorum.

4 (four) of the 5 (five) members where present.

4. Consider approving the minutes from February 07, 2023, meeting.

Motion by Brox, **Second** by Abshere, to approve the minutes from the February 07, 2023, meeting as written. **Aye:** Brox, Cross, Sheppard, **Abstain:** Abshere, **Nay:** None **Motion Passed.**

5. Consider approving the minutes from June 20, 2023, meeting.

Motion by Brox, **Second** by Cross, to approve the minutes from June 20, 2023, meeting as written. **Aye:** Cross, Sheppard, Abshere, Brox, **Nay:** None **Motion Passed.**

Business

6. Consider approving Civic Center Plan Amendment Three Draft.

7. Consider approving D6 Plan Amendment Six Draft.

8. Consider approving Downtown 1 URP Amendment Seven Draft.

Sheppard stated we are going to consider Items 6,7,& 8. Staff would you like to enlighten us here please.

Brown stated the only change to this is that we are adding an appeal process to what we put in last year for these permit upon review process. Up until last year there was nowhere to go if it wasn't listed, then they couldn't go in the location. So, last year we added the Use Upon Review that if they are not similar in character for the permitted uses, then they go to LURA to be determined if they are consistent with the objectives of the Urban Renewal Plan. All we are adding if you do find something to be inconsistent, they can file an appeal with the City Planning Commission within 10 (ten) business days of the LURA decision.

Sheppard stated you had some other information too, I believe.

Brown stated yes after doing some research with Greg, the way the State Statute reads when modifying the Urban Renewal Plans before it goes to the Council the Urban Renewal Authority has to find the amendment desirable and then it goes to CPC but if LURA does not find the amendment desirable then it doesn't go anywhere. There is no place for it to go it does not move forward.

Sheppard stated ok gentlemen that was one of my questions last meeting, was if we find this amendment, if we reject this amendment, we vote no on it and it doesn't go to CPC for further vote (inaudible) and it doesn't go to Council either.

Brox stated and that's a no vote.

Brown stated we also have some visitors that would like to speak.

Sheppard stated we are going to talk about that. Do we have any questions to staff regarding this. Okay. We do have some guests that are interested in this particular subject. Ryan are you representing your guest.

Bigbee stated yes, may I approach the table.

Sheppard stated and I would like to remind you please that this, what we're considering is this amendment. We are not considering a carwash or any other amendments so, any other remarks you have please address to this amendment.

Bigbee stated it will be absolute actual to this amendment. My name is Ryan Bigbee. I'm with the Law Firm of Bigbee and Curtis in Texas. I appreciate the opportunity to speak today. I've spoken with Greg and Charlotte before they allowed us to come and speak today about this proposed amendment. So, first and foremost appreciate the opportunity to speak, I'm speaking on behalf of a client, Racer Classic and All American but we won't be speaking to the specifics of car wash or no car wash to your point. I'm not going to pretend like I am an expert in your code or your ordinances. I've told that to Charlotte, told that to Greg and we have had some conversations. So, I am out of my league when it comes to what your code and ordinances allow, will allow, or not allow. I do represent cities and municipalities and do deal with cities and municipalities and when I'm developing projects for clients or reviewing projects on behalf of cities I represent. We would ask the LURA Board to consider this amendment. We are in favor of the amendment. I think based on our review, again not pretending like I'm an expert, but based on our review it does appear like there is an amendment process for architectural conformity. So, LURA does actually have a process, if LURA determines that a project does not conform architecturally then there is a process for amendment but there is no process for use down that same or similar track. So, for consideration we would ask that we do have an appeals process for architectural conformity under, I would be lying to you so I will have to read it to you under 18-12-1-1203, we would respectfully request for consideration something very similar for an appeal related to use. Again, we're citizens of the community now. We appreciate the time and opportunity to speak before this board. We appreciate the voluntarism that comes with being on a board and thank you for your time today.

Sheppard stated thank you Ryan. Okay I think that's it for audience. So, discussion open, we don't have a motion at this point one way or the other. Any comments. If you have uses defined in our plan, if we want to add to those uses, we could so that's one alternative to this and if you, we pass this amendment then that opens up any use for appeal.

Abshere stated how many people serve on City Planning Commission.

Brown stated there's 9 (nine) members.

Good stated 1 (one) from each ward and then 1 (one) Mayor appointed.

Sheppard stated ay thoughts gentlemen. Do I have a motion. Don't hear a motion.

Brox stated I move to deny.

Sheppard stated I have a motion to deny. Do I have a second. Okay. No second from the meeting. So, motion dies, and no actions taken.

Motion by Brox, **Second** None to approve Civic Center Plan Amendment Draft Three, Approving D6 Plan Amendment Six Draft, and Approving Downtown1 URP Amendment Seven Draft: **Motion Dies No Action Taken.**

9. Consider approving an extension to the lawn mowing contract for LURA properties.

Brown stated that was a separate document that was handed out. That wasn't part of your packet. It's just a mowing extension to the original contract that we had. LEDA has already approved their portion of it. As you know we do still own property off of southeast Railroad across from the Police Station, the Public Safety Facility and we do still own the properties at 2nd and C. We did speak with him the other day and he is still moving forward with that, with purchasing those properties but Rene from Lawn Wizards was in the office yesterday. The property across from the Police Station is pretty tall but we got to approve this amendment before we can do any work orders. So, no cost difference than what we were paying in the past.

Sheppard stated same contract.

Brown stated yes. Same contract just an extension.

Cross stated I make a Motion to approve.

Abshere stated I second.

Motion by Cross, **Second** by Abshere to approve an extension to the lawn mowing contract for LURA properties. **Aye:** Brox, Cross, Sheppard, Abshere, **Nay:** None **Motion Passed.**

10. Discuss the nine remaining LURA owned lots in Lawton View Addition and direct staff.

Augustine stated Susan sent me a list of properties that LURA still had on the books that are on the eastside of 12th Street, the ones in the blue, they're 25 ft. non-buildable lots. Whenever LURA sold those to the churches for some reason, we retained those non-buildable lots to have enough room if they widen 12th Street, we wouldn't have to purchase any Right-Of-Ways and I checked with engineering, I don't think they will be widening 12th Street anytime soon. So, my question is.

Brown stated and the churches have been maintaining.

Augustine stated yes, they are already maintained by the adjacent property owners , which are the churches. So, my question to LURA is if you want to go ahead and deed those to the Churches to get them off the books or just.

Sheppard stated I think that is a good idea. Joe, we need a motion before we can do that.

Cross stated I make a motion to give it to the churches.

Brox stated I'll second that.

Motion by Cross, **Second** by Brox to approve deeding properties Lots 16 and 17, Block 108, Lots 16 and 17 Block 109, Lots 16 and 17 Block 120 of Lawton View Addition to Zoe Christian Center, deeding Lots 16 and 17 Block 97 Lawton View Addition to Donald & Diane Gaskins, deeding Lot 17 Block 111 Lawton View Addition to Builders Investment Group, LLC. To clear non-buildable lots off of LURA's books. **Aye:** Cross, Sheppard, Abshere, Brox, **Nay:** None **Motion Passed.**

11. Consider approving the expenditures for the months of November 2022 through June 2023.

Schlecht stated for the expenses this is covering November 2022 through June 2023 so, we have (inaudible) timeframe 1 (one) expense $ 3,800.00 for the audit and that's a separate document.

Motion by Brox, **Second** by Abshere, to approve the expenditures for the months of November 2022 through June 2023, **Aye:** Sheppard, Abshere, Brox, Cross, **Nay:** None **Motion Passed.**

12. Receive financial reports for the months of February, March, April, May, and June 2023 and take action as necessary.

Schlecht stated we will go in order February through June 2023. The Balance Sheet for February, the Lawton Urban Renewal Authority currently has $ 64,508.22 that was a change due to, slight change over the previous month of a negative $ 5.94 and that is for the regulatory fee and the interest and that's pretty much the same story throughout these financials. Our Total Assets $ 640,556.40. Moving towards the bottom you'll see under Equity our Net Income is a negative $ 83, 270.67 and the next sheet is the Profit & Loss for February our Net Income for the month of February is negative $ 5.45. Go on to March, at the top of the Balance Sheet, Total Checking and Savings this month is $ 64,502.20, a Net decrease of $ 6.02 due to the Regulatory Fee of $ 6.57 and the Interest of $ 0.55. Our Total Assets $ 640,550.38 at the bottom Net Income for this time of year is a negative $ 83,276.69 and on the next page is the Profit & Loss our Net Income for the month of March is negative $ 6.02. For April 2023 our Total Checking and Savings $ 64,496.37, a Net decrease of $ 5.83 Below is the Total Assets of $ 640,544.55. At the bottom is our Net Income is a negative $ 83,282.52 and the Profit & Loss for April 2023 our Net Income is a negative $ 5.83. Any questions thus far, everybody good. Balance Sheet for May 31, 2023, our Total Checking and Savings is $ 64,490.35, Net decrease from the last month of $ 6.02. Net Income at the bottom is a negative $ 83,288.54. On the next page May Profit & Loss at the bottom the Net Income is a negative $ 6.02. Last month that we have to present today is June 30, 2023, of course that's the End of the Fiscal Year as well. We have Lawton Urban Renewal Authority's Checking and Savings at this time is$ 64,484.52, a Net Loss from the previous month of $ 5.83. At the bottom our Net Income is negative $ 83,294.37 and, on the Profit & Loss toward the bottom we have a Net decrease of $ 5.83, that is all the regulatory fees, which are higher than of course than the interest we are earning.

Motion by Abshere, **Second** by Cross to approve the Financial Reports for the month of February, March, April, May, and June 2023. **Aye:** Sheppard, Abshere, Brox, Cross, **Nay:** None **Motion Passed.**

Sheppard stated Greg can I go back to Item 10; we passed a motion to take care of these adjacent lots, but we did not discuss remaining properties. I thought we had some on C Street.

Augustine stated we will have to bring those back with the contract.

Sheppard stated so no action to be taken.

Brown stated those are just for the Lawton View ones.

Sheppard stated okay.

13. Discuss and take action as deemed necessary, the purchase of a Certificate of Deposit or other investment to earn higher interest and reduce regulatory fee.

Schlecht stated well as you just experienced listening to all those financials you can see that the regulatory fee is costing us, and I think we can at least lower that regulatory fee since it's based off the amount of money you have in the account. If maybe, we can have the opportunity to invest some money in a CD which will remove it from that scenario, and we will certainly earn more interest. We are earning very small amounts of interest. We have the opportunity to earn up to 4.68 % Percent which is much better. So, I'm just looking for some advice or if you would like me to look into investing money. I've look at different organizations, BANCFIRST really does have a good deal as far as timelines. We can choose from 7 (seven) days investment up to 60 months so we have a huge amount of time, but we need flexibility, I realize because at any time we could use a larger amount of money and since we have mowing going on again. We'll have to consider that. So, I'm basically looking for you to tell me yes or no, how much are you wanting to invest, are you wanting to invest $ 45,000.00, $ 50,000.00, that leaves us about, we kind of need to figure that out but it would not hurt us to put some money in a CD.

Sheppard stated so we went through $ 84,000.00 this last year. Correct. In expenditures.

Brown stated because we have a negative $ 83,000.00.

Schlecht stated that's not necessarily cash.

Sheppard stated so we have $ 64,000.00 in the bank.

Brown stated yes.

Schlecht stated yes, we have $ 64,000.00 in the bank and no bills outstanding right now.

Brown stated and we no longer owe the City of Lawton for the dumping fees from the 2nd Street Project.

Sheppard stated so can you predict what expenditures we will have and the timing on that.

Schlecht stated I can for the most part. Our expenditure are, we will have a $ 500.00 bonding fee coming out, the mowing, and the audit. So, I can go through and estimate all of those. We know that the mowing will be big at first, but it will slow down I'm sure the rain goes away the heat comes.

Abshere stated what other properties do we have that we are still mowing.

Brown stated just the property along Railroad and A. The people who have the contract on 2nd and C are supposed to be maintaining it but they haven't because I got a notice from Neighborhood Services on it the other day, but we did have a conversation with him the other day about mowing again. Really the property on Railroad and A is the only property we're still technically mowing for LURA.

Schlecht stated I can reach out to Rene about that. He'll know because he's done it in the past. He'll have a better feel for it. I have a tendency to err on the side of caution.

Abshere stated in all honesty we could probably wait until this bill comes back for the work order when they do it once and that would give you an idea.

Brown stated well and this first one is going be a little higher because it is a little bit taller but that would give us the top edge.

Schlecht stated and maybe debris.

Brown stated I want to say when we were mowing everything, it was $ 1,500.00 dollars a month is what we were paying when we were stilling doing Lawton View as well.

Schlecht stated yes, I am confident that I can get a very close estimate.

Sheppard stated I will tell you Gentlemen what I would like to see a motion that gives Susan the ability to invest at her discretion unneeded funds as she sees fit.

Brox stated how much of a buffer.

Abshere stated up to a certain amount. Say up to $ 50,000.00.

Schlecht stated I am conservative like I mentioned. I want to save money. I want to earn money at the same time for not only me personally as an investor but as you all as a group and I am meticulous with the bills. I really am good at forecasting those types of thing and I think I will do well. I will be conservative, Unless you come to me all of a sudden and say we need $ 25,000.00 that would be way off the scale. That wouldn't be my fault, I would need a little warning for that.

Abshere stated what kind of time frame do we feel comfortable tying up a large sum of money.

Schlecht stated I find that the best time period is between actually 3 months to a year. That's where you get a certain percentage interest rate, where it doesn't benefit to go longer. Other than the fact you just have it earning longer. So, I feel comfortable going in between that time period 90 day to a year.

Abshere stated if you wanted to give a timeline as far as what we wanted to tie up time wise.

Brown stated we could just check it out, do a 3 month and see what it does.

Sheppard stated we could limit it to CDs no longer 3 or 4 months.

Abshere stated 6 months.

Brown stated just kind of get a time frame to see if it works, you know if it's worth it.

Sheppard stated let's roll them every 3 months.

Schlecht stated the only thing is that cuts down a lot of our interest.

Abshere stated I understand, I was curious how comfortable they felt as far as having the money tied up. I don't see anything other than what you're talking about personally.

Schlecht stated after looking at what is available and I don't know how you feel about investing in another bank, with a different bank or if you strictly want to stay with BANCFIRST. The Certificate of Deposit for ARVEST right now, they're offering 7 months at 4.42 % percent. So, that's really a short period of time, 7 months is. It's a nice amount. BANCFIRST is offering that at 4.5% percent. Which is convenient.

Cross stated how much is BANCFIRST for the sweep.

Schlecht stated I don't know; I don't think they charge for a sweep on this they would automatically re-invest. I am going to choose re-invest because I want to compound the interest. There's other ways to get it but I think this is best to compound in this situation but there's not a sweep fee.

Abshere stated I think for convenience until we kind of see how it goes. We stay with BANCFIRST. A tenth of a percent is fine; it's not worth it for a tenth of a percent. More bank statements, more financials.

Sheppard stated okay.

Abshere stated I make a motion to give you permission to invest up to 6 months whatever money you see fit.

Cross stated I second.

Sheppard stated any further discussion.

Motion by Abshere, **Second** by Cross, to approve to give Susan Schlecht permission to invest whatever money she sees fit and to invest for up to 6 months with BANCFIRST, **Aye:** Brox, Cross, Sheppard, Abshere, **Nay:** None **Motion Passed.**

Sheppard stated any information from the staff that we need to hear about.

14. Adjournment.

Motion by Brox, **Second** by Cross, to adjourn the meeting. **Aye:** Cross, Sheppard, Abshere, Brox **Nay:** None **Motion Passed.**

With no further business meeting was adjourned at 1:59 pm.