



March 07, 2016

The **REGULAR** meeting of the **CHICKASHA CITY COUNCIL** was held in the council chambers in city hall on the 7<sup>th</sup> day of March 2016 as specified by advance public notice with a properly prepared agenda stating the subject matter or matters to be discussed at said meeting. Vice Mayor Toland called the meeting to order at 5:31 p.m.

**ITEM 1. Call to Order / Roll Call / Opening Prayer / Pledge of Allegiance**

**MAYOR AND COUNCIL**

**PRESENT:** John Toland, Vice Mayor  
Kimberly Loggins  
Phylis Steelman  
Mike Sutterfield  
R.P. Ashanti-Alexander  
Howard Carpenter  
Christopher Ferguson  
Blake Elliott

**STAFF**

Alan Guard, City Manager  
Tom Frailey, Attorney  
Steve Chapman, Park and Recreation Director  
Gina Snedeker, Finance Director  
Tina Smith, City Clerk  
Stewart Steele, Police Chief  
Brian Zalewski, Fire Chief  
Susan Jones, Executive Assistant  
Kathleen Easley, Community Development Director  
Jim McClain, Public Works Director  
Lillie Huckaby, Library Director

Council Member Sutterfield gave the invocation and led the pledge of allegiance.

**ITEM 2. Visitor Presentation / Citizen and Council Communication.**

*(City Council Rules and Regulations limit visitor comments to a maximum of three minutes.)*





Christy Elkins  
March 8, 2016

### Project Updates

1. Home Creations
  - a. Homes are beginning to sell
2. Hotel-Ada Sipuel-Pinakin Patel
  - a. Signing contract with Best Western Plus
  - b. Will then receive new concept plans and present to City
3. Chickasha Travel Plaza
  - a. City is waiting on notice of intent. Plan is 80% reviewed.
4. The Shoppes at Chisholm Trail
  - a. Site work is continuing
  - b. Two new LOIs
5. Word Industries
  - a. Everything is moved to Chickasha
  - b. Justin C building appeared to be crane capable, it is not. It is not up to code; the welds would not hold with a crane. Safety hazard.
  - c. Partnering with Chickasha Manufacturing to co-produce first model of The Claw
  - d. Numerous orders coming in, two major companies are working on distribution contracts
  - e. This product truly is an industry game changer and will be used world wide
  - f. Word Industries will use the Justin-C building for R&D on the 9 other models of The Claw and to build racks, etc. for new building
  - g. Bidding on piping projects, already securing contracts to do sub work for existing awards to other companies.
    - i. Work in this industry is projected to grow until at least 2025.
  - h. Must have new building for piping end of business
  - i. Agreement with Aria Development for building in Airport Industrial Park should be finalized this week
6. Project Sam (living quarters for livestock trailers)
  - a. Lease has been signed with Brannan Bordwine for existing building on Pike's Peak Road
    - i. Across from Morris Motor Sports
  - b. Projected move date is now July



## Recruitment Report

Christy Elkins

March 8, 2016

### Mission-Chickasha Economic Development

The Chickasha Economic Development Council will serve as the official economic development representative for the City of Chickasha. In this role, the Council will work to help the community of Chickasha attract quality jobs that will create wealth and raise the per capita income in our community, to further the Chickasha quality of life through attracting housing and retail, and to assist existing businesses to expand and helping new businesses form.

### RFPs-2016 to date-9 received, 4 responded to

- a. RFPs responded to:
  - i. All preferred existing building
  - ii. All had very fast timeline to production
  - iii. All were incentive driven
- b. RFPs not respond to:
  - i. 800-1000 acres
  - ii. Next to I-35 or on the east side only
  - iii. OKC or Tulsa only
  - iv. Existing building only
  - v. 2 projects that needed airport access needed 6,000 sf runways

### What is keeping Chickasha from winning projects?

#### Industrial

- Oklahoma/Chickasha is not located within one of the major manufacturing areas of the United States and thus locating in our area is not on the radar for a majority of companies.
  - These areas are: East Coast, Dallas Metro Area to Houston, Great Lakes area, Southern Coastal US, West Coast
- Companies are not flocking to rural Oklahoma. Recruitment is very difficult and very competitive-even for OKC and Tulsa.
  - Chickasha alone does not have a "critical mass" of complimentary/support industries
  - Not enough of any sector to be a true hub
- We must position ourselves ahead of the pack to win projects.
- Companies face great risk (or perceived risk) when locating or relocating a business. **Companies face much greater risk than the communities attracting them.** Risk can mean life or death to their business. They are obsessed with avoiding risk during the site selection process, as they should be.

- Major risk issues:
  - Production/service downtime losses
  - Can the community actually meet timeline requirements?
  - Is the site really ready?
  - Will workforce really be available?
  - Can the skills of existing workforce truly transfer to their processes?
  - Will there be a sufficient amount of cash flow to accommodate moving and startup costs, downtime/loss of production at this location?

The major areas businesses need to be comfortable with are: **Speed, Risk, and Money.** These are the drivers of all projects. We must do everything in our power to alleviate this risk, *whether real or perceived*, to attract quality jobs to Chickasha.

### 1. Speed

- a. Infrastructure should be in place in as many locations as possible
  - I. Chickasha is currently getting the remaining infrastructure needs completed at the Airport Industrial Park
- b. Develop a reputation for getting projects completed within necessary time frame
  - I. Projects we have done in the past 3 years are proving that Chickasha can get our part done in a timely fashion
- c. We must be a community that gets businesses from spending money to making money the fastest/as fast as possible
- d. **Existing buildings and infrastructure win projects**

### 2. Risk

- a. Perceived-Chickasha is an automatic risk to companies because we are a small, rural community.
- b. Can we supply the workforce?
  - I. Our education partners do a great job supplying workforce
  - II. Within a 40minute drive time there are one million people
- c. Empty Airport Industrial Park with no buildings-why has it been vacant so long? Red Flag.
  - I. Existing industries and available buildings in our AIP will alleviate this perceived risk
- d. Have we done big projects before?
  - I. We are currently working on several big projects, which will prove our capabilities

### 3. Money

- a. Looking for incentives that will give them the best cash flow/balance sheet to compensate for lost productivity due to move-Free land, Quality Jobs, etc.
- b. Lease, lease/purchase, graduated rent to help with immediate cash flow
- c. Low cost utilities
- d. Low cost of doing business
- e. **Incentives win projects**

## State Level

Bad publicity about the budget shortfall at the state level and the fate of state incentives are already affecting the way businesses look at Oklahoma. Will state incentives be available? Will existing incentive contracts get paid?

- At this point, cuts on our best incentives are off the table.
- Legislature has realized cutting incentives will make the state unable to compete as other states have incentives, as do other communities
- Local incentives are hugely important

**Going Forward-To attract Quality Jobs to Chickasha, we must turn the argument from Why Chickasha, to WHY NOT CHICKASHA by:**

- Alleviating risk to the company
- Working seamlessly to do our part to help new and existing businesses become profitable as quickly as possible
- Providing the necessary incentives as quickly efficiently as possible

**As a community, we must:**

- II. Be willing to take some calculated risk on good projects
- III. Have available buildings, especially in Airport Industrial Park (AIP)
- IV. Meet timelines consistently (provable reputation, which we are currently building)
- V. Offer competitive incentives
  - As much up front as we can-with claw backs
    - Infrastructure in place
    - Offset costs when possible
    - Free land
    - Consistent, continuing source of incentive funding
  - Be flexible and accommodating to businesses. **Flexibility wins deals.**

- II. **Our Chickasha EDC Board and City Council have approved our incentives, which are in step with what businesses are looking for: (see attachment)**
  - i. All incentives have a Clawback or are performance based
  - ii. Economic Impact must be revenue positive (cannot cost Chickasha more than the economic impact the company will generate)

## Retail Recruitment

Thanks to Chickasha EDC and the City of Chickasha, we now have a much needed, 300,000 sf retail center under construction. This was the huge step/infrastructure investment we needed to take our community to the next level.

## Retail Requirements

- I. Many of the retailers we are recruiting require \$50,000 average household income
  - a. Chickasha is currently at \$41,726
- II. Chickasha is still falling just below the needed population for many of the major retailers
- III. Creating jobs that at least pay a living wage (\$15.90 per hour according to the Oklahoma Department of Commerce, at least \$15 per hour according to the Oklahoma Policy Institute) is key to attracting quality retail.

- a. Quality jobs recruited to Chickasha = higher salaries
  - b. Quality jobs attract population
  - c. Higher salaries = higher average household income
- So:
- d. Quality jobs in Chickasha will help us attract better quality retail



**EDC Board and/or City Council has approved spending as of 3.07.16:**

The Chickasha EDC and City of Chickasha has made a fantastic start, but to keep the momentum, job creation, and retail attraction going-incentive dollars must be continuously committed and replenished.

Year	Amount	Fund	Loan/Grant	Project	Purpose	Paid
2011	\$100,000	Hotel/Motel	Grant	Hampton Inn	Infrastructure	Yes
2012	\$50,000	Hotel/Motel	Grant	Interurban	Dirt Work	Yes
2013	\$78,000	7/32 Sales Tax	Incentive	Select Energy	Quality Jobs/Job Creation	Paid, did not finish contract
2015	\$537,000	7/32 Sales Tax	Grant	Hospital	Endoscopy Services, etc.	Yes
2016	\$1,000,000	7/32 Sales Tax	Grant	Shoppes at Chisholm Trail/Aria Development	Southbound, left turn lane	Committed to Retail Project
2016	\$250,000	7/32 Sales Tax	Loan	Word Industries	Moving expenses	Partial payment
2016	\$150,000	7/32 Sales Tax	Incentive (Up to \$150k)	Signature Quarters (50 jobs)	Quality Jobs/Job Creation	Committed, not paid
2016	\$525,000	7/32 Sales Tax	Incentive (up to \$525k)	Word Industries (175 jobs)	Quality Jobs/Job Creation	Committed, not paid
2016	\$250,000	7/32 Sales Tax	Loan	Word Industries	Moving expenses and gap financing	Paid
2016	\$600,000	7/32 Sales Tax	Loan to Aria Development	Building at Airport Industrial Park	Build pre-leased building at Airport Industrial Park	Approved by EDC, sent to CIA and Council not yet paid
2016	\$600,000	7/32 Sales Tax	Loan to Aria Development	Building at Airport Industrial Park	Build spec building at Airport Industrial Park in lieu of EDC/City building this building	Approved by EDC, not yet paid

Total \$4,140,000



Estimated total cost of this project is \$900,000.00

**Staff Recommendation:** Authorize staff to solicit bids for the milling and overlay of Grand Avenue, from 4<sup>th</sup> Street to 29<sup>th</sup> Street.

\*Motion by Council Member Elliott, second by Council Member Sutterfield to approve the Consent Docket: ITEM 3a through ITEM 3f.\*

Roll call vote:

“Ayes:”	Loggins, Steelman, Toland, Sutterfield, Elliott, Ashanti-Alexander, Carpenter and Ferguson
“Nays:”	None
“Abstain:”	None
Motion carried.	8-0

**ITEM 4.                      Discussion/Approval of Items Removed from Consent Docket:**

*NO action taken on ITEM 4*

**ITEM 5.    Ordinances and Resolutions:**

**ITEM 5a    Consider an amendment of the Chickasha Code of Ordinances by revising Chapter 3, Animals, Article1, General Provisions, Section 3-1-1**

Staff request that the Chickasha Code of Ordinances be amended by revising, Chapter 3, Animals, Article 1, General Provisions, Section 3-1-1-1. Definitions, to include definitions for the terms “pinch or prong collar”, “Tether”, and “Trolley System”, by adding a new article 12, Animal Restraint restrictions, to Chapter 3, Animals; providing for severability; and declaring an emergency.

**Staff Recommendation:** Amend the Chickasha Code of Ordinances by revising Chapter 3, Animals, Article1, General Provisions, Section 3-1-1, updating definitions, and adding new article 12 to Chapter 3, Animal Restraint Restrictions.

\*Motion by Council Member Carpenter, second by Council Member Sutterfield to table Ordinances by revising Chapter 3, Animals, Article 1, General Provisions, Section 3-1-1.

\*

5:31 p.m.

Roll call vote:

“Ayes:” Steelman, Toland, Sutterfield, Elliott Ashanti-Alexander,  
Carpenter, Ferguson and Loggins

“Nays:” None

“Abstain:” None

Motion carried. 8-0

**ITEM 5b.**

**Consider approving a Resolution presented by Oklahoma Library Association Legislative Committee declaring the support of the City Council of Chickasha in recognizing the value of the Oklahoma Department of Libraries to Oklahoma's legislators.**

The Oklahoma Library Association is asking for the support of library boards, Friends groups and others in communicating the value of the Oklahoma Department of Libraries to Oklahoma's legislators. Maintenance of important federal funding relies on avoiding further cuts in the state budget for the Oklahoma Department of Libraries.

Note that Chickasha Public Library annually receives more than \$20,000 through the Oklahoma Department of Libraries. This year \$24,783.38 will be received. We also receive the assistance of consultants, and continuing education classes, and many other services.

There is also the issue that the services of the Oklahoma Department of Libraries might be consolidated under another state agency and we are concerned that such a move would diminish the effectiveness of library services.

The attached resolution has been approved by the FOLIO (Friends of Libraries in Oklahoma) Board and the Pioneer Library System Board of Trustees and others. The Oklahoma Library Association Legislative Committee requests that citizen groups such as library boards, Friends boards and others approve this resolution recognizing the value of the Oklahoma Department of Libraries. We will compile the list of groups approving the resolution and share it with legislators during OLA's Legislative Day, Tuesday, April 12.

The support of our citizen groups will help communicate the value of the Oklahoma Department of Libraries to our Oklahoma Legislators.

**Staff Recommendation:** Approve the OLA Resolution.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to approve Resolution No. 2016-05R. \*

Roll call vote:

“Ayes:” Toland, Sutterfield, Elliott Ashanti-Alexander, Carpenter,  
Ferguson, Loggins and Steelman  
“Nays:” None  
“Abstain:” None  
Motion carried. 8-0

**ITEM 5c. Consider approving Ordinance No. 2016-07 - Adopting and enacting a new code for the City of Chickasha, Oklahoma; providing for the repeal of certain Ordinances; providing a penalty for the violations; and amending the Code Book;**

On April 14, 2014, Mayor and Council approved the City of Chickasha to enter into an agreement with Municode for the service of professional codification of the City of Chickasha Code Book.

All ordinances enacted on or before December 7, 2015, and not included in the Code are repealed. By approving Ordinance No. 2016-07 minor additions and amendments have been incorporated in the Code.

In law, codification is the process of collecting and restating the law of a jurisdiction in certain areas, usually by subject, forming a legal code or book of law. Codification is the defining feature of civil law jurisdictions.

Recodification refers to a process where existing codified statutes are reformatted and rewritten into a new codified structure.

**Staff Recommendation:** Approving Ordinance No. 2016-07 - Adopting and enacting a new code for the City of Chickasha, Oklahoma; providing for the repeal of certain Ordinances; providing a penalty for the violations; and amending the Code Book;

\*Motion by Council Member Carpenter, second by Council Member Sutterfield to table Ordinance No. 2016-07. \*

Roll call vote:

“Ayes:” Sutterfield, Elliott Ashanti-Alexander, Carpenter, Ferguson,  
Loggins and Steelman  
“Nays:” Toland  
“Abstain:” None  
Motion carried. 7-1

**ITEM 6.**

**Consideration and Discussion:**

**ITEM 6a**

**Discussion, consideration and possible action to enter into an agreement between the City of Chickasha and Lauren Petit for the performance of services as Main Street Coordinator, and authorize Mayor to execute the same.**

On November 18, 2015 the City hosted a community forum at the Washita Theater regarding the Main Street Associates program sponsored by the Oklahoma Department of Commerce. Linda Barnett from the ODC Main Street program spoke about the Associates program including the requirements and benefits. One of the requirements is that there be at least a paid part time professional position to support the Main Street Association and its board.

At the January 12, 2016 Chickasha Industrial Authority meeting, the CIA voted to amend the FY16 budget to include funding to the position. Following an interview process, the city manager has selected Lauren Petit for the position. Due to the unique nature of this position, it is recommended that the position be contracted rather than a City employee. The primary reasons for this recommendation is that the position will have unusual hours including night time meetings and weekends in order to accomplish the work. The position will also have considerable autonomy and perform considerable work away from City offices.

Funding for this position is provided from Hotel/Motel taxes from the Chickasha Industrial Authority budget. The contract will be through June 30, 2016.

**Staff Recommendation:** Staff recommends approving the agreement authorizing the Mayor to execute contract.

Council Member Elliott asked how long has it been since the City had a Main Street Coordinator, City Manager Guard stated maybe 3 years.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to approve staff to enter into agreement with Lauren Petit for the performance of services as Main Street Coordinator. \*

Roll call vote:

“Ayes:”	Elliott, Ashanti-Alexander, Carpenter, Ferguson, Loggins, Steelman, Toland and Sutterfield
“Nays:”	None
“Abstain:”	None
Motion carried.	8-0

**ITEM 6b. Consider declaring an emergency and authorize Staff to repair the YMCA Building by use of quotes to allow us to put the areas where sheetrock was removed as part of the DEQ Lead Paint Abatement Project.**

Staff has been working with DEQ on a project to abate the existing lead paint in the YMCA building. As an old armory building, the State is paying for the abatement project.

Work started on this project in the week of February 15<sup>th</sup>. During this work we found drywall that would need to be removed. The State project does not pay for this work. Staff is requisitioning that the Authority waive the bidding for this work so we can get the YMCA back into full operation as soon as possible. All of the work has not been completed so we do not know the extent of the work that we will need to do.

To help us get the facility back into a condition so that all areas are usable we will start work on individual areas as they are released back to us.

This work will be paid for out of the building maintenance budget. There is a possibility that some or all of these funds will be reimbursed by DEQ. We will not know about reimbursement until DEQ finished with their part of the project.

It is important that we get the closed parts of the facility opened back up as soon as possible so the members have access to all of the equipment and facilities.

**Staff Recommendation:** Waive bidding requirements and authorize Staff to repair the YMCA Building by use of quotes to allow us to put the areas where sheetrock was removed as part of the DEQ Lead Paint Abatement Project.

\*Motion by Council Member Ferguson, second by Council Member Loggins to authorizing staff to repair the YMCA Building by use of quotes to allow us to put the areas where sheetrock was removed as part of the DEQ lead paint Abatement Project. \*

Roll call vote:

“Ayes:” Ashanti-Alexander, Carpenter, Ferguson, Loggins, Steelman,  
Toland, Sutterfield and Elliott  
“Nays:” None  
“Abstain:” None  
Motion carried. 8-0

**ITEM 6c. Consider Application to withdraw Retirement Pension Funds for Ronnie V. Thomas – Public Works – Water Line Maintenance**

Ronnie V. Thomas has applied for early retirement (ages 55 through 65) from Oklahoma Municipal Retirement Fund (OMRF). Mr. Thomas’s last date of employment with the City of Chickasha was February 15, 2016. Mr. Thomas is vested in the City of Chickasha retirement plan and is opting to take early retirement.

Early retirement requires Mayor and Council approval with the proper documentation forwarded to the OMRF.

**Staff Recommendation:** Approve the request of Ronnie V. Thomas to take early retirement and authorize City Staff to submit the proper documents to OMRF.

\*Motion by Council Member Sutterfield, second by Council Member Carpenter to authorizing withdraw Retirement Pension Funds for Ronnie V. Thomas. \*

Roll call vote:

“Ayes:” Carpenter, Ferguson, Loggins, Steelman, Toland, Sutterfield,  
Elliott and Ashanti-Alexander  
“Nays:” None  
“Abstain:” None  
Motion carried. 8-0

**ITEM 6d Consider authorizing the Chief of Police to sign the Memorandum of Understanding to join the Oklahoma Internet Crimes Against Children Task Force.**

The Chickasha Police Department would like to become a member of the Oklahoma Internet Crimes Against Children Task Force (ICAC). The mission of the Task Force is to deter, prevent, investigate, and prosecute predators who seek to exploit or engage minors in sexual activity through the use of computers and the Internet.

Training opportunities will also be available to our officers in the Task Force so they can become familiar with the most current trends and developments in the area of on-line child exploitation.

This will not require additional staffing.

**Staff Recommendation:** Approve allowing the Chief of Police to sign the Memorandum of Understanding between the Chickasha Police Department and the Oklahoma Internet Crimes Against Children Task Force.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to authorizing the Chief of Police to sign the memorandum of understanding to join the Oklahoma Internet Crimes Against Children Task Force. \*

Roll call vote:

“Ayes:”	Ferguson, Loggins, Steelman, Toland, Sutterfield, Elliott, Ashanti-Alexander and Carpenter
“Nays:”	None
“Abstain:”	None
Motion carried.	8-0

**ITEM 6e.**

**Discussion, consideration and possible action to declare The North 42 feet of Lot 1 in Block 1 of Elliotts First Addition as surplus property and to transfer the surface rights only in and to said property to William Lambrecht, the prior owner of said property, by quit claim deed.**

Mr. Lambrecht’s father and mother, W.A. Lambrecht and Alice L. Lambrecht previously donated the above titled property to the City of Chickasha in 1952 as an easement. During that time there has been no development on the property for any public purpose. Staff has had an appraisal of the property completed and it has been valued at \$1,250. The City no longer has any need of the property. Mr. Lambrecht has requested that the property be returned to his possession. Staff recommends that the City Council honor that request.

**Staff Recommendation:** Staff recommends Council declare the property as surplus and transfer the surface rights only of the property to Mr. Lambrecht.

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5:31 p.m.

\*Motion by Council Member Sutterfield, second by Council Member Loggins to declare the North 42 feet of Lot 1 in Block 1 of Elliott's First Addition as Surplus and to transfer the surface rights to William Lambrecht, the prior owner of said property, by quit claim deed.\*

Roll call vote:

"Ayes:" Loggins, Steelman, Toland, Sutterfield, Elliott, Ashanti-Alexander, Carpenter and Ferguson

"Nays:" None

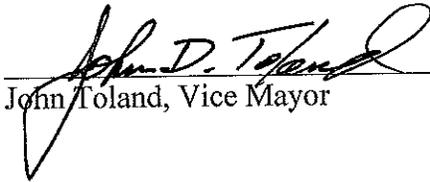
"Abstain:" None

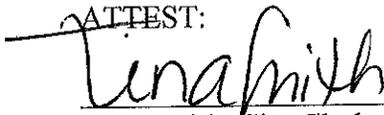
Motion carried. 8-0

**ITEM 7. Motion to Adjourn.**

No further business Vice Mayor Toland called the meeting adjourned.

**TIME: 5:55 P.M**

  
\_\_\_\_\_  
John Toland, Vice Mayor

ATTEST:  
  
\_\_\_\_\_  
Tina Smith, City Clerk

(SEAL)

Approved this 4<sup>th</sup> day of April, 2016.

