

City of Choctaw
Regular Choctaw Economic Development Authority Meeting
March 31, 2021 @ 4:30pm
Choctaw City Hall, 2500 N. Choctaw Rd.
Choctaw, Oklahoma 73020

In accordance with Senate bill 1031, which temporarily modified the Open Meeting Act as approved by Governor Stitt on February 10, 2021, the Choctaw Economic Development Authority will host a virtual meeting option until the State of Emergency is lifted. Please join us using either option.

Teleconference dial in number: +1 301 715 8592

Conference ID: 813 9031 9690

Meeting Password: 882463

<https://us02web.zoom.us/j/81390319690?pwd=bUVIenl1NXBjV09FNfJKYmJZSEl4QT09>

***** FACIAL COVERINGS ARE REQUIRED TO BE WORN BY ALL IN PERSON
ATTENDEES IN ACCORDANCE WITH ORDINANCE NO. 841-2020 *****

1. **Call to Order.**
2. **Roll Call.**
Ron Bradshaw, Jim McCharen, Mike Turek, Trent Smith, Luke Martin, Butch Freeman, Alex Lancaster, Matt DeToy, and Trey Kolar will be attending via teleconference.
3. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
 - 3.1 Review of multi-tenant signage in the Choctaw Creek Business Park.
 - 3.2 Economic Development updates and discussion.
 - 3.3 Quality of Life and Sales Tax subcommittee start date.
 - 3.4 Proposed changes to the Declaration of Trust of the Choctaw Economic Development Authority.

4. **Consent Agenda:** The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

4.1 Regular Minutes for February 24, 2021.

4.2 Financial Report for period ending March 31, 2021.

5. **Trustee Remarks:** This item is listed to provide an opportunity for the trustees and/or staff to make comments and/or request specific agenda items. No action will be taken.

6. **Adjournment:**

This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00 pm on March 26, 2021 in accordance with the Oklahoma Open Meeting Act.

Amanda Valent, City Clerk

THE CITY OF CHOCTAW ENCOURAGES PARTICIPATION FROM ALL ITS CITIZENS. IF PARTICIPATION AT ANY PUBLIC MEETING IS NOT POSSIBLE DUE TO A DISABILITY, PLEASE NOTIFY THE CITY CLERK AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING SO THAT NECESSARY ACCOMMODATIONS CAN BE MADE.

**CHOCTAW CREEK BUSINESS PARK
CHOCTAW, OKLAHOMA
PROTECTIVE COVENANTS**

Doc # 2004085274
Bk 9332
Pg 805-810
DATE 05/27/04 10:55:33
Filing Fee \$23.00
Documentary Tax \$0.00
State of Oklahoma
County of Oklahoma
Oklahoma County Clerk
Carolynn Caudill

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION TWENTY-SIX (26), TOWNSHIP TWELVE (12) NORTH, RANGE ONE (1) WEST OF THE INDIAN MERIDIAN, CHOCTAW, OKLAHOMA.

The CHOCTAW ECONOMIC DEVELOPMENT AUTHORITY (the "Authority") is the owner of a tract of real property containing approximately 45.50 acres, located in Oklahoma County, Oklahoma, as more particularly described in Exhibit A hereto, which is designated as the CHOCTAW CREEK BUSINESS PARK (the "Park").

The whole concept of the Park is to properly place within its 45.5 acres a controlled allocation of high-class office, retail and commercial and service areas in an aesthetic setting suitable to the use and needs of the area that the various type facilities occupy.

The goal of this development is to provide a place of business where its people can work in an environment that is healthful, attractive and inspiring and where property values appreciate because of the very nature of the land development.

For the purposes of preserving property values and of assuring the orderly and attractive development of the Park, the following protective restrictions and conditions are made covenants running with the land and shall be binding upon the purchaser (his heirs, devisees, executors, administrators or assigns) of any lots, land or tract within the Park.

TERM These covenants are to run with the land and shall be binding for a period of twenty-five (25) years from the date thereof. Said covenants may be extended from time to time for consecutive periods of ten (10) years or part thereof by a majority of the then owners.

OBJECTIVE The objective in building standards is to obtain a consistency and quality in architectural design (exterior only) to protect and enhance the values of use and occupancy in the development. In order to obtain consistency, yet permit interest and variety in the use of new materials as they may develop, all architectural designs, including those for initial construction, alterations, additions or remodeling, are to be subject to the review and approval of the Choctaw Economic Development Authority.

USE OF PREMISES No land or premises shall be used or occupied in any manner or for any purpose which would constitute a nuisance or for any use which is noxious or offensive by reason of emission of gas, dust, noise, smoke, vibrations and particulate or odorous matter.

The following uses are prohibited within the Park:

- A. Single-family residential detached dwellings and duplexes, to include trailer houses or mobile home;
- B. Public and private schools;

- C. Public parks or playgrounds;
- D. Agricultural uses of the garden type;
- E. Police or fire stations;
- F. Home occupations minor (type I);
- G. Multi-family dwellings;
- H. Rooming or boarding houses;
- I. Automobile parking lots;
- J. Car washes;
- K. Self-service laundries;
- L. Accessory buildings and uses;
- M. Assembly halls for non-profit corporations;
- N. Business colleges;
- O. Hospitals and sanatoriums;
- P. Laboratories for research and testing;
- Q. Public and private schools and colleges with students in residence and dormitories associated therewith;
- R. Trade schools and schools for vocational training;
- S. Recreational uses associated with and maintained primarily for the benefit and use of the occupants and families of the uses listed above;
- T. Shops and stores associated with and incidental to the uses listed above and maintained only for serving the occupants thereof;
- U. Buildings and structures and uses customarily incidental and accessory to the above uses;
- V. Auto or tourist courts;
- W. Ambulance service offices or garages;
- X. Bus terminals;
- A. Carpenter and cabinet shops;
- B. Cleaning and dyeing plants;
- AA. Commercial schools and halls;
- AB. Electric transmission stations;
- AC. Frozen food lockers;
- AD. Ice storage locker plants or storage houses for food;
- AE. Key shops;
- AF. Kennels;
- AG. Laboratories, testing and experimental;
- AH. Laundries;
- AI. Outdoor advertising signs;
- AJ. Printing plants;
- AK. Research laboratories;
- AL. Sign painting shops;
- AM. Animal Hospitals;
- AN. Storage warehouses;
- AO. Wholesale distributing centers;
- AP. New and used automobile sales and services;
- AQ. New machinery sales and services;
- AR. Repair and public garages;
- AS. Used automobile and machinery sales;

- AT. Used automobile and machinery repairing shops;
- AU. Automobile or machinery wrecking establishments;
- AV. Junk or salvage yards;
- AW. Any other stores or shops for retail trade or for rendering personal, professional or business services with certain restrictions.

UTILITIES AND EASEMENTS All utilities shall be installed . The placement of all meters and transformers shall be approved by the Choctaw Economic Development Authority. Any utility company using any easements located within the Park for the designated use thereof shall have the right of ingress to and egress from such easement area for the purpose of constructing, inspecting, maintaining and removing its facilities.

BUILDING SET-BACKS No building, structure or other structural improvements shall be erected nearer to a street right-of-way than the distance shown on the plat of the Park. Driveways and parking areas may be constructed across the land strips created by such set-backs.

No building, structure, or other structural improvements shall be erected to conflict with City of Choctaw codes.

SIGNS The location, size and construction of wall mounted signs will be in keeping with the character of the Park, and as provided above, approval of the Choctaw Economic Development Authority shall be required before signs may be erected or altered.

No free standing signs shall be allowed. The signage will be limited to no more than eight (8) percent of the wall area it is placed on (ie: a 25' wide by 15' tall building would have a thirty (30) square foot sign).

OFF-STREET PARKING AND DRIVEWAYS Owners of all buildings shall provide off-street parking on the premises to accommodate the vehicles of the employees, customers, visitors and transport vehicles required by the user of the building. In no case shall there be less off-street parking than what the City requires by code based on retail use and office occupancy.

Parking areas and driveways connecting the parking area with the street will be surfaced with hard, all-weather surfacing.

The building codes of the City of Choctaw in effect at the time of any construction shall apply to such construction to include but not limited to the International Building Code; National Electrical Code; International Plumbing Code; International Mechanical Code; Americans Disability Act (ADA) requirements; Stormwater Regulations including soil and sedimentation control measures; and General Commercial District (C-G) zoning requirements.

Property owners within the Park shall not permit their employees, customers, or visitors to park regularly during business hours on public streets within the Park.

LOADING Loading facilities adequate to accommodate the loading needs of any building shall be located on the premises.

DESIGN The ratio of building coverage to the total site area will be subject to the approval of the Choctaw Economic Development Authority, but in no case may the ratio exceed fifty per cent (50%) in the case of an commercial building and thirty-five per cent (35%) for an office building.

DRAINAGE All surface drainage, including roof drainage of buildings, shall be designed to conform to the overall drainage of the entire Park.

LANDSCAPING Landscaping design shall be included in and submitted with the site plan to the City in accordance with City standards. The remaining property not landscaped or paved shall be sodded in bermuda grasses.

EXTERIOR CONSTRUCTION MATERIAL The exterior walls of any and all buildings or other structures erected on the premises shall be of brick, masonry (including pre-cast concrete and tilt slab construction) or such other fire-proof or fire-resistant materials as may be approved by the Choctaw Economic Development Authority as being the architectural and structural equivalent or better.

All elevations facing any street in the Park shall be of an architectural treatment approved by the Choctaw Economic Development Authority.

Brick or masonry material. It is important to convey a sense of permanence and coverage shall be for buildings with less than fourteen (14') feet eaves will be 100% coverage with brick or masonry material for walls facing the street and buildings taller than fourteen (14') feet to the eave shall have fifty (50%) percent coverage to include windows, awnings, doors, etc. with not less than 42-inch high brick or masonry material for walls facing the street. The masonry material will be a solid color since variations in brick color are trendy.

Abundant inset openings. A required minimum of thirty (30%) percent of the wall perimeter will either be door and/or window openings (ie: 30' of window and/or door space for every 100' of wall distance). This will allow pedestrians to see what kinds of business are on the street as well as providing much more character to the Park. It is important that the windows and doors be inset at least two (2") inches from the front plane of the building. This adds an extra dimension to the facade. The windows may be wood or aluminum.

Any and all accessory building, marking and enclosures will be consistent as to design and equality of material used with the building to which they are accessories.

LIGHTING All exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located in any residential districts.

FENCING Owners of all lots abutting a residential district, a consistent type of sight proof fencing or wall shall be six (6') feet high, and shall be constructed and maintained in good condition along the abutting side or rear lot line.

MAINTENANCE AND HOUSEKEEPING The owners of any site or lot within the Park shall at all times keep the premises, buildings, improvements and appurtenances in a safe, clean, wholesome condition and comply in all respects with all government, health, fire and police requirements and

regulations, and any owner will remove at his or its own expense any rubbish of any character whatsoever which may accumulate on said site or lot. All lawns and planting shall be maintained in good condition.

In the event said owner fails to comply with any or all of the aforesaid specifications and/or requirements then, and only then, the Choctaw Economic Development Authority shall have the right, privilege and license to enter upon the premises and make any and all corrections or improvements that may be to meet such standards at cost to owner, together with interest at the maximum legal rate.

SPECIAL CONDITIONS The following standards apply to all areas designated for commercial and office developments:


- (i) In case of special size or shape of site or condition of terrain or special use, operation or treatment not provided for within the general conditions to which these standards apply, the Choctaw Economic Development Authority may, in its discretion, permit such variances or exceptions as will make possible successful development and operations with maximum protection to all adjacent units as well as the development of the Park as a whole.
- (ii) The design and improvement of all areas assigned for other uses in the Park, such as any common areas, shall be subject to the control of the Choctaw Economic Development Authority. Reserved or common areas of the Park, as designated in the general plan of development, shall conform to the objectives of these standards.
- (iii) The Choctaw Economic Development Authority reserves the right to assess a fee for the upkeep of all common areas to include but not limited to signage, landscaping, etc.

CHANGE OF COVENANTS The Choctaw Economic Development Authority hereby expressly reserves the right and privilege to alter, change or amend any and all of the above mentioned covenants, conditions or requirements at any time during their existence.

EXECUTED THIS 19th day of May, 2004.

CHOCTAW ECONOMIC DEVELOPMENT AUTHORITY

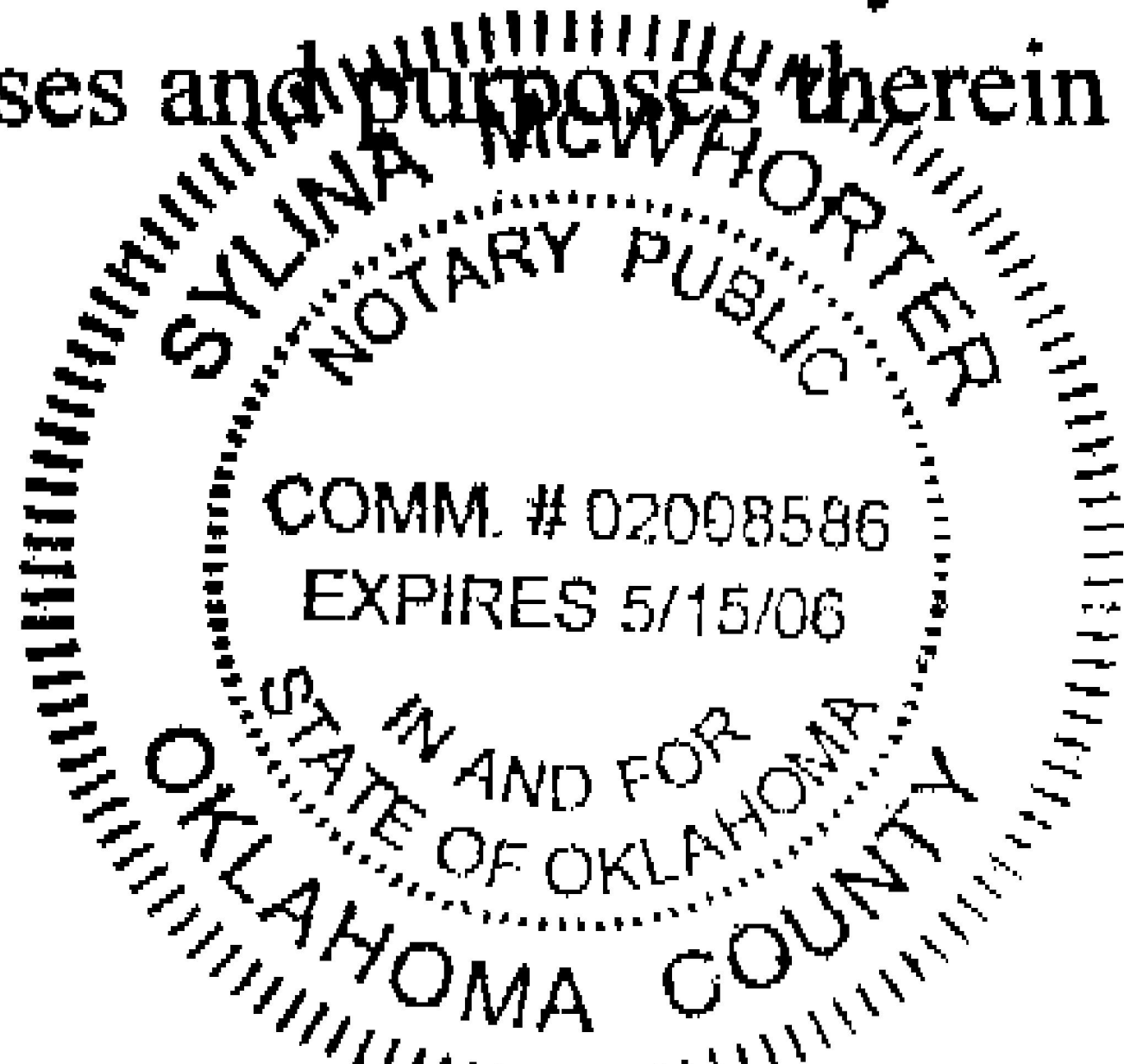



Chairman


Secretary

THE STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

BEFORE ME, Sylina McWhorter, a notary public in and for said County and State on this 19th day of May, 2004, personally appeared Don Strube to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as the Chairman of the CHOCTAW ECONOMIC DEVELOPMENT AUTHORITY and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation for the uses and purposes therein set forth.



Sylina McWhorter

Notary Public in and for Oklahoma County, Oklahoma

My Commission Expires: 05-15-06

My Commission Number: 02008586

WHEN RECORDED MAIL IN
NAME CITY OF CHOCTAW
ADDRESS P.O. Box 567
CITY & STATE CHOCTAW, OK 73020

City of Choctaw
Regular Choctaw Economic Development Authority Meeting
February 24, 2021 @ 4:30pm
Choctaw City Hall, 2500 N. Choctaw Rd.
Choctaw, Oklahoma 73020

MINUTES

***** FACIAL COVERINGS ARE REQUIRED TO BE WORN BY ALL IN PERSON
ATTENDEES IN ACCORDANCE WITH ORDINANCE NO. 841-2020 *****

1. Call to Order **Jim McCharen @ 4:31 p.m.**
2. Roll Call:
 - 7 **Present: Ron Bradshaw; Jim McCharen; Matt DeToy @ 4:46pm; Trent Smith; Alex Lancaster; Mike Turek; Trey Kolar III**
 - 2 **Absent: Butch Freeman; Luke Martin**
 - Staff: Cary Simonds, Economic Development Director
Amanda Valent, City Clerk
Ed Brown, City Manager**
3. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.
 - 3.1 Economic Development Updates.

CHAMBER OF COMMERCE – Executive Director, Carol Goodwin, reported FireFly Cottage Boutique and Carter’s Pharmacy held ribbon cuttings and others will be holding ribbon cuttings in the near future. The Chamber Auction will be June 4, 2021 at Choctaw Creek Park.

ECONOMIC DEVELOPMENT – Cary Simonds, Economic Development Director, reported the following:

- The hotel is set to open in 12 days. 45 rooms are already booked for the opening.
- Sales and Use Tax numbers are up from last year.
- John Arnold is ready to sell his property on the corner of NE 23rd and Hiwassee, but wants to keep the billboard sign on the property after the sale

3.2 Selection of subcommittees.

The following subcommittees were formed:

Increase Sales Tax Revenue

Jim McCharen

Trey Kolar III

Trent Smith

Quality of Life

Mike Turek

Alex Lancaster

Matt DeToy

Ron Bradshaw

Mr. Simonds will reach out to absent members for placement on a subcommittee. Each board member is responsible for reaching out to 3-4 citizens to serve on the subcommittees.

3.3 Development opportunities.

Mr. Simonds reported the following:

- There is an abundance of empty commercial buildings available in Choctaw.
- The board was shown additions made to the CEDA page on the City's website including a link to commercial properties available in Choctaw. Mr. Simonds noted he would like to develop a CEDA website on the City's webpage that would

include demographic information, traffic data, school information, etc.

- 3.4** Approve the purchase of a Full-Page ad in the Choctaw Area Chamber of Commerce annual Membership Directory and Community Profile publication.

MOTION by Jim McCharen SECOND by Trent Smith to approve the purchase as presented.

MOTION CARRIED:

**7 Ayes: Bradshaw, McCharen, Turek, Smith,
Lancaster, Kolar, DeToy**
0 Nays: None
2 Absent: Freeman, Martin

- 3.5** Approve payment for Cary Simonds' Leadership class.

MOTION by Matt DeToy SECOND by Alex Lancaster to approve the payment as presented.

MOTION CARRIED:

**7 Ayes: Bradshaw, McCharen, Turek, Smith,
Lancaster, Kolar, DeToy**
0 Nays: None
2 Absent: Freeman, Martin

- 3.6** Proposed changes to the Declaration of Trust of the Choctaw Economic Development Authority.

Mr. Simonds stated proposed changes would amend the trust to define membership eligibility to include board members must live within the city limits or within the school district boundaries or

own a business within the city limits or within the school district boundaries. Changes would not affect the administrative process of appointing members to the board. Proposed changes will be presented at a future meeting.

- 4. Consent Agenda:** The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

4.1 Regular minutes for 01-27-21.

MOTION by Mike Turek SECOND by Ron Bradshaw to approve the Consent Agenda as presented.

MOTION CARRIED:

7	Ayes:	Bradshaw, McCharen, Turek, Smith, Lancaster, Kolar, DeToy
0	Nays:	None
2	Absent:	Freeman, Martin

- 5. Trustee Remarks:** This item is listed to provide an opportunity for the trustees and/or staff to make comments and/or request specific agenda items. No action will be taken.

- 6. Adjournment:**
Called @ 5:35 p.m.

CHOCTAW ECONOMIC DEVELOPMENT AUTHORITY

ATTEST:

Amanda Valent, City Clerk

Jim McCharen, Acting Chairman



Choctaw, OK

Trial Balance Account Summary

Date Range: 07/01/2020 - 02/28/2021

Account	Name	Beginning Balance	Period Total Debits	Period Total Credits	Net Change	Ending Balance
Fund: 81 - ECONOMIC DEV AUDI						
<u>81-000-111000</u>	CASH IN BANK	75,001.81	80.45	0.00	80.45	75,082.26
<u>81-000-111500</u>	CASH IN BANK-CD INVESTMENT	400.00	0.00	210.00	-210.00	190.00
<u>81-000-220000</u>	ACCOUNTS PAYABLE	0.00	0.00	0.00	0.00	0.00
<u>81-000-310000</u>	NET REVENUE	-24.67	0.00	0.00	0.00	-24.67
<u>81-000-312000</u>	RETAINED EARNINGS	0.00	0.00	0.00	0.00	0.00
<u>81-000-312100</u>	NET REVENUE THIS PERIOD	0.00	0.00	0.00	0.00	0.00
<u>81-000-380000</u>	FUND BALANCE	-75,377.14	0.00	0.00	0.00	-75,377.14
<u>81-811-520100</u>	INTEREST	0.00	0.00	80.45	-80.45	-80.45
<u>81-811-550001</u>	LAND SALES	0.00	0.00	0.00	0.00	0.00
<u>81-811-550002</u>	MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00
<u>81-811-590000</u>	FUND BALANCE CARRYOVER	0.00	0.00	0.00	0.00	0.00
<u>81-811-620500</u>	MISCELLANEOUS SUPPLIES	0.00	0.00	0.00	0.00	0.00
<u>81-811-630500</u>	MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00
<u>81-811-633000</u>	PROFESSIONAL FEES	0.00	210.00	0.00	210.00	210.00
<u>81-811-633500</u>	POSTAGE & METER SERVICE	0.00	0.00	0.00	0.00	0.00
<u>81-811-634500</u>	CONTRACTUAL SERVICES	0.00	0.00	0.00	0.00	0.00
<u>81-811-635500</u>	REPAIRS & MAINTENANCE-CONTRACT	0.00	0.00	0.00	0.00	0.00
<u>81-811-640500</u>	EQUIPMENT	0.00	0.00	0.00	0.00	0.00
<u>81-811-641000</u>	LAND & BUILDING	0.00	0.00	0.00	0.00	0.00
<u>81-811-643000</u>	OTHER IMPROVEMENTS	0.00	0.00	0.00	0.00	0.00
<u>81-811-643200</u>	SPECIAL PROJECTS	0.00	0.00	0.00	0.00	0.00
<u>81-811-650400</u>	DEBT SERVICE:FNB	0.00	0.00	0.00	0.00	0.00
<u>81-811-650500</u>	DEBT SERVICE-INTEREST	0.00	0.00	0.00	0.00	0.00
<u>81-811-651000</u>	DEBT SERVICE: PRINCIPAL	0.00	0.00	0.00	0.00	0.00
<u>81-811-651100</u>	BANK ONE MORTGAGE PMTS	0.00	0.00	0.00	0.00	0.00
<u>81-811-651200</u>	OIFA MORTGAGE PMTS	0.00	0.00	0.00	0.00	0.00
<u>81-811-664041</u>	TRANSFER:RISK MGMNT	0.00	0.00	0.00	0.00	0.00
<u>81-811-668100</u>	TRANSFER TO VET MEMORIAL	0.00	0.00	0.00	0.00	0.00
<u>81-811-669100</u>	TRANSFER: PARKS & RECREATION	0.00	0.00	0.00	0.00	0.00
<u>81-811-669200</u>	TRANSFER: SIREN FUND	0.00	0.00	0.00	0.00	0.00
<u>81-811-669800</u>	TRANSFER: CHOCTAW TOURISM FUN	0.00	0.00	0.00	0.00	0.00
Fund 81 Total:		0.00	290.45	290.45	0.00	0.00
Report Total:		0.00	290.45	290.45	0.00	0.00

Fund Summary

Fund	Beginning Balance	Total Debits	Total Credits	Ending Balance
81 - ECONOMIC DEV AUDI	0.00	290.45	290.45	0.00
Report Total:	0.00	290.45	290.45	0.00



Choctaw, OK

Income Statement Account Summary

For Fiscal: 2020-2021 Period Ending: 02/28/2021

		Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 81 - ECONOMIC DEV AUDI						
Revenue						
<u>81-811-520100</u>	INTEREST	571.00	571.00	8.26	80.45	490.55
<u>81-811-590000</u>	FUND BALANCE CARRYOVER	2,629.00	2,629.00	0.00	0.00	2,629.00
	Revenue Total:	3,200.00	3,200.00	8.26	80.45	3,119.55
Expense						
<u>81-811-633000</u>	PROFESSIONAL FEES	1,200.00	1,200.00	0.00	210.00	990.00
<u>81-811-634500</u>	CONTRACTUAL SERVICES	2,000.00	2,000.00	0.00	0.00	2,000.00
	Expense Total:	3,200.00	3,200.00	0.00	210.00	2,990.00
	Fund: 81 - ECONOMIC DEV AUDI Surplus (Deficit):	0.00	0.00	8.26	-129.55	
	Total Surplus (Deficit):	0.00	0.00	8.26	-129.55	

Income Statement

For Fiscal: 2020-2021 Period Ending: 02/28/2021

Group Summary

Account Type	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
Fund: 81 - ECONOMIC DEV AUDI					
Revenue	3,200.00	3,200.00	8.26	80.45	3,119.55
Expense	3,200.00	3,200.00	0.00	210.00	2,990.00
Fund: 81 - ECONOMIC DEV AUDI Surplus (Deficit):	0.00	0.00	8.26	-129.55	129.55
Total Surplus (Deficit):	0.00	0.00	8.26	-129.55	

Fund Summary

Fund	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	Budget Remaining
81 - ECONOMIC DEV AUDI	0.00	0.00	8.26	-129.55	129.55
Total Surplus (Deficit):	0.00	0.00	8.26	-129.55	