

**LAWTON METROPOLITAN AREA AIRPORT AUTHORITY
AIRPORT AUTHORITY MEETING
MINUTES
December 20, 2011**

The meeting was called to order at 9:00 a.m. by the Chair, Toney Stricklin. The agenda along with the time and place of the meeting was posted in accordance with State Law.

PRESENT:

Toney Stricklin, Chairman
David Aubrey, Vice-Chair
Stanley Haywood, Secretary (arrived late)
Lee Baxter, Asst. Secretary
Ed Petersen, Asst. Secretary
David Madigan, Member
Ray Friedl, Member
Cassandra Lawson- Johnson, Member
Bob Milner, Member

ABSENT:

ALSO PRESENT:

The roll call confirmed that a quorum was present.

Barbara McNally, Airport Director	Pat Hurley, Executive Assistant
Chuck Wade, Airport Attorney	Chris Pittman, LaSill Aviation
Kim McConnell, Lawton Constitution	Betty Cerrone, MOAA
Raymond McMurray	Richard Rogalski, City Planner

OLD BUSINESS

a) Minutes – Stricklin asked for additions and/or corrections to the minutes of the Airport Authority meeting of November 22, 2011.

MOTION BY BAXTER, SECOND BY FRIEDL, to approve minutes of the November 22, 2011 meeting. AYES: Stricklin, Aubrey, Baxter, Petersen, Madigan, Friedl, Lawson-Johnson, Milner. NAYES: None. MOTION CARRIED.

REPORTS FROM MANAGERS OF AIRPORT BUSINESSES

- a. American Eagle (Mike Thomas, Manager)** – Not present.
- b. La Sill Aviation (Chris Pittman)** – Pittman said he has been unable to make the Airport Authority meetings because the Halliburton charter has been schedule at the same time. Pittman said US Jet lost the contract with Halliburton and will no longer be based in Lawton. Pittman also reported that LaSill will have three military charters next week.
- c. Lawton Air Traffic Control Tower (Frank Herndon)** – Not present.

- d. **Fort Sill Transportation (John Westbrook)** –Not present.
- e. **MOAA (Betty Cerrone)** – Cerrone said the Military Welcome Center has made great strides in the last several months and has raised enough money to begin construction later this month. Cerrone said there have been nine training sessions and there are now a total of 81 volunteers. Cerrone said they will have another training session mid-January. Cerrone said all volunteers wear red vest to be easily identified and they have started regular operations and the volunteers will be available twelve hours a day for exodus. Cerrone said everyone is very grateful for the support from the community and the Airport Authority.

CHAIRMAN’S REPORT (Toney Stricklin)

Open House- Stricklin reported that the Airport Open House and Ribbon Cutting was held last week. Stricklin said it was a good turn out with several Authority members, McMahon Foundation representatives, the Mayor and the Chamber representatives in attendance. Stricklin said also pleased how well we were represented in the press. Stricklin thanked the Development Committee for their hard work and support in finding the funding for the terminal renovation project.

Stricklin said earlier this year with American Eagle brought a team here to visit Fort Sill which resulted in AE adding an extra flight on Saturday to accommodate the soldiers. Stricklin said this flight has been running at an 80% load factor.

Stricklin said that there was some concern about what American Airlines Bankruptcy would mean for Lawton. Stricklin said Dale Morris called last Friday and said that beginning January 30 that AE is retiring the ATR’s and will be bringing in regional jets for the same number of flights as currently scheduled.

LEASING COMMITTEE (LEASING COMMITTEE (David Aubrey, Committee Chair)

a. Car Rental Lease – Aubrey said the Leasing committee met yesterday to review the three car rental bids that were received from Hertz, Budget and Enterprise. Aubrey said all three companies meet the bid specifications. Aubrey said it is the committee’s recommendation to accept all three proposals Budget/Avis dual branding, Hertz and Enterprise/National dual branding. Aubrey said the leases will begin March 2012. Baxter asked how many bids were received. Aubrey said three, with four represented at the pre-bid.

MOTION BY PETERSEN, SECOND BY LAWSON-JOHNSON, to approve accepting the bids from all three Car rental Companies named above. AYES: Aubrey, Haywood, Baxter, Petersen, Madigan, Friedl, Lawson-Johnson, Milner, Stricklin. NAYES: None. MOTION CARRIED.

DEVELOPMENT COMMITTEE (Lee Baxter, Committee Chair)

a. Federal Project:

- 1) **AIP 29- Pavement Rehab Project** –McNally said the project is about 80% complete.

AIRPORT DIRECTOR’S REPORT (Barbara McNally)

a) Airport Operations – McNally said we are having some intermittent problems with our runway lights and we have an electrician working on the problem. McNally said it has not caused any flight delays.

b) Airport Service Development 101- McNally requested to attend the Air Service Development Conference on January 18-20, 2012, in Arizona, the cost to attend is \$ 1,400.00 which would be budgeted out of Travel and Training budget. McNally said Mead & Hunt will be bringing in several regional carriers. Madigan suggested McNally pass on the information to the Economic Development representative of the Chamber.

MOTION BY LAWSON-JOHNSON, SECOND BY BAXTER, to approve McNally attending the Air Service Development Conference on January 18-20, with an amount not to exceed \$ 1,400.00. AYES: Haywood, Baxter, Petersen, Madigan, Friedl, Lawson-Johnson, Milner, Stricklin, Aubrey. NAYES: None. MOTION CARRIED.

c) Rezoning request for property at Bishop and 11th Street – McNally said the next item on the agenda is the rezoning issue of the corner of Bishop and 11th Street. McNally said the City of Lawton’s Planning Commission voted 6 to 3 to against rezoning. Stricklin said the Authority members have before them a letter from the FAA Southwest Region Airports Division which recommends against rezoning and allowing the construction. Stricklin said the Authority also has an email that states the issue and gives the facts.

Stricklin said the issue is a rezoning issue at the corner of Bishop and 11th Street and that property is going to be considered at City Council tonight to be rezoned from I-3 which is light industrial to R-4 which is high density residential. Stricklin said the Planning Commission voted on it last week and voted to recommending denying the request to rezone. Stricklin said tonight the City Council will consider the request. Stricklin said the Authority needed to take a position on this as advocates for the airport. Stricklin opened the topic for discussion.

Richard Rogalski, City Planner said the proposed project is for three phases, 60 units per phase, for a total of 180 units which will encompass about 24 acres. Rogalski said the proposal is for one senior living complex and two family living complexes. Rogalski said the developer is requesting the rezoning and the council approval to qualify for tax credits. Rogalski said it was the City Planning staff’s recommendation to deny the request because of proximity to the airport.

Rogalski said the property line is actually outside the 55 DNL noise contour in the Airport Master Plan. He said that Planning felt that the noise level from traffic on 11th street which is estimated to be 66 DNL would be louder than airport noise. Rogalski said the current zoning allows industrial and commercial uses for the property but not residential.

Rogalski said it would be his recommendation if the rezoning was allowed by the City Council to require the developer to include sound proofing. Rogalski said if it is incompatible the zone should not be changed.

Baxter said Rogalski is asking the right question, “We have been killing ourselves trying to figure a way to declare this incompatible”. Baxter said, “To me these are inconsistencies, but I was not at the planning meeting”.

Baxter said if I read the FAA letter it says “Grant Assurance 21, Compatible Land use, requires the airport sponsor to take appropriate actions to control existing and planned land uses in the vicinity of the airport to ensure they remain compatible with safe and efficient operation of aircraft. FAA does not consider public facilities such as schools, churches or hospitals as being compatible with aircraft operation.” Baxter said there is no mention of residential. Baxter said about noise abatement, I am not for this yet or against, but my understanding is that 45 DNL is no more noise than we have in this room. Baxter said the developer was given all kinds of assurances about noise abatement, Rogalski said that was true. Baxter said the Lawton Constitution says the Airport Manger has a written statement from the FAA, stating the agency doesn’t like residential development near the airport

that is not in any letter I have seen. McNally said clarified that residential was in the FAA's Airport Compliance Manual. Baxter said it is not in this letter. McNally said that was an oversight, "if you're not going to put a school, church or hospital in an area around the airport why would you want residential?"

McNally said residential adjacent to an airport it is absolutely an incompatible land use. McNally said that is in the Master Plan. Baxter said the Master Plan says the land should remain industrial because it is more palatable to the FAA. Baxter said "that maybe right or maybe wrong I just don't know, but I am not sure that we are not over reacting to this." Baxter said we should listen to the options. Baxter said the City Planner said that if the construction was pushed back a little and the developer used noise abatement, that this construction could happen. Baxter said he knew McNally has been against this from the very first moment, but he is not sure what we are breaching by agreeing to look at this. Baxter said it is his understanding that all the council is going to do tonight was to decide to conceptually allow the developer to apply for the tax grant. Rogalski said there might be a little bit of a misunderstanding, if the council rezones the property, it is a hard rezoning and will remain residential. Rogalski said the Council will also consider an application for tax credits but the rezoning request will be final tonight. Rogalski said if the development falls through, the airport can apply to council to rezone it back to Industrial, I-3.

Baxter said he thinks the general perception is that the FAA is somehow opposed to this. Baxter doesn't think the FAA takes a position on matters like this. Baxter said the letter does not say anything about residential or apartment building, it doesn't say anything about preferring commercial. Baxter said he doesn't understand why we are taking this view.

Aubrey said he is not against any kind of development for the betterment of Lawton on the south side or any other side and doesn't believe anyone on the board is against growth. Aubrey said he drove up and down 11th street and, just north of Bishop is another parcel that's outside the area and zoning we are talking about. Aubrey said if you strip away FAA rules, City Lawton rules, if you just strip away everything and look at what you have, an airport that you are talking about putting a residential facility right next to. Aubrey said that just doesn't make common sense. Aubrey said I'm not looking at noise levels, even though we already have those complaints. Aubrey said there is also a safety issue, with all the land available in Lawton, "why put it next to a loud noisy commercial establishment?"

Lawson-Johnson said she had a question for the board, earlier it was announced that American Eagle was going to bring jets. Lawson-Johnson said jets have a different noise pollution than propeller planes. Lawson- Johnson asked if anyone had taken into consideration different aircraft especially the larger aircraft and how that could affect areas around the airport. Lawson- Johnson said the City of Lawton and the Master Plan have that land zoned industrial for a reason, think about future development of the airport and how that land could be used then, like for a UPS warehouse or something compatible. Lawson-Johnson said she was familiar with noise issues in Denver, even with the new location of the airport. Lawson-Johnson said there are issues with lawsuits and airports all over the states. Lawson-Johnson said airports like Chicago-O'Hare are land locked, they need to grow and have nowhere to go, then in Kansas City the airport is an hour outside the city. Lawson-Johnson said we do not want to land lock our airport and threaten future development. Lawson- Johnson said "a smart person learns from someone else's mistakes".

McNally said that is why the FAA guidance says that industrial uses are compatible and residential is not. Cities are encouraged to protect the airport with zoning, because of law suits and space needed for expansion. McNally said as a rule, airports locate themselves out of town not to disturb the residential area. McNally said we already get noise complaints. McNally said the FAA commissioned a study last year to find out how noise affects people outside the 65 DNL and found that 75% of the complaints come from outside the 65 DNL. McNally said noise is a

subjective thing, whether noise bothers you, but the noise of a C-5 landing at 2 in the afternoon will be different than the same noise at 2 in the morning. You are disturbing people's lives. Lawson-Johnson said she understands that because she lived on Fitzsimmons Army Base with no air and windows open in the summertime.

Lawson-Johnson said in the world we live in, people will sue for any given reason. Lawson-Johnson said she believed that this decision should be for the future of the airport using common sense and reasoning. Lawson-Johnson said, "let's look at this rationally, and not from the point of view of someone wanting to make money in this town or for emotional reasons."

Haywood said he has been here since 1948, living in Lawton View. Haywood said it was county then, not city with dirt roads. Haywood said the street he lived on there was a motel. Haywood said from Pennsylvania to First Street was paved in Lawton 1960. Haywood said they closed my school, Douglass in 1966 because of in segregation. Haywood said we had two train tracks with Douglass in between them, all the noise you could stand but we still learned. Haywood said we ate our lunch with the smell of the slaughter house. Haywood said in 1971 he finished school and came back to Lawton. Then they closed Dunbar school and reopened Douglass because of the airport. Haywood said Dunbar was closed and we have a school on the airport property. Haywood said we are in violation. McNally agreed that there were incompatible land uses that we deal with every day.

Haywood said we have a church across the street from the airport and if we put a motel there, no one would say a word. Haywood said, "you tell me the difference between a motel and an apartment building." Lawson-Johnson said the difference is, people may stay a couple of days in a motel, in an apartment families are stuck there.

Haywood said Ward 7 needs development. He believed that this development would be good for the area. Rogalski said this topic is difficult because areas around the airport should be industrial, industry doesn't complain about noise.

Madigan said that it was probably his own fault but that he was not familiar with the Master Plan and its recommendations. McNally said each new member received a CD with the Master Plan on it in their Orientation Manual.

Stricklin called for a motion.

MOTION BY AUBREY, SECOND BY PETERSEN, to object to the rezoning request on the property at 11th and Bishop from industrial to high density residential. AYES: Petersen, Lawson-Johnson, Milner, Stricklin, Aubrey. NAYES: Baxter, Madigan, Friedl, Haywood. MOTION CARRIED.

d) AIRPORT DIRECTOR'S FINANCIAL REPORT

Purchase Order's to be approved from the Operating Account total \$ 40,455.58.

Capital Improvements totaled 207,706.50, with payment to AIP 27 Wildlife \$ 18,872.00, AIP 29, \$11,027, \$10, 8995.61, \$157,035.33. TSA rent 1,363.46, Police Reimbursement \$ 10,413.00.

Bank Balances:

The following are reconciled balances of unrestricted accounts:

Money Market Account (10976043)	\$	356,967.20
Operating Account (10375822)		40,588.70

Imprest Fund (10704778)	1,847.32
Balance of unrestricted accounts	\$ 399,403.22
Passenger Facility Charges (9014251)	\$ 236,069.65
Capital Improvement Account (114030)	33,146.84
Balance of the restricted accounts	\$ 269,216.49

Income and Expense Budget Tracking - Incomes for the month totaled \$ 60,304.39, YTD incomes total \$ 401,879.45 or 47% of the total budgeted amount of \$ 858,869.60.

Expenses for the month totaled \$ 66,650.45; YTD expenses total \$ 370,457.88 which is 48% of the total budgeted amount of \$ 770,385.20.

Collateralized Accounts – Currently, the FDIC insures the Authority’s accounts up to \$ 250,000.00 per account. The following are pledged dollars above the current insured amounts. Arvest has pledged \$ 600,000 above the FDIC limit. City National has pledged \$ 1,750,000.00 above the FDIC limit. These amounts are reported monthly from Federal Reserve Bank.

Accounts Receivable - Due to American Eagle’s bankruptcy the November rent check was returned and Decembers check the rent was paid but the landing fee.

MOTION BY FRIEDL, SECOND BY MADIGAN, to approve the financials and purchase orders as they were presented. AYES: Petersen, Madigan, Friedl, Lawson-Johnson, Milner, Stricklin, Aubrey, Haywood, Baxter. NAYES: None. MOTION CARRIED.

NEW BUSINESS

Aubrey presented Stricklin with the Chairman Plaque and thanked him for his outstanding service over the last year and Stricklin thanked the members, McNally and Hurley for their hard work.

There being no further business, the meeting was adjourned.

Toney Stricklin, Chairman