



NOTICE OF REGULAR MEETING AND AGENDA
OF THE MIAMI CITY COUNCIL
MONDAY, MAY 23, 2022
5:30 PM
OR IMMEDIATELY FOLLOWING
THE COMPLETION OF THE MEETING OF THE MIAMI SPECIAL UTILITY AUTHORITY

MIAMI CIVIC CENTER
129 5th Avenue Northwest, Miami, Oklahoma

Filed in the Office of the City Clerk and displayed in the main lobby of the Miami Civic Center and by posting on www.miamiokla.net starting at 3:00 AM/PM on May 20, 2022, pursuant to 25 O.S. § 311(9) (a) and (b).

Melissa Moore
Melissa Moore, City Clerk

THE COUNCIL MAY TAKE ANY OF THE FOLLOWING ACTIONS: DISCUSS, CONSIDER AND VOTE FOR APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF ANY ITEM LISTED IN THIS AGENDA:

- | | |
|--|--------------------------|
| 1. Call to Order | Mayor Parker |
| 2. Administer Oath of Office:
Brian Estep, Northeast Ward 1
Kevin Dunkel, Northwest Ward 2 | Melissa Moore |
| 3. *Action Item* Resolution 2022-07 of the Mayor and City Council of the City of Miami, Oklahoma Approving Community Financial Support and Fee Waivers to John Vance Auto Group, LLC Related to the Development of 521 N. Main | Bo Reese/
Tyler Cline |
| 4. City Manager's Communications | Bo Reese |
| 5. Adjournment | City Council |

The Mayor and City Council of the City of Miami are committed to making this meeting accessible to all citizens and if special assistance or accommodations are required, please submit your request to the city manager's office. We also ask that those in attendance turn off or place on silent all cell phones or pagers. Thank you.



OATH OF OFFICE

(Oklahoma Constitution, Article XV, §1; 51 O.S. §36.3; 11 O.S. §8-103)

I, Brian Estep, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law;

I further swear (or affirm) that I will faithfully discharge, according to the best of my ability, the duties of my office during such time as I am a member of the Miami City Council, Ward, 1 and the board of trustees of the Miami Special Utility Authority (MSUA) of the City of Miami, Oklahoma.

Brian Estep

STATE OF OKLAHOMA)
COUNTY OF OTTAWA) SS

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 2022, by Brian Estep.

Notary Public

Commission Number: _____

Commission Expires: _____

[NOTARIAL SEAL]

[* Per 11 O.S. §8-104, municipal oaths may be administered by “[a]ll officers authorized by state law, the mayor, the municipal clerk, the city manager or municipal judge and all such other officers as the municipal governing body may authorize...”. Also, per 49 O.S. §6, “[n]otaries public shall have authority ... to administer oaths...”.]



OATH OF OFFICE

(Oklahoma Constitution, Article XV, §1; 51 O.S. §36.3; 11 O.S. §8-103)

I, Kevin Dunkel, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States, and the Constitution of the State of Oklahoma, and that I will not, knowingly, receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law;

I further swear (or affirm) that I will faithfully discharge, according to the best of my ability, the duties of my office during such time as I am a member of the Miami City Council, Ward, 2 and the board of trustees of the Miami Special Utility Authority (MSUA) of the City of Miami, Oklahoma.

Kevin Dunkel

STATE OF OKLAHOMA)
COUNTY OF OTTAWA) SS

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 2022, by Kevin Dunkel.

Notary Public

Commission Number: _____

Commission Expires: _____

[NOTARIAL SEAL]

[* Per 11 O.S. §8-104, municipal oaths may be administered by “[a]ll officers authorized by state law, the mayor, the municipal clerk, the city manager or municipal judge and all such other officers as the municipal governing body may authorize...”. Also, per 49 O.S. §6, “[n]otaries public shall have authority ... to administer oaths...”.]

**CITY COUNCIL
ACTION/DECISION REQUEST**

CITY COUNCIL

MEETING DATE: May 23, 2022

AGENDA TITLE: Resolution 2022-07 of the Mayor and City Council of the City of Miami, Oklahoma Approving Community Financial Support and Fee Waivers to John Vance Auto Group, LLC Related to the Development of 521 N. Main

BACKGROUND:

STAFFS RECOMMENDATION: Approve resolution

PROPOSED MOTION: Motion to approve resolution 2022-02.

PRESENTER(S):

Bo Reese
Tyler Cline

RESOLUTION CC2022-07

**RESOLUTION APPROVING COMMUNITY FINANCIAL SUPPORT AND FEE WAIVERS TO
JOHN VANCE AUTO GROUP, LLC,
RELATED TO THE DEVELOPMENT OF 521 N MAIN, MIAMI**

WHEREAS, John Vance Auto Group, LLC (“John T Vance”) is in/will commence the process of developing and constructing a structure at 521 N Main, Miami, Oklahoma, to house and operate a new vehicle dealership (“the Project”); and

WHEREAS, the City of Miami (“the City”) has adopted a comprehensive plan known as Miami's Commitment to Excellence, which supports a focus on strategic public investments to improve conditions, encourages appropriate infill development on vacant or dilapidated sites, and encourages the upgrade of existing properties: and

WHEREAS, the planned improvements will lead to new employment and increased utility revenues for the Miami Special Utility Authority (“the MSUA”) as well as sales tax revenue for the City; and

WHEREAS, the MSUA has recommended that the City find that a necessary public purpose and the public good will be served by offering financial incentives to John T Vance for the benefit of the Project; and

WHEREAS, the MSUA has recommended that the City Council find that economic development of the Project is a legitimate public purpose, and one which the Oklahoma Supreme Court explicitly recognized in the case(s) of *Burkhardt v. City of Enid*, 1989 OK 45, and *State ex rel. Brown v. City of Warr Acres*, 1997 OK 117; and

WHEREAS, the MSUA has recommended that the City Council find that the Project represents private party development that will promote the economic development of the City and will provide direct and quantifiable economic benefits to the community generally by increasing sales tax revenues for the City, increasing utility revenues paid to the MSUA, add new jobs, retain existing jobs, and promote collateral economic growth and development;

WHEREAS, the MSUA has recommended that the City Council delegate certain authority to the City Manager and/or the Trust Manager of the MSUA to develop and implement an agreement with John T Vance to waive fees for this legitimate public purpose of economic development, which shall provide direct and quantifiable economic benefits to the community generally as described above; and

WHEREAS, the MSUA has recommended that the City review the proposed Project and find that it complies with the goals of the Commitment to Excellence adopted by the City.

NOW THEREFORE BE IT RESOLVED that the City, in return for the commitments to be made by John T Vance to the City and the MSUA (collectively hereinafter called the "City") offer the following financial incentives to John T Vance:

1. John T Vance shall commit to the City, that within six months of the completion of the construction of the Project herein contemplated, these conditions shall be met, as follows:
 - a. With full operation of the vehicle dealership to be located at 521 N Main, John T Vance shall employ 35 employees with a combined total annual salary of approximately \$3,000,000;
 - b. At least 35 employees shall remain on its payroll for this vehicle dealership, for a continuous period of at least two years after the provisions of the preceding subparagraph go into effect:
 - c. John T Vance shall construct a new \$3,000,000.00 to \$4,000,000.00 structure. John T Vance shall provide all back-fill material as required by the City to level the lot. The office portion of the Project shall be an all-electric facility;
 - d. Holophane lights shall be placed along Main to match the existing lights south of the Project;
 - e. John T Vance will provide a financial commitment to purchase Christmas ornaments for downtown; and
 - f. John T Vance will accept these foregoing terms and conditions in the agreement to be negotiated between John T Vance and the City.

2. The City shall offer development incentives, inducements and contributions to the development of 521 N Main, Miami, as follows:
 - a. Waiver of building permits & inspection fees for inspection of construction of the Project. THIS IS NOT A WAIVER OF INSPECTIONS OR PERMITS and the construction of the Project must comply with all City building codes and John T Vance must apply for and obtain all applicable permits without fee;
 - b. Waiver of electricity and water hookup fees associated with the construction phase of the Project;
 - c. Waiver of up to \$10,000 in roll-off rental and tipping fees associated with the construction phase of the Project;

- d. Removal of buildings, fencing and parking surfaces to provide a smooth lot for construction of the Project;
- e. Assist with the remediation, where needed, in an amount not to exceed \$_____;
- f. The VFW property at the corner of 5th and Main legally described as LOTS 5-8 Block 3, Wea III shall be donated to John T Vance for use as a portion of the Project building site;
- g. The City shall attempt to vacate the alleyway of 521 Main, Miami, leaving only a sewer line for the Project's use. Successful vacation of the alleyway is a condition precedent for the validity of the agreement to be negotiated between the City and John T Vance; and
- h. The City will accept the foregoing terms and conditions in the agreement to be negotiated between the City and John T Vance.

BE IT FURTHER RESOLVED, that the City finds that the proposed Project is consistent with the City's downtown redevelopment strategies and Commitment to Excellence.

Approved and passed this 23rd day of May, 2022.

[seal]

 Bless Parker, Mayor
 City of Miami, Oklahoma

ATTEST:

APPROVED:

 City Clerk, City of Miami, Oklahoma

 Attorney for City

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