

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED JUNE 9, 2023 AT 11:40 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JUNE 12, 2023**

**PRESENT: MAYOR WILLIAM H. JOYCE, COUNCILORS CHRISTIE HAWKINS,
KEVIN CLARK AND TIM HARDIN
ABSENT: VICE MAYOR AMY DZIALOWSKI**

1. CALL MEETING TO ORDER

Mayor Joyce called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

Boy Scout Troop 888 led the audience in the Pledge of Allegiance.

3. CONSENT DOCKET

- a. Approve FY24 extension agreement with Cross Timbers Landscape, LLC for landscape maintenance at City owned locations
- b. Approve FY24 extension agreement with OnCue Marketing, LLC for fuel for city vehicles
- c. Approve bid award to Johnson Controls in the amount of \$84,441.96 for maintenance of HVAC system at the Municipal and Stillwater Police Department buildings
- d. Approve bid award to Anago in the amount of \$58,387.92 for janitorial services at 15 City owned facilities
- e. Approve engagement with OMAG for FY24 property and casualty needs in the amount of \$713,873 and Stillwater Regional Airport liability in the amount of \$9,722
- f. Approve FY24 Collective Bargaining Agreement with International Association of Firefighters Local #2095

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CONSENT DOCKET AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

4. PUBLIC COMMENT ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

There were no requests to speak on agenda items not scheduled for public hearing.

5. ITEMS REMOVED FROM CONSENT DOCKET

None.

6. PUBLIC HEARINGS

- a. Receive public comment regarding a request from Jerrod Foutes/Vertical Bridge for a Specific Use Permit to allow a cell tower at 1730 N Jardot Road

City Planner Jacquelyn Porter reported that staff is requesting to table this item to the July 10, 2023 City Council meeting.

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR HAWKINS TO TABLE THIS ITEM TO THE JULY 10, 2023 CITY COUNCIL MEETING.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Receive public comment regarding a request for a Map Amendment for the properties located at 1017 & 1109 W 9th Avenue, 1022, 1024, 1104, 1110, 1122, & 1124 W 10th Avenue, and 920 through 924 S Jefferson Street from Small Lot Single-Family Residential District (RSS) to Two-Family Residential District (RT)

City Planner Jacquelyn Porter reported that the applicant is requesting review and approval of a Map Amendment to rezone the above listed properties. The current zoning is Small Lot Single-Family Residential District (RSS) with similar zoning surrounding the property. Ms. Porter stated that the applicant has indicated the desire to demolish the current structures and develop the subject properties with duplexes. The rezoning would create nonconforming lots in Two-Family Residential District.

Mayor Joyce opened the public hearing.

Stephen Gose, 113 E. 8th Avenue, spoke of behalf of the applicant.

Ariel Ross, 1221 W. 9th Avenue, expressed her concern that there are not more questions from the residents in this historically black neighborhood. She feels these people will lose their homes.

Cory Williams, 621 S. Husband, stated that he is the applicant for the rezoning. He reported that he plans to work at relocating the current tenants to adequate facilities and will honor current leases.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval with a vote of 5-0.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR PROPERTIES LOCATED 1017 & 1109 W. 9TH AVENUE, 1024, 1104, 1110, 1122 & 1124 W. 10TH AVENUE AND 920 THRU 924 S. JEFFERSON STREET FROM SINGLE FAMILY SMALL LOT RESIDENTIAL (RSS) TO TWO-FAMILY RESIDENTIAL (RT) DISTRICT.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

7. GENERAL ORDERS

- a. Consider approval of budget amendments transferring \$4,151,028 from the General Fund to the City Capital Fund

Finance Director Christy Cluck reported that new City capital projects were prioritized during the FY23 budget development process, but most have been on hold due to lack of funding. \$2.4 million in projects remain on the original project priority list, and \$1.1 million in roof projects have been added since

development of the original list. Ms. Cluck stated that on April 17, 2023, the City Council approved budget amendments to move transportation projects appropriated in the General Fund and City Capital Fund to the Transportation Sales Tax Fund. This action created an unappropriated fund balance in the General Fund of \$4,151,028. She stated that staff's recommendation is to transfer \$4,151,028 from the General Fund to the City Capital Fund for use on City capital projects. City staff has begun the process to update the City capital project list to reflect current capital needs of City departments. Ms. Cluck stated that staff will return to Council at a future meeting to request appropriation of City Capital Fund dollars to specific capital projects.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR HARDIN TO APPROVE BUDGET AMENDMENTS TRANSFERRING \$4,151,028 FROM THE GENERAL FUND TO THE CITY CAPITAL FUND.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Consider approval for Stillwater Police Department to purchase six police pursuit vehicles on State Contract SW035 and approval of the related budget amendment appropriating \$400,000 from the City Capital Fund for the purchase

Police Chief Jeff Watts reported that the Stillwater Police Department (SPD) has a need to replace aging, and costly to maintain police units. However, new police units are in short supply. He stated that Bob Howard Chrysler Jeep Dodge has a small supply of police vehicles available for purchase on State Contract SW035. SPD is seeking approval to purchase the following on State Contract SW035:

- ✓ Two 2023 Dodge Charger Police Pursuit Vehicles: \$72,396
- ✓ Four 2023 Dodge Durango Police Pursuit units: \$169,340
- ✓ Outfitting for six police units: \$158,586
- ✓ Six Watchguard camera systems \$42,000

Total cost: \$442,322

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO APPROVE THE PURCHASE OF SIX POLICE PURSUIT VEHICLES ON STATE CONTRACT SW035 AND THE RELATED BUDGET AMENDMENT APPROPRIATING \$400,000 FROM THE CITY CAPITAL FUND.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- c. Consider amendment to Owner/Engineer Agreement with Olsson, Inc. in an amount of \$235,000 for engineering professional services related to the Airport Industrial Arterial Road improvements and connection with the Stillwater Regional Airport new terminal building, related budget amendment appropriating \$235,000 for engineering services, and authorize Interim City Manager to sign related documents

Deputy City Manager Melissa Reames reported that the design for a new airport terminal is progressing and the construction manager will be bidding to subcontractors in summer 2024. The environmental clearances necessary for Hargis Road re-alignment have stalled progress on the project. She stated that in order for new airport terminal construction to proceed, a parking access road must be constructed. Adequate parking during new terminal construction and utility relocations conforming to the airport master plan layout are needed. Ms. Reames reported that Olsson has provided City staff with a proposal for design and construction services related to a new terminal parking lot, associated parking access road, geotechnical bores, survey of the complete construction site and designing utility relocations. The scope includes design for parking lot and parking access road layout. The parking

access road will be used as the airport traffic bypass route during construction. Ms. Reames stated that the fee for Olsson's amendment is \$205,140. An additional appropriation of \$235,000 is necessary for the recommended action to cover design, bid phase support, subcontracts, construction administration services and contingency (\$29,860) for the above services.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO APPROVE AMENDMENT TO OWNER/ENGINEER AGREEMENT WITH OLSSON, INC. IN AN AMOUNT OF \$235,000 FOR ENGINEERING PROFESSIONAL SERVICES RELATED TO THE AIRPORT INDUSTRIAL ARTERIAL ROAD IMPROVEMENTS AND CONNECTION WITH THE STILLWATER REGIONAL AIRPORT NEW TERMINAL BUILDING, RELATED BUDGET AMENDMENT APPROPRIATING \$235,000 FOR ENGINEERING SERVICES, AND AUTHORIZE INTERIM CITY MANAGER TO SIGN RELATED DOCUMENTS.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

8. RESOLUTIONS

- a. Resolution No. CC-2023-18: A resolution acknowledging City Council authorization and approval for the submission of an application for Fiscal Year 2023 Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership Program (BVP) for bulletproof protective vests for the Stillwater Police Department

Grants Manager Shelly Crynes reported that bulletproof vests typically are replaced on a five year cycle. They do not last forever and are prone to lose their integrity for many different reasons including being struck by a bullet or edged weapon, or simply from normal wear and tear over time. The City of Stillwater Police Department enforces a mandatory wear policy and has identified a need for new bulletproof protective vests to replace those that have reached the end of their five year vest replacement cycle. Ms. Crynes stated that the Patrick Leahy Bulletproof Vest Partnership (BVP) Program, created by the Bulletproof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative administered by the Office of Justice Programs, Bureau of Justice Assistance that is designed to provide bulletproof vests to state and local law enforcement. Staff proposes submitting a grant application to the BVP Program for funding to purchase vests for the Stillwater Police Department. Ms. Crynes reported that the amount being requested with the grant application is \$75,650. The anticipated cost share under the BVP Program grant is \$37,825 from BVP and City of Stillwater 50% local match of \$37,825. Resolution CC-2023-18 authorizing the grant submission and matching funds is on the agenda for adoption.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2023-18 AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Resolution CC-2023-19: A resolution of the City Council approving Stillwater Regional Airport budget amendments reflecting the receipt and appropriation of grant funds for the payment of a remaining balance for the purchase of snow removal equipment at Stillwater Regional Airport through FAA Grant 3-40-0090-037-2022

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT RESOLUTION NO. CC-2023-19 AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

9. ORDINANCES

a. First Reading

Ordinance 3523: An ordinance closing a portion of the 16-foot water easement of Lot 3, Block 2, The Sticks, an addition to the City Of Stillwater, Payne County, Oklahoma, near property addressed as 119 East Tyler Avenue

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3523 TO SECOND READING.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

10. APPOINTMENTS

- a. Appointment of Engineer David Barth and Engineer Tech Ethan Mattox as staff liaisons to the Bicycle Pedestrian Ad Hoc Advisory Committee

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO APPOINT ENGINEER DAVID BARTH AND ENGINEER TECH ETHAN MATTOX AS STAFF LIAISONS TO THE BICYCLE PEDESTRIAN AD HOC ADVISORY COMMITTEE

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
- i. Request for Executive Session pursuant to 25 O.S. §307 (B)(2) to discuss labor negotiations with Fraternal Order of Police Lodge #102.
 - ii. Request for an Executive Session pursuant to 25 O.S. § 307(B)(4) involving confidential communication between the City Council and City Attorney concerning Darrell Dougherty vs. City of Stillwater, et al, CJ-2021-19 and Darrell Dougherty v. City of Stillwater, CJ-2023-3. It is the opinion of the City Attorney that disclosure of this matter will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.
- b. Miscellaneous items from the City Manager:
- Interim City Manager Brady Moore congratulated the Stillwater Electric Utility department upon recent recognitions for their excellence to standards and service. The department was recently named a finalist in the American Public Power Association's 2022 Safety Awards of Excellence, in recognition of their safety record and incident-free records. They also placed third in a category based on number of hours all utility employees worked Jan. 1 to Dec. 31 of 2022. Almost 300 utility departments from across the U.S. participated in the annual APPA Engineering and Operations Awards and Conference.
 - Interim City Manager also congratulated Utility Director Loren Smith, upon being selected as Chairman of the Oklahoma Municipal Utility Services Association, an organization that provides administrative and operational support to Municipal Electric Systems of Oklahoma members.
- c. Miscellaneous items from the City Council:
- Councilor Hardin announced that the City is accepting applications for citizen representatives to serve on various committees including Board of Adjustment and Planning Commission. These committees are essential for increased

development and infrastructure projects within our community. If anyone would like to get involved in their local government and help make Stillwater even greater, please consider serving on one or more of these committees. For more information and to apply online, go to: Stillwater.org/citizenboards.

- Councilor Clark announced that this weekend, June 16 and 17, will be Stillwater's first "Dancing Turtle: Interactive Celebration of the Arts" at the Stillwater Community Center and in other areas downtown. This free, family event provides all residents and patrons with entertainment, performing arts, visual arts, multiple vendors, variety of music performers, and much more. For more information about the event, follow Dancing Turtle on Facebook or go online to: sccfoundation.org/dancingturtle
- Councilor Hawkins announced that beginning today, all lanes of traffic are closed on W. 12th Avenue between south Duncan and Duck streets. The full street closure will last approximately five weeks and is for construction to help mitigate flooding and drainage issues. Flooding in this area has been a concern for several years and it creates hazardous driving conditions. Motorists are asked to pay careful attention when driving in the area and to take alternate routes if possible.
- Mayor Joyce stated that Stillwater Community United will be celebrating Juneteenth at Southern Woods Park this Saturday, June 17 from 11 a.m. to 1 p.m. All community members are invited to gather for games, music, free food and drinks, and entertainment for the whole family. City Hall will be closed in observance of Juneteenth on Monday, June 19. Trash and recycling will be collected as usual, but not yard waste.
- Mayor Joyce invited residents to save the date and celebrate Independence Day with Stillwater's Boomer Blast Firework Show on Tuesday, July 4 at Boomer Lake Park. Enjoy area vendors and food trucks beginning at 6 p.m. and the firework show at 9:30 p.m. Vehicles are not allowed inside Boomer Lake Park during the event, but free parking will be available at Stillwater High School stadium and Cimarron Plaza.
- i. Discussion about scheduling items for future meetings.

12. EXECUTIVE SESSION

- a. Confidential communication to discuss labor negotiations with Fraternal Order of Police Lodge #102.
- b. Confidential communication regarding pending litigation concerning Darrell Dougherty vs. City of Stillwater, et al, CJ-2021-19 and Darrell Dougherty v. City of Stillwater, CJ-2023-3.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:15 P.M.

**ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.**

Stillwater City Council meeting recessed at 6:15 p.m. to convene Stillwater Economic Development Authority meeting.

Stillwater City Council reconvened at 7:31 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ENTER INTO EXECUTIVE SESSION AT 7:32 P.M.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

13. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR HARDIN TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 9:06 P.M.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- a. Possible action regarding labor negotiations with Fraternal Order of Police Lodge #102.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO DIRECT STAFF TO PROCEED AS DISCUSSED WITH FRATERNAL ORDER OF POLICE LODGE #102 NEGOTIATIONS.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Possible action regarding pending litigation concerning Darrell Dougherty vs. City of Stillwater, et al, CJ-2021-19 and Darrell Dougherty v. City of Stillwater, CJ-2023-3.

No action was taken on this item.

14. QUESTIONS AND INQUIRIES

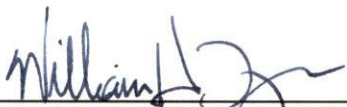
None.

15. ADJOURN

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE JUNE 12, 2023 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

ROLL CALL VOTE: JOYCE-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

The June 12, 2023 regular meeting of the Stillwater City Council adjourned at 9:07 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK