IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED AUGUST 4, 2023 AT 12:15 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
AUGUST 7, 2023

PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR AMY DZIALOWSKI, COUNCILORS CHRISTIE HAWKINS, KEVIN CLARK AND TIM HARDIN
ABSENT: NONE

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

The Stillwater City Council led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS/PRESENTATIONS

a. Small Business Administration 70th Anniversary

Mayor Joyce read the proclamation declaring August 7, 2023 as a day to celebrate the 70th Anniversary of the U.S. Small Business Administration. Both Chamber of Commerce President Alane Zannotti and Visit Stillwater Director of Sales Nicole Horn accepted the proclamation.

4. CONSENT DOCKET

a. Approve special meeting minutes of July 24, 2023 and executive session minutes of July 26, 2023
b. Approve budget amendment appropriating $3,116 from the Stormwater Fund to cover the 3% across-the-board increase for general employees
c. Approve budget amendment reflecting carry forward balance of $22,395 from FY23 to FY24 for City match on fire assistance grant
d. Approve development agreement with Habitat for Humanity for construction of waterline associated with the Fern Cottages planned unit development at 505 E 18th Avenue; authorize the Interim City Manager/General Manager to execute the agreement; authorize expenditures for an amount not to exceed $50,000; and approve budget amendment appropriating $50,000 from the Water Fund
e. Approve budget amendment appropriating funds from TIF#3 ad valorem tax revenue for professional services contract with Center for Economic Development Law to support the implementation and administration of TIF#3 activities in accordance with the project plan
f. Approve budget revision moving funds in the amount of
g. $28, 193 from project 18TR01 to project 24TR01 to fund additional full depth repair of pavement at 3rd Avenue and Hester Street

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

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

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

Kyle Tatroult, 602 W. Arapaho Avenue, spoke in favor of the AMI Opt-out policy.

Chris Reding, 1226 N. Lincoln St, spoke in favor of the AMI Opt-out policy and expressed his concern with the data that will be collected by the electronic meters and what will be done with that information.

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. GENERAL ORDERS

a. Our Daily Bread update

Our Daily Bread Executive Director Rachel Condley presented the mission of Our Daily Bread and the statistics of the poverty level in Payne County. She discussed who is served, off-site food locations, mobile market and the community partnerships that have been formed. Ms. Condley thanked the City of Stillwater for their support and for the use of the building.

No action was taken on this item.

b. Lake McMurtry Friends annual report

Lake McMurtry Friends Executive Director Jill VanEgmond presented the annual report for Lake McMurtry Friends. She listed the highlights and achievements of the past year and gave an overview of the variety of programs, classes, camps and other services offered by Lake McMurtry. She discussed the ADA compliant trails and facilities being added to the Lake and the community outreach by bringing the Lake to residents that cannot come to Lake McMurtry.

No action was taken on this item.

c. Approve Stillwater Police Department's purchase of 20 sets of AARDVARK Project 7 Scalable Plate Rack Armor through GSA contract # GS-07F-141DA in an amount not to exceed $90,000

Police Chief Jeff Watts stated that the Stillwater Police Department SWAT team utilizes protective body armor as a part of its regular operations. The body armor has a regulated useful life of five years, and the current body armor expires in October. He said that the SWAT team has identified the type of replacement armor needed to best fit its operations, and it is available through GSA (The United States General Services Administration). GSA utilizes a competitive process to procure a wide variety of goods and services for the Federal government. State and local governments are eligible to purchase through GSA contracts. Chief Watts stated that the lead time for replacement armor will require a fitting to take place in mid-August. He stated that staff recommends purchasing the AARDVARK Project 7 Scalable Plate Rack Armor through GSA contract # GS-07F-141DA, Special Item number 339113PA: PROTECTIVE APPAREL.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO APPROVE THE PURCHASE OF 20 SETS OF AARDVARK PROJECT 7 SCALABLE PLATE RACK ARMOR THROUGH GSA CONTRACT # GS-07F-141DA IN AN AMOUNT NOT TO EXCEED $90,000.

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

d. Consideration, discussion, and possible reasonable action related to the JCI Performance Contract and related project financing

City Attorney Kimberly Carnley gave a legal update related to financing and asked Council if Legal should prepare resolutions related to financing to present to Council at the next meeting.

Interim City Manager Brady Moore reviewed the contract and stated that internal staff will review the scope of the project and can present that to Council at the next meeting.

Discussion was held amongst Council and staff.

Council directed staff to prepare resolutions and to prepare a presentation on the internal scope of the project to bring back to Council at the August 21, 2023 meeting.

8. RESOLUTIONS

a. Resolution No. CC-2023-25: A resolution amending Section II, Policy Manual for Utility Accounts, Billing and Collections of the Terms and Conditions of Service for Municipal Utilities to adopt Chapter 6, Advanced Metering Infrastructure (AMI) Opt-Out and approving the amended fees and charges for utility services schedule to adopt new fees and charges for AMI opt-out

Utility and Billing Services Director Dana Mattox gave a brief history of the Advanced Metering Infrastructure project and the Opt-Out option. The AMI project is underway and staff has received requests from a small number of customers who wish not to participate in the AMI program. Ms. Mattox reported that the Terms & Conditions of Service have been updated to include an Advanced Metering Infrastructure Opt-Out Policy as well as an updated Non-Rate Fee Schedule as it pertains to the opt-out policy.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ADOPT RESOLUTION NO. CC-2023-25 AS PRESENTED.

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

9. ORDINANCES

a. First Reading

Ordinance No. 3525: An ordinance rezoning approximately 53 acres of property located east of 12th and Blakely and north of Stillwater Creek, including property more commonly described as 1200 S. Adams Street and 1201 S. Adams Street, from Office (O) and Agriculture (A) to Public (P)

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ADVANCE ORDINANCE NO. 3525 TO SECOND READING AS PRESENTED.

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

10. APPOINTMENTS

a. Bicycle & Pedestrian Ad Hoc Citizen Advisory Committee

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR DZIALOWSKI TO APPOINT MARY HOYT, NIMALKA WEERASURIYA, KEVIN MUSSETT, CYNTHIA GEDRA, PAUL CHRISTIAN, CHRIS PETERS, KIMBERLY HOLMES AND SHELBY KELLER TO THE BICYCLE & PEDESTRIAN AD HOC CITIZEN ADVISORY COMMITTEE.

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

11. REPORTS FROM OFFICERS AND BOARDS

a. Miscellaneous items from the City Attorney:
   i. Request for an Executive Session pursuant to 25 0.S. §307 (B) (1) of the Oklahoma Open Meeting Act for the purpose of discussing specific individuals for the position of City Manager.

b. Miscellaneous items from the City Manager:
   - Interim City Manager Brady Moore congratulated the City's esteemed Finance Department upon receiving the top recognition for government accounting and financial reporting for the 41st consecutive year. This achievement is the highest form of recognition in the area of governmental accounting and financial reporting from the Government Finance Officers Association of the United States and Canada. The exceptional financial reporting award recognizes the long-time commitment the City has with tax payers and the commitment of being good stewards with tax payer funds. The City's Finance Dept. have continued a phenomenal legacy of success and outstanding work.
   - Interim City Manager Brady Moore announced that Ripley was out of water today due to a major waterline break and the City of Stillwater team was able to assist Ripley with repair parts and help them get their water back on. Mr. Moore thanked other communities that help the City of Stillwater in our time of need.
   - Interim City Manager Brady Moore announced that on the ODOT Perkins Road project that Lakeview Road is now open.

c. Miscellaneous items from the City Council:
   - Councilor Hardin announced that it's back to school in Stillwater and the City is proud of our students. Thank you to Stillwater Public Schools, Meridian Technology Center and Oklahoma State University's educators, administrators, counselors, cleaning staff, and everyone who do their part to help our students and families. Also, thank you to Stillwater Police, Fire, Emergency Management Services and all of our emergency responding entities who safeguard our livelihoods every day. We cannot leave out our friends at the Payne County Health Dept. and Stillwater Medical Center for all they do to keep us healthy and prepared to learn. Many thanks to everyone and let's have a successful and safe 2023-24 school year.
   - Councilor Clark stated that August is National Wellness Month and the City encourages everyone to devote time to form new healthy habits. Not all wellness initiatives have to be too complicated or challenging. For example drink more water and less sugary beverages. Be more aware about what you're eating with healthy portions and increase the greens. Exercise more which can mean to walk more and don't forget to stretch. Wellness includes physical, mental and emotional wellbeing. Let's be intentional with stress management and self-care. For healthy resources, visit Total Health Fitness at: stillwater-medical.org.
   - Councilor Hawkins stated that it's back to school in Stillwater with Stillwater Public Schools and Meridian Technology Center beginning this Thursday and

Oklahoma State University beginning August 21. There will be an increase of walkers near campuses and bus stops. Please be mindful when driving.

- ✓ Always stop at crosswalks and let pedestrians pass.
- ✓ Obey school zone speed limits and do not pass another vehicle in a school zone.
- ✓ Be an attentive driver, put your cell phone away, and be aware of what or who may be around you near and on the road.
- ✓ Additionally, vehicles must stop at least 20 feet before reaching a school bus that is stopped with its red lights flashing.

Together, we can ensure our students and other walkers arrive at their destinations safely.

- Vice Mayor Dzialowski announced that The City is accepting applications for citizen representatives to serve on two committees, Board of Drainage Appeals and Building Trades Board. These committees are essential for increased development and infrastructure projects within our community. The position on the Building Trades Board needs to be filled by someone active in the electrical trade. The position on the Board of Drainage Appeals needs to be filled by someone with knowledge of hydrology, engineering, storm water management or related field and have no economic interest in the development or construction industries. If anyone would like to get involved in the 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: Stillwaterok.gov/citizenboards.
- Mayor Joyce reminded residents that August is the final month to participate in the Stillwater Chamber of Commerce "Purchase on Perkins" Road campaign. This is where patrons can potentially win $1,000 cash prizes while they are shopping local. While Perkins Rd./US 177 roadway construction project is a necessity, this shop local campaign helps show much-needed support to the businesses located along this roadway. Per the Chamber to enter, just visit a store on Perkins Road and make a purchase. Next, scan the QR code on the receipt and fill out a survey to enter the contest. For more information, visit the Chamber's Facebook page and their website at Stillwaterchamber.org.

i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

a. Consideration, discussion, and possible action to enter into executive session for the purpose of discussing specific individuals for the position of City Manager, as allowed by 25 O.S. § 307 (B)(1).

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:38 P.M.

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

Stillwater City Council meeting recessed at 6:38 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:40 p.m.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ENTER INTO EXECUTIVE SESSION AT 6:40 P.M

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

14. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:01 P.M.

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

a. Consideration, discussion, and possible reasonable action with regard to the employment, hiring, appointment of the City Manager.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO DIRECT SGR TO NOT NAME FINALISTS AT THIS TIME IN THE CURRENT CITY MANAGER RECRUITMENT AND DIRECT THE SEARCH COMMITTEE TO WORK WITH SGR TO CONTINUE THE CITY MANAGER SEARCH.

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

15. ADJOURN

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ADJOURN THE AUGUST 7, 2023 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The August 7, 2023 regular meeting of the Stillwater City Council adjourned at 7:02 p.m.

WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL

TERESA KADAVY
CITY CLERK