

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED OCTOBER 12, 2023 AT 3:15 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
OCTOBER 16, 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. Domestic Violence Awareness Month - Wings of Hope

Mayor Joyce read the proclamation declaring October has Domestic Violence Awareness Month. Brandi White, Executive Director of Wings of Hope, accepted the proclamation. Ms. White encouraged citizens to wear purple on Thursday, October 19 in support of domestic violence survivors.

4. CONSENT DOCKET

- a. Approve October 2, 2023 regular meeting minutes
- b. Approve budget amendment reflecting receipt of a \$50,000 eMedia grant from Oklahoma Department of Libraries to Stillwater Public Library and approve a sole source purchase of downloadable material from Overdrive
- c. Approve budget amendments reflecting receipt and expenditure of a \$9,000 Health Literacy grant to Stillwater Public Library
- d. Approve budget amendments reflecting donations revenues and expenditures of \$17,921 to Stillwater Public Library
- e. Approve Encroachment Agreement and Release of Liability for 608 South Main Street and 601 South Husband Street and authorize the Interim City Manager to execute the agreement
- f. Approval of Memorandum of Understanding between Stillwater Regional Airport and Stillwater Flight Center, Inc. for Hangar #2 improvements and proposed hangar subleases
- g. Approve special meeting minutes of October 9, 2023

Councilor Hardin removed item f. from the consent docket.

**MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO APPROVE THE
CONSENT DOCKET MINUS ITEM F.**

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

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

6. ITEMS REMOVED FROM CONSENT DOCKET

- f. Approval of Memorandum of Understanding between Stillwater Regional Airport and Stillwater Flight Center, Inc. for Hangar #2 improvements and proposed hangar subleases

Airport Director Kellie Reed explained that hangar #1 is being demolished to make room for the new airport terminal so space needs to be made for the tenants that are currently in hangar #1. This MOU memorializes the fact that Stillwater Flight Center is making space in hangar #2 for the current tenants that are in hangar #1. Ms. Reed stated that there is a resolution on the agenda tonight for approval as well.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HARDIN TO APPROVE ITEM F. FROM THE CONSENT DOCKET.

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

7. PUBLIC HEARINGS

- a. Receive public comment regarding a request from Happydays Investments for a Map Amendment to rezone property addressed as 847 W Eskridge Avenue from Small Lot Single-Family Residential (RSS) to Two-Family Residential District (RT)

City Planner Jacquelyn Porter reported that the applicant requests review and approval of a Map Amendment to rezone the property addressed as 847 West Eskridge Avenue from Small Lot Single-Family Residential (RSS) to Two-Family Residential District (RT). The property currently holds a single-family structure, which the applicant intends to demolish. The applicant requests rezoning to allow the proposed project to meet density requirements in an RT zoning. The applicant's conceptual plans show 9 three-story townhomes with garages that have access off West Eskridge Avenue.

Mayor Joyce opened the public hearing.

Kelly Harris, Bancroft International, 923 S. Lowry, spoke on behalf of the applicant

William Decker, 1100 W. Graham Avenue, spoke against the map amendment.

Mayor Joyce closed the public hearing.

The Planning Commission recommended approval with a 4-0 vote.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR PROPERTY LOCATED AT 847 WEST ESKRIDGE AVENUE.

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

- b. Receive public comment regarding a request from Happydays Investments for a Specific Use Permit to allow townhomes in a Two-Family Residential District (RT) at the property addressed as 847 W Eskridge Avenue.

City Planner Jacquelyn Porter stated that the applicant requests review and approval of a Specific Use Permit to allow townhomes in a Two-Family Residential District (RT) at the property addressed as 847 West Eskridge Avenue. The property currently holds a single-family structure, which the applicant intends to demolish. The applicant is requesting a specific use permit to allow the use of townhomes to be constructed in RT zoning district. The applicant's conceptual plans show 9 three-story townhomes with driveway access off West Eskridge Avenue to the garages.

Mayor Joyce opened the public hearing.

Kelly Harris, Bancroft International, 923 S. Lowry, spoke on behalf of the applicant

Mayor Joyce closed the public hearing.

The Planning Commission recommended approval of this SUP request with 4-0 vote.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 847 WEST ESKRIDGE AVENUE.

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

8. GENERAL ORDERS

- a. Presentation and discussion of residential and commercial utility bills and proposed utility rate increases

Finance Director Christy Cluck gave a brief history of the rate study presentations. She stated that LM Vedder Consulting presented electric utility rate study results on September 25, 2023 and that City staff presented stormwater fee study results on behalf of Jacobs Engineering on September 25, 2023. NewGen Strategies & Solutions presented water and wastewater utility rate study results on October 2, 2023. Ms. Cluck stated that these presentations were for informational purposes only with possible action to follow at a future meeting. Town Hall meetings were held on October 10, 2023 and October 12, 2023 to provide opportunity to engage with customers on potential rate increases.

Ms. Cluck presented examples of how the combined proposed rates would impact residential and commercial customer's bills. Ms. Cluck, Deputy Director of Engineering Bill Millis and Electric Utility Director Loren Smith answered Council's questions.

No action was taken on this item.

- b. Consideration, discussion, and possible action to make a conditional offer of employment for the position of City Manager

Mayor Joyce reported that over the past few months since the retirement of Norman McNickle, Council has been conducting a City Manager search. Mayor stated that he is happy to announce that a verbal offer has been made to Kimberly Meek and she has indicated that she will accept the position. The next step in this process is for Council to take action on making a formal offer of employment.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO MAKE A CONDITIONAL OFFER OF EMPLOYMENT TO KIMBERLY MEEK FOR THE POSITION OF CITY MANAGER.

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

Mayor Joyce stated that over the next several weeks they will to continue to work on an employment agreement and a start date for Ms. Meek.

Kimberly Meek thanked the Council for the opportunity that has been offered to her and said that she is excited and honored to serve the people of Stillwater.

9. RESOLUTIONS

- a. Resolution No. CC-2023-36: A resolution of the Stillwater City Council, as a recipient of financial assistance from the Oklahoma Department of Commerce for a FY23 Community Development Block Grant (CDBG), 19168 CDBG 23, adopting a Section 3 annual plan directed at increasing the utilization of lower income residents and businesses within the CDBG project site

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2023-36 AS PRESENTED.

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

- b. Resolution No. CC-2023-37: A resolution declaring that firearms owned by the City of Stillwater Police Department are surplus property and authorizing and approving the trade-in of said firearms for a credit to be applied to the purchase of new firearms.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HARDIN TO ADOPT RESOLUTION NO. CC-2023-37 AS PRESENTED.

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

- c. Resolution No. CC-2023-38: A resolution authorizing the assignment of the Stillwater Regional Airport Building Lease Agreement between the City of Stillwater and Stillwater Aircraft Services, Inc. to Stillwater Flight Center, Inc.; and authorizing the City Manager to sign related documents necessary for such purpose

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT RESOLUTION NO. CC-2023-38 AS PRESENTED.

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

10. ORDINANCES

- a. First Reading

Ordinance No. 3527: An ordinance rezoning a tract of land located at 716 West 11th Avenue from Small Lot Single Family Residential District (RSS) to Two-Family and Multi-Family District (RTM)

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3527 TO SECOND READ AS PRESENTED.

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

Ordinance No. 3528: An ordinance rezoning a tract of land located at 847 West Eskridge Avenue from Small Lot Single Family Residential District (RSS) to Two-Family Residential District (RT)

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3528 TO SECOND READ AS PRESENTED.

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

b. Second Reading

Ordinance No. 3526: An ordinance amending Stillwater City Code by amending Chapter 23, Land Development Code, Article VI, Land Use Classifications, Division 1, Generally, Section 23-121, Exemptions; Setbacks For Fences, Etc.; Projections Into Yards; Repealing All Ordinances To The Contrary; And Providing For Severability

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3526 TO AS PRESENTED.

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 & BOARDS

a. Miscellaneous items from the City Attorney:

- i. Request for an Executive Session pursuant to 25 O.S. §307(B)(4) involving confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving Gelino CCC, LLC. 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.
- 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 a pending investigation, claim, or action involving Silverton Estates, LLC. 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.
- iii. Request for an Executive Session pursuant to 25 O.S. §307(B)(4) involving confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving Greg Hoskins doing business as UBC Precast. 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 stated the Stillwater Police Department is reminding residents to lock it or lose it. Unfortunately, there have been an increase in auto burglary reports over the past month, as well as stolen vehicles

in Stillwater. The department staff shared that in most of the reported auto burglaries, victims had left their vehicles unlocked with their wallets, purses, and keys inside. A few helpful reminders for all of us:

- ✓ Lock your vehicles (Don't just rely on your horn to honk at you. Check your doors because door locks can malfunction)
- ✓ Remove all valuables from your car.
- ✓ Do not leave keys in the vehicle.
- ✓ Park in a well-lit area if possible.
- ✓ Leave the porch or yard lights on.
- ✓ Call 9-1-1 if you see anything suspicious.
- ✓ Call (405) 372-4171 if needing to make a report.

c. Miscellaneous items from the City Council:

- Councilor Hardin reminded residents that possible severe winter weather is just around the corner. Be sure to have multiple ways to receive warnings and alerts to help protect you and your family. Follow City of Stillwater Emergency Management on Facebook and Twitter for important updates and information. Director Rob Hill and his team continuously monitor the weather and remain in communication with the National Weather Service out of Norman. Their social media pages are an additional, reliable resource for the latest weather alerts.
- Councilor Clark announced that there will be many fun events coming up for America's Greatest Homecoming. The Walkaround will be Friday, Oct. 27th with road closures beginning at 5 p.m. The parade will be Saturday, Oct. 28th, downtown on Main Street and don't forget if you're going to the football game take advantage of the Free Park & Ride Shuttle Service Downtown. Passengers will be picked up at the 7th Avenue and Lewis Street bus stop. Shuttles start running 3 hours before kick-off and continue to run every 30 minutes throughout post-game. We are very appreciative of the countless hours that Emergency Management, Police, Fire, Public Works, and many more have already invested to mitigate potential safety risks.
- Councilor Hawkins asked residents to please save the dates for the "Stillwater Haunted Library," on Thursday, October 19th through Saturday, October 21st, from 5:30 to 7:30 p.m. and 8 to 10 p.m. There will be carnival games, thrills and chills stories, no-scare mini-maze for younger children, and refreshments. This is a fundraiser for the library, so the cost is \$5 for attendees who are 12 years and younger, and \$10 for those 13 years and older. Advance reservations are required. Go to stillwaterok.gov/library for more information or call (405) 372-3633.
- Vice Mayor Dzialowski reminded residents to mark their calendars for the upcoming free, holiday fun. Downtown Stillwater's Halloween Festival will be on October 24th, from 5 to 8 p.m., on Main St. from 7th to 10th Avenues. Come dressed up in your most creative costumes for a fun, family event that includes trick or treating, costume contest, games, face painting, and more. Stillwater Medical Center's Drive-Thru Trick or Treat will be on October 30th, from 6 to 8 p.m., at the Stillwater Medical Plaza located at 12th and Adams. The team looks forward to providing a safe trick or treat experience for our area kids.
- Mayor Joyce reminded citizens that on Saturday, October 21st, the City's Watershed Quality Department will have its bi-annual "Household Hazardous Waste Collection" event. The event will be from 8 a.m. to 1 p.m. at the Convenience Collection Center located at 807 S. Perkins Road. During this event, residents are encouraged to drop off any household pollutants for free. Accepted items include oil-based paints, pesticides, herbicides, household cleaning products, pool chemicals, unused pharmaceuticals, and more. The Convenience Collection Center will still accept regular trash and recycling that day. However, trailers and commercial waste are not allowed. Yard waste will be

accepted after 1 p.m. This event is for residents and a utility bill may be requested as proof. For a full list of acceptable items, go to: Stillwaterok.gov, or call (405) 533-8458.

- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

- a. Confidential communication between City Council and City Attorney concerning a pending investigation, claim or action involving Gelino CCC, LLC.
- b. Confidential communication between City Council and City Attorney concerning a pending investigation, claim or action involving Silverton Estates, LLC.
- c. Confidential communication between City Council and City Attorney concerning a pending investigation, claim or action involving Greg Hoskins doing business as UBC Precast.

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR DZIALOWSKI TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:50 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 6:50 p.m. to convene Stillwater Economic Development Authority meeting.

Stillwater City Council reconvened at 7:25 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ENTER INTO EXECUTIVE SESSION AT 7:26 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 HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO RECONVENE THE STILLWATER CITY COUNCIL MEETING AT 7:35 P.M.

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

- a. Possible action concerning a pending investigation, claim or action involving Gelino CCC, LLC.

No action was taken on this item.

- b. Possible action concerning a pending investigation, claim or action involving Silverton Estates, LLC.

No action was taken on this item.

- c. Possible action concerning a pending investigation, claim or action involving Greg Hoskins doing business as UBC Precast.

No action was taken on this item.

15. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ADJOURN THE OCTOBER 16, 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 October 16, 2023 regular meeting of the Stillwater City Council adjourned at 7:36 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK