

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW  
THE AGENDA WAS POSTED NOVEMBER 1, 2023 AT 2:30 P.M.  
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES  
STILLWATER CITY COUNCIL  
REGULAR MEETING  
COUNCIL HEARING ROOM  
723 S. LEWIS  
NOVEMBER 6, 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. National Runaway Prevention Month

Mayor Joyce read the proclamation declaring November as National Runaway Prevention Month in Stillwater.

b. Proclamation in Support of the Heartland Flyer Extension

Mayor Joyce read the proclamation supporting the extension program of the Heartland Flyer. Gary Lanman accepted the proclamation.

c. 2024 MidSouth - Bobby Wintle

Bobby Wintle presented the history of the MidSouth and previewed the 2024 MidSouth that will be in March of 2024. He also presented the attendance and revenue brought to Stillwater by this event. Mr. Wintle thanked the City staff and Council for their help and support of this event over the years.

**4. CONSENT DOCKET**

- a. Approve October 16, 2023 regular and executive session meeting minutes
- b. Approve City Manager employment agreement
- c. Stillwater History Museum at the Sheerar quarterly report
- d. Approve bid award for the 7th Avenue Reconstruction Project to Rudy Construction Co. as a unit price contract of \$1,096,236, including the alternate bid; authorize total expenditures not to exceed \$1,266,236, which includes construction, testing and contingency; and authorize the Interim City Manager to execute contracts and related documents
- e. Approve final plat of replat of Block 4 in Berry Creek West, currently addressed as 3316, 3319, 3322, and 3325 W Cypress Mill Avenue
- f. Accept dedication of a drainage easement located at 1899 E 6<sup>th</sup> Avenue

- g. Approval of Professional Consulting Agreement with Twenty20 Management, Inc. in the amount of \$17,500 to provide preliminary assessments of renovations of the Washington School building, and authorizing the Interim City Manager to sign the agreement
- h. Certification of the statement of costs in the amount of \$31,096.51 for the abatement of nuisance property addressed 1600 E. 16<sup>th</sup> Ave., Stillwater, OK (Silverton Estates, LLC) as authorized by Resolution CC-2022-39
- i. Approve budget amendments reflecting an increase of \$738,148 in revenue projection from award of AIP grant #3-40-0090-039-2023 for Phase II design of Stillwater Regional Airport terminal building and expenditure of AIP grant funds of \$863,109, which includes grant eligible costs, city match, and ineligible costs
- j. Approve budget amendments reflecting an increase of \$738,148 in revenue projection from award of AIP grant #3-40-0090-040-2023 for Phase II design of Stillwater Regional Airport terminal building and expenditure of AIP grant funds of \$771,191, which includes grant eligible costs, city match, and ineligible costs

MOTION BY VICE MAYOR DZIALOWSKI, 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**

Henri Uehara, 1911 E. Kelsey Lane, spoke against the rate increases.

Robin Cornwell, 2223 N. Crescent Drive, asked Council to explore and implement energy efficient and money saving options and programs for the utility customers.

Roger Gose, 1120 E. Connell Avenue, spoke in favor of the proposed rate increases.

#### **6. ITEMS REMOVED FROM CONSENT DOCKET**

None.

#### **7. GENERAL ORDERS**

- a. Consideration of possible retention of McAfee & Taft and Fulmer Sill to represent the interests of the City in pending class action litigation against 3M Company and E.I. Dupont de Nemours and Company and other defendants involving Per- and Polyfluoroalkyl Substances (PFAS) contamination in In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2:18-mn-2873, United States District Court, District of South Carolina, and other litigation related to PFAS contamination

City Attorney Kimberly Carnley stated that this item is on both the Council and SUA agendas so she will address both issues at this point. Ms. Carnley reported that the City of Stillwater and Stillwater Utilities Authority have received notice that they are potential claimants in the listed 3M and Dupont litigation. There are fast-approaching deadlines related to proposed settlement agreements in those cases and as such, she is recommending and requesting approval from City Council, and later during the SUA meeting, the Trustees, to approve entering into a legal representation agreement with McAfee & Taft and Fulmer and Sill to represent the City and SUA's interests in those cases, as well as other PFAS related litigation.

Ms. Carnley answered Council's questions.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO RETAIN MCAFEE AND TAFT AND FULMER AND SILL TO REPRESENT THE CITY'S INTERESTS IN THE PENDING CLASS ACTION LITIGATION LISTED ON THE AGENDA INVOLVING 3M AND DUPONT AND OTHER DEFENDENTS AND, OTHER LITIGATION RELATED TO PFAS CONTAMINATION.

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

## **8. RESOLUTIONS**

- a. Resolution No. CC-2023-39: A resolution concerning the City of Stillwater's bridge inspection responsibility pursuant to National Bridge Inspection Standards and Notification to the Oklahoma Department of Transportation of Bridge Inspection Consultant Selection for bridge inspection contracts commencing April 1, 2024 through March 31, 2026

Director of Engineering Candy Staring reported that the City's bridge inspection program happens every two years and there are four options for the City to choose from when this comes up. This year the City has chosen to use the prequalified list of engineers from ODOT. Staff interviewed engineers from the prequalified list and selected Burgess & Niple Consulting Firm.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2023-39 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-2023-40: A resolution adopting the revised rate structure for electric sales; providing for subsequent rate increases; and providing an effective date

Interim City Manager Brady Moore gave an overview of the rate study processes and results, town hall meetings and community presentations. Electric Utility Director Loren Smith and Utility Services and Billing Director Dana Mattox answered Council's questions.

Vice Mayor Dzialowski asked staff to research and evaluate conservation programs to help offset the rate increases to the residents.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT RESOLUTION NO. CC-2023-40 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-2023-41: A resolution adopting the revised rate structure for water and wastewater utility services; providing for subsequent rate increases; and providing an effective date

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2023-41 AS PRESENTED.

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

- d. Resolution No. CC-2023-42: A resolution adopting the revised monthly fee schedule for the stormwater utility; and providing an effective date

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO.CC-2023-42 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. Second 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 ADOPT ORDINANCE NO. 3527 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 VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ADOPT ORDINANCE NO. 3528 AS PRESENTED.

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

## **10. REPORTS FROM OFFICERS & BOARDS**

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
  - Interim City Manager Brady Moore announced that in an effort to best serve our community and become more efficient, as of last Monday, October 30, the City Hall main phone number has changed to an automated system. Much like the new website and new city hall hours, the City is continuously seeking ways to improve service and productivity. There is an automated calling system menu on our website at [stillwaterok.gov/contact](http://stillwaterok.gov/contact). It includes menus for Public Safety, Utility Billing, and other departments including Stillwater Regional Airport, the Public Library, the Community Center and Senior Activity Center.
- c. Miscellaneous items from the City Council:
  - Councilor Hardin stated that if anyone would like to be in the Stillwater Holiday Parade of Lights, please complete a form online at [Stillwaterok.gov/holidays](http://Stillwaterok.gov/holidays) or in-person at Stillwater Community Center; Visit Stillwater; or Stillwater Chamber of Commerce. The parade will be Thursday, Dec. 7. The deadline to submit entries is this Friday, Nov. 17 by 4:30 p.m. This year's theme is "Holidays in Stillwater" which gives entrants an opportunity to really showcase their creativity. The event kicks off on Main Street from 9<sup>th</sup> to 7<sup>th</sup> Avenues, over to Husband at 6:30 p.m. with candy and light sabers for the kids. The parade will begin at 7 p.m. and afterwards the City will have the official tree lighting at 8 p.m. at Chris Salmon Plaza at 9<sup>th</sup> and Main. For the official Stillwater holidays calendar of events, go to [visitstillwater.org](http://visitstillwater.org).
  - Councilor Clark reminded residents that City offices will be closed on Thursday, November 23 and Friday, November 24 for the Thanksgiving holiday. Trash and

recycling will be collected as usual, however the Convenience Collection Center will be closed and yard waste will not be collected. As always, set your carts out by 6 a.m. because collection routes can vary.

- Councilor Hawkins announced that the City is accepting applications for a citizen representative to fill a Board of Adjustment position. The board consists of five members who are empowered by city code to conduct hearings and render decisions on matters of appeals, variances, and special exceptions to the zoning ordinance. The board is considered to be quasi-judicial in that its decisions can only be overturned by district court. The term length is three years. If anyone would like to get involved in their local government and help make Stillwater even greater, please consider applying online at [Stillwaterok.gov/citizenboards](http://Stillwaterok.gov/citizenboards).
  - Councilor Hawkins complimented the City of Stillwater employees, Police Department, Fire Department, Emergency Management and she thanked them for everything they did behind the scenes in keeping our community safe during the OSU Homecoming and Bedlam football weekends.
  - Vice Mayor Dzialowski stated 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.
  - Mayor Joyce announced that last week, we enjoyed hosting our Sister City students and delegation from Kameoka, Japan. The seven middle schoolers and adult delegation seemed to enjoy spending time with Stillwater Public School students and staff; Police, Fire, and City staff; and community members. Mayor Joyce stated that he exchanged letters and gifts with Superintendent Hiroaki Kanzaki at City Hall and with Mayor Takahiro Katsuragawa through the delegation. Many of the gifts are on display in the Kameoka room at the Stillwater Community Center. Many thanks to everyone who made this possible, including SPS, Stillwater Community Center Foundation, organizer Stephanie Kinder, and so many others. It's exciting to have the opportunity for Sister City visits again and next year, we may be able to send students and a delegation to Kameoka. This is one of many relationships we are incredibly proud of and continue to strengthen in order to learn from each other.
- i. Discussion about scheduling items for future meetings.

## **11. QUESTIONS & INQUIRIES**

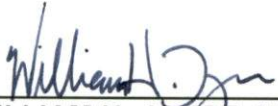
None.

## **12. ADJOURN**

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ADJOURN THE NOVEMBER 6, 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 November 6, 2023 regular meeting of the Stillwater City Council adjourned at 6:27 p.m.



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WILLIAM H. JOYCE, MAYOR  
STILLWATER CITY COUNCIL



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TERESA KADAVY  
CITY CLERK