

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED NOVEMBER 30, 2022 AT 4:10 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
DECEMBER 5, 2022**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI,
COUNCILORS AMY DZIALOWSKI, CHRISTIE HAWKINS AND KEVIN CLARK**
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. CONSENT DOCKET

- a. Approve November 14, 2022 regular meeting and executive session minutes
- b. Accept the following easement dedications for Frye Farms located near the intersection of South Western Road and West 32nd Avenue:
 - Sewer line easement 9,292 square feet
 - Water line easement 653 square feet
 - Sewer line easement 2,475 square feet
 - Sewer line easement 1,238 square feet
 - Drainage easement 7,977 square feet
 - Offsite Drainage Easement 377,788 square feet
- c. Approve budget amendment appropriating \$11,765 of Stillwater Police Department federal drug forfeiture (Federal EShare Program) funds for the training costs of new K-9 team
- d. Approve budget amendment accepting \$4,454.92 in grant funding from OSBI to reimburse the City of Stillwater for SPD detective training costs
- e. Approve bid award for the hay lease at N Boomer Park to Ryan and Amanda Grimes in the amount of \$450
- f. Accept the following general utility and electric easements for Parkview Estates, Section 8:
 - Utility Easement 971 square feet
 - Electric Easement 1,551 square feet
 - Electric Easement 1,428 square feet
 - Utility Easement 988 square feet
 - Utility Easement 825 square feet
 - Utility Easement 639 square feet
 - Utility Easement 574 square feet
 - Utility Easement 574 square feet
 - Utility Easement 681 square feet
 - Utility Easement 1,605 square feet
- g. Approve final plat for Teal Ridge Estates, Section 2

- h. Approve Amendment 006B to the contract with McFarland Architects, the associated budget amendment appropriating \$78,225, and authorization for the City Manager to sign all contract agreements and documents for an environmental assessment of the new terminal site at Stillwater Regional Airport

MAYOR JOYCE REMOVED ITEM E. FROM THE CONSENT DOCKET.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE CONSENT DOCKET MINUS ITEM E.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA. NAY-NONE. MOTION CARRIED WITH FIVE 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. GENERAL ORDERS

- a. Consider approving the purchase of property at 619 W. 12th Avenue and authorize the City Manager to sign the real estate purchase contract

Chief Performance Innovation Officer Brady Moore stated that Booker T. Washington School located at 619 W. 12th Avenue was recently placed on the 2022 list of Most Endangered Places by Preservation Oklahoma. In the first half of the 20th century there were more than fifty Black schools throughout the state of Oklahoma; most have already been demolished or lost. Booker T. Washington High School is one of the only three remaining examples and is the only one available for potential acquisition for preservation. Preservation and restoration of the original structures has been the desire of previous City Councils and generations of Stillwater citizens.

Mr. Moore reported that a donor has generously agreed to donate \$250,000 to the City of Stillwater for the purchase of the property at 619 W. 12th Ave. The donor, who has requested to remain anonymous, will receive a tax donation letter from the City for the donated funds. The City of Stillwater will provide the sellers a tax donation letter for the balance of the property appraisal above the \$250,000 donation to secure the purchase. The purpose of this donation to the City is for the preservation of the Booker T. Washington School original (T shape) structures and surrounding land for the following uses:

- Education
- Historical Displays
- Sports Recreation
- Events
- Parking

Mr. Moore stated that grant opportunities and community support will be explored for the preservation, development and maintenance of the property.

Mayor Joyce and Councilor Clark thanked both the donor and the seller for their generous contributions to this project.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE PURCHASE OF PROPERTY AT 619 W. 12TH AVENUE AND AUTHORIZE THE CITY MANAGER TO SIGN THE REAL ESTATE PURCHASE CONTRACT.

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

7. RESOLUTIONS

- a. Resolution No: CC-2022-34: A resolution of the City Council of the City of Stillwater approving an amendment to Lease Agreement and Operation and Maintenance contract between the City of Stillwater and the Stillwater Utilities Authority and authorizing the Mayor to finalize and execute proposed amendment to lease agreement.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2022-34 AS PRESENTED.

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

- b. Resolution No. CC-2022-35: A resolution providing Lessee consent to mortgage the leasehold improvements as required by the terms of the Stillwater Regional Airport Ground Lease Agreement SRA 2008-01; and authorizing the City Manager to sign related documents necessary for such purpose

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2022-35 AS PRESENTED.

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

8. ORDINANCES

- a. First Reading

Ordinance No. 3512: An ordinance closing a portion of rights of way of South Duncan Street, East of Block 63, Original Townsite of Stillwater, an addition to the City of Stillwater, Payne County, Oklahoma, near property addressed as 1202 South Duncan Street

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3512 TO SECOND READING AS PRESENTED.

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

Ordinance No. 3517: An ordinance authorizing the extension of the lease term and the removal of one 2MW diesel generation unit located at the Water Treatment Plant from the Lease Agreement and Operation and Maintenance Contract dated April 1, 1979; providing for citizen initiated referendum of said lease in accordance with section 4-2 of the City Charter

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADVANCE ORDINANCE NO. 3517 TO SECOND READING AS PRESENTED.

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

b. Second Reading

Ordinance No. 3046 – Corrected: An ordinance correcting the legal description of Ordinance 3046 closing the Hartford Street right of way between properties addressed as 798 And 1060 E. Knotts Avenue

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3046 AS CORRECTED.

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

Ordinance No. 3511: An ordinance closing a portion of rights of way of South Duncan Street, East of Block 63, Original Townsite of Stillwater, an addition to the City of Stillwater, Payne County, Oklahoma, near property addressed as 1206 South Duncan Street

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3511 AS PRESENTED.

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

Ordinance No. 3513: An ordinance rezoning a tract of land located at 2817 East 6th Avenue from Commercial Shopping Light Industrial (IL) To Commercial General (CG)

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO ADOPT ORDINANCE NO. 3513 AS PRESENTED.

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

Ordinance No. 3514: An ordinance rezoning a tract of land located at 4703 North Washington Street from Small Lot Single Family Residential (RSS) to Two-Family Residential (RT)

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3514 AS PRESENTED.

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

Ordinance No. 3515: An ordinance rezoning a tract of land located at 2318 & 2322 North Washington Street from Small Lot Single Family Residential (RSS) to Commercial General (CG)

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3515 AS PRESENTED.

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

Ordinance No. 3516: An ordinance rezoning a tract of land located at 2000 South Sangre Road from Small Lot Single Family Residential (RSS) to Office (O) and a tract of land located at 2100 South Sangre Road from Two-Family Residential (RT) To Office (O)

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ADOPT ORDINANCE NO. 3516 AS PRESENTED.

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

9. 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 Randy Blake vs City of Stillwater, Workers' Compensation Court Case No. CM 2021-03414-L. 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 proceeding in the public interest.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle announced that last week ODOT began the demo process on the southbound lane of Perkins Road. This is Phase 2 of the Perkins Road construction project and it will be the same as Phase 1, but now with the southbound lane. There will be one lane going in both directions and remain that way until the project is finished. The City greatly appreciates our community members and patrons for not only their continued patience with this much needed infrastructure project—but for their ongoing support of local businesses.
- c. Miscellaneous items from the City Council:
 - Councilor Clark stated that the Stillwater Fire Department encourages residents who live outside the city limits, but within the Stillwater Fire Department's response area, to purchase a Rural Fire Service Contract for 2023. These \$100 contracts ensure that response fees for each fire incident on a contracted property will not exceed \$2,000.
 - Councilor Hawkins expressed many thanks to the Stillwater Police Department for their continued collaboration with Stillwater Public Schools to ensure the annual "Shop with a Cop" event is successful. This past Saturday, 25 boys and girls were each given a \$200 gift card to spend while shopping with law enforcement friends from the Stillwater Police Department, OSU Campus Police Department, Payne County Sheriff's Office and the Oklahoma Highway Patrol. It was a great morning that included breakfast, shopping and most importantly, building relationships.
 - Councilor Dzialowski stated that every year, as part of Merry Main Street – our Stillwater Fire and Police Departments join the holiday season fun and host free community events. This past Saturday was "S'mores with the Fire Dept." and this coming Saturday from 2-4 p.m. will be "Cops with Cookies" at South Duncan Street and West 8th Avenue. We hope our residents and patrons can participate in these fun events – including free carriage rides, holiday lights set to music at Chris Salmon Plaza, Santa and Sensitive Santa from the North Pole, and much more.
 - Vice Mayor Zannotti announced that on December 1, the annual Stillwater Holiday Parade of Lights was held. It was truly a memorable and enjoyable event for everyone – and the parade had the most entries since pre-pandemic. The City appreciates the hard work and collaboration of volunteers, local groups and City staff to increase safety efforts and organization. Many thanks to the big guy from the North Pole for joining us and our parade marshals – Denise and Alex Webber. The judges had a tough job this year... The 2022 Stillwater Holiday Parade of Lights contest winners are:

- ✓ **Best Commercial/Business Entry:** Deck the Palms with Stillwater Medical Center
- ✓ **Best Community Entry:** Stillwater Elks Lodge #1859
- ✓ **Best Band Entry:** Perkins-Tryon Midnight Regiment
- ✓ **“Chick-fil-A” Judges Selection:** Stillwater Elks Lodge #1859
- Mayor Joyce stated that the City is continuously proud of our Stillwater Public Schools students and staff. To add to the already long list – if you have not heard by now – Pioneer Football is the 6A-II State Champions and Academic State Champions. On Friday, they beat Choctaw 26-21 and finished the season undefeated – clinching the first state title since 1967. Congratulations, Pioneers!
- i. Discussion about scheduling items for future meetings.

10. QUESTIONS & INQUIRIES

None.

11. EXECUTIVE SESSION

- a. Confidential communication concerning Randy Blake vs City of Stillwater, Workers' Compensation Court Case No. CM 2021-03414-L.

Stillwater City Council meeting recessed at 5:54 p.m. to convene Stillwater Utilities Authority meeting.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 5:54 P.M.

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

Stillwater City Council reconvened at 5:56 p.m.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 5:56 P.M.

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

12. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 6:05 P.M.

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

- a. Possible action concerning Randy Blake vs City of Stillwater, Workers' Compensation Court Case No. CM 2021-03414-L, including possible approval of a release and covenant not to appeal agreement.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE A RELEASE AND COVENANT NOT TO APPEAL AGREEMENT.

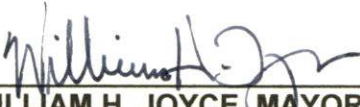
ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA. NAY-NONE. MOTION CARRIED WITH FIVE YEA VOTES.

13. ADJOURN

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADJOURN THE DECEMBER 5, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The December 5, 2022 regular meeting of the Stillwater City Council adjourned at 6:06 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK