

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED NOVEMBER 11, 2021 AT 5:45 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
NOVEMBER 15, 2021**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI
COUNCILORS AMY DZIALOWSKI AND CHRISTIE HAWKINS
ABSENT: COUNCILOR JOHN WEDLAKE**

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. World Diabetic Awareness Week – Kristy & Lincoln Lester

Mayor Joyce read the proclamation recognizing November as World Diabetes Month and he urged citizens to "Turn Stillwater Blue" to show support for those affected with diabetes. Kristi and Lincoln Lester accepted the proclamation.

- b. Small Business Saturday – November 27, 2021

Mayor Joyce read the proclamation proclaiming November 27, 2021 as Small Business Saturday and he urged citizens to support small businesses and merchants.

4. CONSENT DOCKET

- a. Approve regular meeting minutes of November 1, 2021
- b. Accept final plat for Saddle Creek Addition, Phase 2
- c. Accept Stillwater Public Library Trust annual report
- d. Approve budget amendments appropriating donations made to Stillwater Public Library:
 - \$1056.55 from the Ross Stores Foundation for the use of children's projects
 - \$200 from the Daughters of the Union for the purchase of books
 - \$302.28 from Stillwater Frontier Rotary Club for the purchase of children's books
- e. Approve budget amendment reflecting \$20,012.75 in grants from American Rescue Plan Targeted Grants to Libraries from the Oklahoma Department of Libraries and Institute for Museum and Library Services for technology improvements at Stillwater Public Library
- f. Approve budget amendment reflecting \$425 in grant funding from the Oklahoma Department of Library's Health Literacy grant to apply toward costs of Stillwater Public Library Storywalk fixtures
- g. Approve budget amendments reflecting \$31,119 in American Rescue Plan Program grant funds from the Institute for Museum and Library Services for the installation of a radio frequency identification system at Stillwater Public Library.

- h. Approve budget amendments reflecting \$5,249.75 from an American Rescue Plan Act Emergency Connectivity Fund award from the Federal Communications Commission for the purchase of laptops and hotspots for Stillwater Public Library patron checkout
- i. Accept two sewer easements at 414 S Debra Court and adjacent outlot for Saddle Creek Addition, Phase I
- j. Approve setting January 10, 2022 as public hearing date for a request to close a 5,662.8-foot section of the right-of-way along a platted section of North Rogers Drive in Park View Estates Section 10
- k. Approve budget amendments appropriating \$25,500 from the sale of the AV gas fuel tank to complete the funding of the Operations Center office project at Stillwater Regional Airport
- l. Approve partial release of water line easement for 15 Foot wide water line easement at property addressed as 5200 W 6th Avenue closed by Ordinance No. 3483

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CONSENT DOCKET AS PRESENTED.

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

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

Kayla Rawson and Noah Baughman introduced themselves and informed Council they are the OSU Student Government Association's liaison for the City of Stillwater. Ms. Rawson stated they will work with the City to help get students registered to vote.

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Specific Use Permit for an accommodation use permit for property addressed as 1514 W 4th Avenue

Senior Planner Rian Harkins reported that the applicant requests a review and approval of an SUP to allow for an "accommodation" use of an existing structure at the property addressed as 1514 W. 4th Avenue. The requested accommodation use would allow an existing detached structure to be utilized as a rentable unit.

Mayor Joyce opened the public hearing.

Kelly Harris, Keystone Engineering, spoke on behalf of the applicant.

Staff confirmed the structure will require inspections as it is brought up to code.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval of this SUP 4-0.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 1514 W. 4TH AVENUE.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, DZIALOWSKI-YEA, HAWKINS-YEA.

NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Receive public comment regarding a request for a Specific Use Permit for an electronic messaging center for property addressed as 232 S Main Street

Senior Planner Rian Harkins reported that an existing sign at 232 S. Main Street is being reused to include an electronic message center sign portion. He stated the applicant will be placing the electronic message center sign on an existing pole sign. The electronic sign will otherwise meet all signage requirements.

Mayor Joyce opened the public hearing.

Christel Van Tuyle, Insignia Signs, Inc., spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval of this SUP 4-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 232 SOUTH MAIN STREET.

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

- c. A hearing to determine whether the structure located at 2420 East 12th Avenue, Stillwater, Oklahoma is dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E)

Beth Anne Childs, Childs Law Firm, stated she has not been able to make contact with the property owners. Since the property owner is present tonight, she will get contact information from her and try to work with the property owner towards a solution for this property.

Mayor Joyce opened the public hearing.

Deborah Combs, property owner, was present and stated she did not know what to do with the property.

Mayor Joyce closed the public hearing.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO TABLE THIS ITEM UNTIL THE JANUARY 24, 2022 COUNCIL MEETING.

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

- d. A hearing to determine whether the structures located at 1005 South Husband Street, Stillwater, Oklahoma are dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E)

Beth Anne Childs, Childs Law Firm, stated she has attempted to work with Mr. Hays many times regarding both of his properties. She reported that over the years there have been numerous code violations but no progress has been made towards repairing these properties.

Mayor Joyce opened the public hearing.

Rex Hays, spoke on his own behalf and introduced Kerry Young, a carpenter he has asked to help him with his properties.

Mayor Joyce closed the public hearing.

- e. A hearing to determine whether the structures located at 1009 South Husband Street, Stillwater, Oklahoma are dilapidated as defined in 11 O.S. §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E)

Beth Anne Childs, Childs Law Firm, included this property in the discussion on item d.

Mayor Joyce opened and closed the public hearing as no one was present to speak.

No action was taken on items d. and e. Resolutions are listed on the agenda later for consideration.

8. GENERAL ORDERS

- a. Approve budget amendment appropriating a \$20,000 donation to establish the Thomas & Patsy Bostick Police Gym Fund

Deputy City Manager Melissa Reames stated that the estate of Thomas and Patsy Bostick, parents of Officer Paul Bostick, donated \$20,000 to the City of Stillwater for use in establishing the Thomas and Patsy Bostick Police Gym Fund. These funds will be used for repair and upkeep of the existing equipment, mirrors and flooring in the Police Department gym; replacement due to age or damage and matching dollars for the purchase of new or upgraded equipment.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE BUDGET AMENDMENT REFLECTING A DONATION OF \$20,000 TO ESTABLISH THE THOMAS AND BECKY BOSTICK POLICE GYM FUND.

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

- b. Approve budget amendments increasing the Aviation Gas for Resale revenue and Fuel Purchases expenditure accounts by \$500k for FY22

Airport Director Paul Priegel stated that the airport is a wholesaler of aviation fuel, which is purchased and resold by the airport's sole fixed based operator, Stillwater Flight Center, Inc. Prior to COVID, the airport budgeted \$1.5 million for fuel sales in FY2021, both in the expenditure and revenue categories. Mr. Priegel reported that due to uncertainties, a conservative \$1 million was adopted for the FY2022 budget. At this time, the airport is averaging approximately \$150k in fuel sales monthly and is projected to deplete the expenditure account by mid-January. Staff is asking approval of the attached budget amendments increasing the aviation gas for resale revenue and fuel purchases expenditure accounts by \$500k for FY22.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE BUDGET AMENDMENTS INCREASING THE AVIATION GAS FOR RESALE REVENUE AND THE FUEL PURCHASES EXPENDITURE ACCOUNTS BY \$500K.

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

- c. Approve budget amendment appropriating \$32,921 in the rural fire account for the purchase of new HVAC / heater units for various Fire Department locations

Fire Chief Terry Essary stated the Stillwater Fire Department has three HVAC units, one at Station 2, one at Station 4 and one in fire administration that are at the end of their service life and have become maintenance intensive and unreliable. In addition to the HVAC units, one apparatus bay heater needs to be replaced at Fire Station 1. Chief Essary stated the units were not included in this year's capital plan, but must be addressed this year. Staff is requesting approval of the attached budget amendments appropriating the requested funds.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE BUDGET AMENDMENTS APPROPRIATING FUNDS TOTALING \$29,000 IN THE RURAL FIRE ACCOUNT TO COVER THE COSTS OF THE NEW HVAC/HEATER UNITS.

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

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO AMEND THE FIRST MOTION ON BUDGET AMENDMENTS APPROPRIATING FUNDS TOTALING \$29,000 TO BUDGET AMENDMENTS TOTALING \$32,921 AS CORRECTLY STATED ON THE AGENDA.

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

d. Discussion and consideration of placing the following questions on a February 8, 2022 election ballot:

- General obligation bonds for new Fire Station 2
- General obligation bonds for new Animal Welfare facility
- Increase transportation sales tax
- Increase hotel tax

Chief Civic Innovation Officer Becky Taylor presented the above questions to Council that are for consideration on an election ballot. She reported that through community meetings and extensive community outreach, three pressing needs listed above were identified. Ms. Taylor stated at the request of Visit Stillwater, a hotel tax increase to 7% is also proposed.

Cristy Morrison, Visit Stillwater, gave an update on the lodging tax rates of the surrounding communities and she stated that the hotel tax in Stillwater has been at 4% since 1985.

Ms. Taylor stated City Council action is needed to authorize projects for placement on either the February 8, 2022 or April 5, 2022 ballot, authorize the development of a Citizen Action Committee and create a TIME Citizen Advisory Oversight Committee after bond/sales tax election.

Discussion was held by Council on the different options and dates to place these items on an election ballot.

After the discussion, the decision was made by Council to place the transportation sales tax and hotel tax items on the February 8, 2022 ballot and the bond for the new Fire Station 2 and the bond for the new Animal Welfare facility on the April 5, 2022 election ballot.

e. COVID-19 update

Mayor Joyce stated that there was not much to update on COVID-19. The State Health Department has changed the way that COVID-19 is being reported so no City level data is being received now. Mayor Joyce encouraged citizens to please consider getting vaccinated and that the vaccine is now available for children ages five to 12.

Councilor Dzialowski stated that pediatricians are providing the vaccine so she encouraged parents to talk to their pediatricians with any concerns they have about the vaccine.

9. ORDINANCES

a. First Reading

Ordinance No. 3484: An ordinance rezoning a tract of land located at 2003 W. 6th Avenue from O, Office to CS, Commercial Shopping District and rezoning a tract of land located at 610 S. McFarland Street from RMI, Multi-Family Intermediate to CS, Commercial Shopping District.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3484 TO SECOND READING AS PRESENTED.

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

Ordinance No. 3485: An ordinance amending the Code of Ordinances of the City of Stillwater by amending Chapter 39, Taxation, Article IV, Hotel Room Tax, Renaming Article IV "Lodging Tax"; amending Section 39-271, Definitions; Section 39-272, Use of Funds; Levying An Excise Tax Of Seven Percent by amending Section 39-273, Tax Levied; amending Section 39-278, Returns; and Section 39-286, Registration Certificates, Certificates of Authority

Council discussed the title of Ordinance No. 3485 and what title changes might need to be made. It was decided the title should be changed from "lodging tax" to "visitor tax".

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3485 TO SECOND READING WITH THE RECOMMENDED TITLE CHANGE.

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

Ordinance No. 3486: An ordinance amending the Code of Ordinances of the City of Stillwater by amending Chapter 39, Taxation, Article III, Sales and Use Tax, Division 6, Transportation Sales Tax, to create "2022 Transportation Sales Tax" by amending Section 39-238; Levying A Sales Tax of One Percent by amending Section 39-239; Providing an Effective Date by amending Section 39-242; and Providing for Expiration of the Tax Levied by amending Section 39-244

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3486 TO SECOND READING AS PRESENTED.

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

10. RESOLUTIONS

- a. Resolution No. CC-2021- 38: A resolution of the Stillwater City Council declaring the structure located at 2420 East 12th Avenue, Stillwater, Oklahoma, dilapidated and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-112

Resolution No. CC-2021-38 was tabled until the January 24, 2022 Council meeting.

- b. Resolution No. CC-2021-39: A resolution of the Stillwater City Council declaring the structure located at 1005 South Husband Street, Stillwater, Oklahoma, dilapidated and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-112

Beth Anne Childs, Childs Law Firm, stated she feels a real deadline is needed to encourage progress to be made on both of Mr. Hays' properties. She informed Council that if the resolutions are adopted, Mr. Hays will still have 90 days to make progress on his properties.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2021-39 AS PRESENTED.

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

- c. Resolution No. CC-2021-40: A resolution of the Stillwater City Council declaring the structure located at 1009 South Husband Street, Stillwater, Oklahoma, dilapidated and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed or remediated pursuant to 11 O.S. §22-112

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2021-40 AS PRESENTED.

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

- d. Resolution No. CC-2021-41: A resolution of the Stillwater City Council declaring the structure located at 3040 East Peachtree Avenue, Stillwater, Oklahoma, dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-112

Beth Anne Childs, Childs Law Firm, reported that there has been no meaningful progress on this structure and she reminded Council that if the resolution is adopted, there will still be 90 days for progress to be made.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2021-41 AS PRESENTED.

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

- e. Resolution No. CC-2021-42: A resolution acknowledging City Council authorization and approval for the submission of an application for federal grant funding for electrical and lighting rehabilitation, to complete Phase 2 of the Master Plan Update, and to purchase snow removal equipment at Stillwater Regional Airport through the FAA AIP grant 3-40-0090-035-2022.

Airport Director Paul Priegel reported that Stillwater Regional Airport will receive \$1,000,000 from the FAA in entitlement funds to fund airport capital projects at a 90% FAA, 10% sponsor cost share as part of its FY2022 budget allotment. Adoption of Resolution No. CC-2021-42 will authorize airport staff to make application to the FAA for the use of these capital funds.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2021-42 AS PRESENTED.

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

11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
 - Deputy City Manager Melissa Reames stated that the City of Stillwater is hiring full and part time positions and she encouraged citizens to apply for job openings with the City. The City offers competitive pay, phenomenal benefits and the opportunity to serve your community.
 - Deputy City Manager Melissa Reames reminded citizens that the City offices will be closed Thursday, November 25 and Friday, November 26 for Thanksgiving but that the trash and recycling will be collected as usual.
- c. Miscellaneous items from the City Council:
 - Vice Mayor Zannotti stated that it's almost time for Merry Main Street. Opening weekend starts on Friday, November 26 and festivities will run the four weekends between Thanksgiving and Christmas. Vice Mayor stated every weekend new vendors will be set up in the domes and it's a wonderful way to shop SWO and support small businesses. She encouraged citizens to also shop Campus Corner and other areas of Stillwater.
 - Councilor Dzialowski invited the community groups and businesses to join the 2021 Stillwater Christmas Parade of Lights. This year's theme is Winter Wonderland and entries are due by Friday, November 19.
 - Councilor Hawkins stated that the Stillwater Regional Airport is embarking on a planning process to develop an Airport Master Plan and they would like community input. This plan will serve as the airport's 20-year blueprint for the layout, improvement and expansion of its facilities. Visit flyStillwaterO-K.com/masterplan to learn how to get involved.
 - Mayor Joyce stated that today is America Recycles Day. He said that anyone that lives within the city limits, household recycling services are included in the monthly rate. Certain paper, plastic and metal products can be placed in your curbside recycling cart for weekly collection. Glass recycling collection is on the first collection day of every month.
- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. ADJOURN

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADJOURN THE NOVEMBER 15, 2021 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The November 15, 2021 regular meeting of the Stillwater City Council adjourned at 7:14 p.m.



**WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL**



**TERESA KADAVY
CITY CLERK**