

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED MARCH 1, 2024 AT 10:00 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MARCH 4, 2024**

**PRESENT: VICE MAYOR AMY DZIALOWSKI, COUNCILORS CHRISTIE HAWKINS,
KEVIN CLARK AND TIM HARDIN
ABSENT: MAYOR WILLIAM H. JOYCE**

1. CALL MEETING TO ORDER

Vice Mayor Dzialowski called the meeting to order at 5:33 p.m. Due to technical difficulties, the City Council meeting had delayed start time.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Trail Life USA troop.

3. PROCLAMATIONS/PRESENTATIONS

- a. National Safe Place Week - Angie Freeny, Payne County Youth Shelter

Vice Mayor Dzialowski read the proclamation declaring March 17-23, 2024 as National Safe Place Week.

- b. Sunshine Week Pledge Cards - Carol Anderson, League of Women Voters

Carol Anderson explained what Sunshine Week represents and asked Council members to sign a pledge to follow the Federal Freedom of Information Act and Oklahoma law requiring Open Meetings and Open Records.

- c. Stillwater Police Department Citizen's Academy Class IX

Lieutenant TJ Low presented the SPD Citizen's Academy Class IX and explained the program.

4. CONSENT DOCKET

- a. Approve February 26, 2024, regular and executive session meeting minutes
- b. Approve budget revision appropriating funds for hangar improvements at Stillwater Regional Airport
- c. Approve amendment to the Ground Lease with Stillwater Flight Center Hangar, LLC to extend the initial term for five additional years.

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

ROLL CALL VOTE: DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.

NAY-NONE. MOTION CARRIED WITH FOUR 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

None.

7. GENERAL ORDERS

- a. Discussion and update regarding site selection for the proposed new Stillwater Animal Welfare facility

Communications Director Dawn Dodson stated that after the January 8, 2024 City Council meeting, staff regrouped to discuss community concerns regarding the proposed site for the future Animal Welfare facility. At the January 22 City Council meeting, management requested that Council not take action to allow time for staff to meet with community members and to further evaluate the proposed site and City owned property. Ms. Dodson reported that after meeting with community members, the Animal Welfare staff team met and reassessed all City owned properties along with possible properties not owned by the City. The team also established criteria for the site based on advisement from City management, Engineering, Animal Welfare staff and architect.

Director of Engineering Candy Staring presented and explained how staff reevaluated City-owned properties and applied criteria to determine viable, possible sites for the Animal Welfare facility. Ms. Staring reported that through this evaluation process, staff determined that the best site for the proposed Animal Welfare facility is located on airport property off of Hargis Road.

Ms. Dodson reported that moving forward, staff has scheduled two community meetings, one in-person and one on-line virtual community meeting, as well as a community action committee meeting. She stated that staff plans to come back to Council in April with feedback and a recommendation for the Animal Welfare facility to be located at this site. The goal is to have this item on a ballot August 27, 2024.

Ms. Staring and Ms. Dodson answered Council's questions.

No action was taken on this item.

- b. Approve the award of contracts by Crossland Construction Co. for Fire Station 2 Work Package #2 totaling \$4,243,162.

Director of City Engineering Candy Staring reported that on April 5, 2022, Stillwater residents approved a \$9 million bond issue to construct a new fire station to replace the existing Fire Station #2. She reported that with historic inflation and supply chain issues, prices have skyrocketed leading to a \$1 million funding gap for this project. Ms. Staring presented the summary of selected trades included in Work Package 2 (WP2). She presented and discussed the removal of non-critical features to the design of Fire Station #2 to reduce the cost.

David Robinson, architect with BCI, discussed the proposed changes and answered Council's questions.

Aaron Stoops, CMAR, Crossland Construction, discussed the responsibilities of the CMAR, the inflation of costs and what needs to be done to meet the scheduled requirements. He reported that they have thoroughly vetted all the bids for WP2, both for their scope and their price. Mr. Stoops stated that the

grouping of subcontractors in WP2 being presented tonight keeps the project moving to meet bond time requirements. He answered Council's questions.

Fire Chief Terry Essary advocated for the fire department by asking, if at all possible, he would like to hold on to some of the features that add the character to the new fire station.

Deputy City Manager Brady Moore stated from the City Manager's standpoint, due to the increased costs, square footage needed and the bond language there are great challenges ahead. Staff is trying to design this fire station now to be 100% functional, to preserve the life and safety in the community and last 100 years. The City is committed to this project and knowing there is a funding gap, will make good decisions to reduce costs. Mr. Moore stated that tonight Council is awarding a critical component that needs to be awarded and staff will continue to bring this conversation back to Council.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO APPROVE THE AWARD BY CROSSLAND CONSTRUCTION CO. OF CONTRACTS FOR THE ABOVE LISTED WP2 ACCEPTED TRADES FOR A TOTAL OF \$4,243,162.

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

8. RESOLUTIONS

- a. Resolution No. CC-2024-6 A resolution of the City of Stillwater establishing the City's Identity Theft Prevention Policy

City Attorney Kimberly Carnley reported that the City's Utility Billing Division is subject to Red Flag laws that require the City to develop an identity theft prevention program. The City currently has procedures, training and oversight implemented and this resolution is formal adoption of that policy.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT RESOLUTION NO. CC-2024-6 AS PRESENTED.

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

- b. Resolution No. CC-2024-7 A resolution of the City Council of the City of Stillwater, Oklahoma, authorizing The Childs Law Firm, PLLC, to file an action against UBC Precast, an Idaho Corporation, and Greg Hoskins, the General Manager and Owner of UBC Precast, and any other responsible persons or entities, for breach of contract, unjust enrichment, and any other cause of action deemed necessary and appropriate by counsel to recover funds paid by the city for a prefabricated bathroom structure that was ordered, but never delivered; and authorizing the City Manager to take all actions reasonably necessary to effectuate the provisions of this resolution.

City Attorney Kimberly Carnley reported that this resolution will authorize Childs Law Firm to file suit to recover funds from UBC Precast for prefabricated restrooms for Couch Park that were never delivered.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ADOPT RESOLUTION NO. CC-2024-7 AS PRESENTED.

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

9. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
 - i. Request for Executive Session pursuant to 25 O.S. § 307(B)(3) of the Oklahoma Open Meeting Act for the purpose of discussing the purchase or appraisal of real property.
- b. Miscellaneous items from the City Manager:
 - Deputy City Manager Brady Moore asked residents to please save the date and join City staff for community meetings to discuss a new Stillwater Animal Welfare facility. There will be two meetings in March, in-person and online. The meeting in-person will be Tuesday, March 26, at 5:30 p.m., in the Dining and Event Hall at the Stillwater Community Center. The meeting online will be Thursday, March 28, at 5:30 p.m. The City wants to hear your voice and discuss the future of Stillwater's Animal Welfare. Collectively, let's determine what is best for our residents and animals.
- c. Miscellaneous items from the City Council:
 - Councilor Hardin reminded residents that if anyone is looking for an environmentally friendly way to save money on their water bill, they may want to purchase a rain barrel through the City of Stillwater. These barrels capture water from your roof and store it for future use. Using rain barrels also helps to reduce stormwater pollution by minimizing the amount of stormwater runoff that leaves a site.
 - Councilor Clark announced that the annual "Trash-Off" event to help keep Stillwater beautiful, will be Saturday, March 30, from 9 a.m. to 12 p.m. Volunteers will meet at the Couch Park Pavilion at 1270 E. Alcott Drive. Since work gloves, safety vests, and trash bags will be provided, volunteers are asked to RSVP by March 28, by calling (405) 533-8482.
 - Councilor Hawkins reminded residents that there is a Citizen Request Tracker on the new City website. This is an avenue for residents to report concerns regarding drainage and flooding, street light outages, trash collection issues, animal control requests, and much more. Please consider using this system to let our employees know concerns that need to be checked out and possibly repaired.
 - Vice Mayor Dzialowski announced that Election Day is Tuesday, March 5. Polls will be open 7 a.m. to 7 p.m. Voters need to go to their normal polling location to participate.
- i. Discussion about scheduling items for future meetings.

10. QUESTIONS & INQUIRIES

None.

11. EXECUTIVE SESSION

- a. Request for Executive Session pursuant to 25 O.S. § 307(B)(3) of the Oklahoma Open Meeting Act for the purpose of discussing the purchase or appraisal of real property.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 6:57 P.M.

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

12. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:07 P.M.

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

- a. Consideration, discussion and possible reasonable action regarding the discussion of purchase or appraisal of real property.

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR CLARK TO DIRECT STAFF TO PROCEED AS DISCUSSED AND AUTHORIZE CITY MANAGER TO EXECUTE A CONTRACT TO AFFECT THE PURCHASE OF THE PROPERTY UNDER DISCUSSION.

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

13. ADJOURN

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADJOURN THE MARCH 4, 2024 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The March 4, 2024 regular meeting of the Stillwater City Council adjourned at 7:07 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK