

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED OCTOBER 13, 2022 AT 2:45 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
OCTOBER 17, 2022**

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

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. Proclamation honoring the Golden Anniversary of Stillwater Medical Center employee Madelyn Mittelstet

Mayor Joyce read the proclamation honoring Madelyn Mittelstet for her exemplary service throughout the past five decades, since her appointment to Stillwater Medical Center in 1972. Mrs. Mittelstet accepted the proclamation.

4. CONSENT DOCKET

- a. Approve October 3, 2022 regular meeting minutes
- b. Approve budget amendment appropriating \$887 in donated funds for purchase of equipment, training, or tools for the multi-jurisdictional SWAT team
- c. Approve budget amendment to carry forward ARPA funds from FY22 to FY23
- d. Approve budget amendment appropriating funds from the general obligation bond proceeds to cover construction of the new Fire Station #2
- e. Approve final plat for Frye Farms Section 1
- f. Stillwater History Museum at the Sheerar quarterly report

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

**ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-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. Consider authorizing Stillwater Fire Department to lease/purchase one aerial apparatus from Pierce Manufacturing through the Houston Galveston Area Council Purchasing Program; financing through the Bank of America/Stillwater Utilities Authority Master Equipment Lease/Purchase Agreement at an initial purchase amount of \$1,385,246.40; and authorize the City Manager/General Manager to sign related documents

Fire Chief Terry Essary stated the replacement of an aerial apparatus is scheduled in the City's Capital Improvement Plan (CIP) for fiscal year 2025/2026. This has historically been based on the National Fire Protection Association (NFPA) standard of placing apparatus in reserve status at the 15 year mark, and even sooner if the vehicle becomes maintenance intensive. Stillwater Fire Department's (SFD) Truck 3 was purchased in 2006 and has over 10,000 engine hours, which translates to the equivalent of over 358,000 road miles. Chief Essary reported that repairs in the last five years total over \$67,000 dollars and Truck 3 has been out of service for 196 days during the same time frame. The ISO (Insurance Service Office) rating is dependent upon SFD's ability to respond an aerial device within a specified time frame/road miles with the needed vertical reach to buildings three stories and taller and/or structures that require water flow rates of over 3,500 gallons per minute. He stated that the geographical layout of Stillwater's multi-story buildings and large structures requires two aerial apparatus to effectively respond to emergencies throughout the city. Having two aerial devices as front line response vehicles will help ensure that the city has the best possible rescue and firefighting capabilities as well as help maximize points on the ISO survey, which will potentially help lower insurance costs for residents and business owners.

Chief Essary reported that an apparatus committee made up of Stillwater firefighters began researching replacement options and determined that utilizing the HGAC (Houston Galveston Area Council) Purchasing Program was the best course of action. The last four apparatus purchased by SFD were through this program. The HGAC meets or exceeds all state, county, and local purchasing agreements. The apparatus committee identified the following minimum specifications as selection criteria:

- ✓ single rear axle,
- ✓ minimum 100-foot ladder with waterway,
- ✓ 1500 gallons per minute (GPM) pump, and
- ✓ 5-person minimum cab

Chief Essary stated that after conducting a thorough cost analysis, it is recommended to replace the current aerial apparatus. SFD selected the quote for one Pierce aerial truck submitted by Conrad Fire Equipment, which meets all the mandatory vehicle specifications established by the apparatus committee.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE THE LEASE/PURCHASE OF ONE AERIAL APPARATUS FROM PIERCE MANUFACTURING THROUGH THE HOUSTON GALVESTON AREA COUNCIL PURCHASING PROGRAM AND FINANCED THROUGH THE BANK OF AMERICA/STILLWATER UTILITIES AUTHORITY MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT AT AN INITIAL PURCHASE AMOUNT OF \$1,385,246.40, AND AUTHORIZE THE CITY MANAGER/GENERAL MANAGER TO SIGN RELATED DOCUMENTS.

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

- b. Receive Stillwater Public Library Trust Board annual report and announcement regarding Stillwater Public Library centennial kick-off and fundraising for the Trust

Library Director Stacy DeLano presented the FY21/22 annual report from the Stillwater Library Trust Board and answered Council's questions.

Ms. Delano stated that the Stillwater Public Library will be celebrating their 100 year anniversary in 2023 and she discussed plans for the centennial kick-off and fundraising. A video was shown explaining the many ways citizens use the library.

No action was taken on this item.

- c. Consider authorizing staff to enter into a professional services agreement with MMO Partners for federal advocacy services in the amount of \$79,200 and authorize the City Manager to sign all related documents

Deputy City Manager Melissa Reames stated that the City of Stillwater has large deferred maintenance water and wastewater projects that include but are not limited to:

- ✓ Kaw Lake Raw Water Pipeline;
- ✓ End Point Raw Water Storage;
- ✓ Water Treatment Plant Upgrades;
- ✓ Water Distribution System Refresh

She reported that Federal discretionary funds are available to assist in the completion of these projects. Ms. Reames stated that the City of Stillwater needs a partner with experience in delivering special funding for water and wastewater projects. MMO Partners (MMO) has the capacity and commitment to provide Stillwater with the highest level of effective Washington representation and substantial return on investment.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE STAFF TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MMO PARTNERS FOR FEDERAL ADVOCACY SERVICES IN THE AMOUNT OF \$79,200 AND AUTHORIZE THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

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

8. RESOLUTIONS

- a. Resolution No. CC-2022-28: A resolution of the Stillwater City Council prohibiting the flying of unmanned aircraft systems (UAS) during certain public events on October 21 and 22, 2022

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2202-28 AS PRESENTED.

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

- b. Resolution CC-2022-29: A joint resolution by the Stillwater Economic Development Authority and the City Council of the City of Stillwater approving amended and restated Redevelopment Agreement between the Stillwater Economic Development Authority and Lakeview Landing, LLC, and authorizing all supporting documents and instruments as are necessary and appropriate to implement and carry out the terms of the amended and restated Redevelopment Agreement

Deputy City Manager Melissa Reames reported that Resolution CC-2022-29 is a joint resolution between the Stillwater Economic Development Authority and the City of Stillwater regarding the rehabilitation of Boomer Lake Station (BLS). She stated that unforeseen circumstances in the rehabilitation of BLS has slowed progress down on this project. Some of the unexpected problems encountered were inundation easements, surplus and disposal of the generators as well as increased interest rates and construction costs and the volatility of the housing market. Ms. Reames reported that due to these unforeseen challenges, the timeline was changed.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT RESOLUTION NO. CC-2022-29 AS PRESENTED.

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

9. ORDINANCES

a. First Reading

Ordinance No. 3510: An ordinance rezoning a tract of land located at 603 West Highpoint Drive from Commercial Shopping (CS) to Commercial General (CG)

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3510 TO SECOND READING AS PRESENTED.

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

b. Second Reading

Ordinance No. 3504: An ordinance amending Stillwater City Code by amending Chapter 23, Land Development Code, Article VII, Signs, Division 2, District Sign Regulations

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3504 AS PRESENTED.

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

Ordinance No. 3509: An ordinance rezoning tracts of land located at or near 1407 & 1809 East Burris Road and 5920 North Jardot Road from Agriculture (A) to Large Lot Single-Family (RSL)

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3509 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:

- i. Request for Executive Session pursuant to 25 O.S. Section §307 (B)(1) of the Oklahoma Open Meeting Act for the purpose of confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager Norman McNickle.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle announced that on Saturday, October 29th, the City will have two events in one—the “Household Hazardous Waste Collection” and “Electronics Recycling Event.” The event will be from 8:00 a.m. to 1:00 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. Additionally, residents can drop off certain electronics for recycling.
- City Manager Norman McNickle stated there will be many fun activities this week leading up to the OSU Homecoming game Saturday. The Walkaround will be Friday, October 21st with road closures beginning at 5:30 p.m. The parade will be Saturday, October 22nd, beginning at 9:00 a.m. downtown on Main Street. The City’s hope is that all attendees of America’s Greatest Homecoming enjoy themselves, create special memories with family and friends and return home safely. The City is very appreciative of the countless hours that Emergency Management, Police, Fire, Public Works, County Officials and many more that already invested to mitigate potential safety risks. Mr. McNickle reminded residents and visitors to take advantage of the Free Park & Ride Shuttle Service in Downtown Stillwater.

c. Miscellaneous items from the City Council:

- Councilor Clark reminded residents that if they have had difficulty making utility or rent payments as result of COVID-19, the City of Stillwater and Our Daily Bread may be able to help. Please go to www.ourdailybreadstillwater.org to apply and for more information.
- Councilor Hawkins announced there is a vacancy on the Board of Adjustment that needs to be filled. The board consists of five members and is empowered by the 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. Term length is three years. Please go to Stillwater.org/citizensboards to apply.
- Councilor Dzialowski reminded residents that throughout October, there is a temporary reduction in Waste Management services due to staffing shortage. Residents will need to drop-off glass and yard waste at the Collection Center as these items will not be picked up. To help customers through October, they are not limited to one truck load per day as in the past.
- Mayor Joyce asked motorists to pay careful attention to signs directing traffic through a lane shift on South Perkins Road at Third Avenue. The change to traffic flow in the southbound lanes between Virginia and Sixth Avenues was implemented September 28th and drivers who do not follow the intended path have created a dangerous situation. There are multiple, much-needed roadway construction projects throughout our city right now so please allow additional time and follow the traffic signs.

i. Discussion about scheduling items for future meetings.

11. QUESTIONS & INQUIRIES

None.

12. EXECUTIVE SESSION

- a. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager Norman McNickle

Stillwater City Council meeting recessed at 6:07 p.m. to convene Stillwater Utilities Authority meeting.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE CITY COUNCIL MEETING AT 6:07 P.M.

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

Stillwater City Council reconvened at 6:25 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 6:26 P.M.

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

13. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:53 P.M.

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

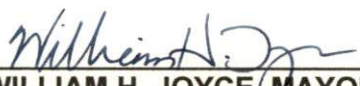
- a. No action will be taken on this item.

14. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE OCTOBER 17, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The October 17, 2022 regular meeting of the Stillwater City Council adjourned at 7:53 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK