

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED SEPTEMBER 28, 2022 AT 2:20 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
OCTOBER 3, 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. PROCLAMATIONS/PRESENTATIONS

a. Domestic Violence Awareness – Brandi White, Wings of Hope

Mayor Joyce read the proclamation declaring October as Domestic Violence Awareness Month in Stillwater. Brandi White, Wings of Hope, accepted the proclamation.

b. Fire Prevention Week

Mayor Joyce read the proclamation declaring October 9-15, 2022 as Fire Prevention week in Stillwater. Sparky and Deputy Fire Marshal Thomas Sharp accepted the proclamation.

c. Public Power Week

Mayor Joyce read the proclamation declaring October 2-8, 2022 as Public Power Week and recognizing Stillwater Electric Utility for its contributions to the community. Electric Utility Director Loren Smith accepted the proclamation and recognized the electric utility staff that were present.

d. Recognition of Finance Department

Finance Director Christy Cluck stated that the finance department has received an award for Excellence in Financial Reporting from the Government Finance Officers Association for their 40th consecutive year. Ms. Cluck introduced the finance staff present at the meeting.

Mayor Joyce and Council thanked the Finance Department for the great work they do in keeping the City's budget in order.

4. CONSENT DOCKET

a. Approve September 19, 2022 regular meeting minutes

- b. Accept waterline easement dedication at 1323 W 6th Avenue and authorize the Mayor to execute the document
- c. Award bid to Kerns Ready Mixed Concrete at the prices listed below for city-wide concrete supply and delivery:

Item	Unit	Price Escalator
	Price per Cu Yd. Delivered to Job Site Inside City Limits	Maximum Price Percentage Increase per Quarter*
Class A	\$137.25	5%
Class AA	\$141.50	5%
Class C	\$133.25	5%
CLSM	\$137.25	5%
	Per load	
Additional charge for less than 3 cubic yards	\$100.00	
Additional charge for deliveries up to 10 miles outside of the city limits	<6.25 yards \$200.00	

- d. Accept general utility easement dedication on property south of 3rd Avenue, Lots 1-5, Block 5 of the Parks Addition, for utility relocation related to the 3rd Avenue bridge replacement project
- e. Approve budget amendments reflecting receipt and appropriation of \$7,000,000 in loan proceeds from Great Plains Bank for the Rare Earth Redevelopment Project
- f. Accept public Improvements for Skyline East Section 2A
- g. Approve budget amendment for Stillwater Regional Airport reflecting carry forward of \$113,249 (Bi-Partisan Infrastructure Grant matching funds) from FY22 to FY23

Mayor Joyce stated that there was a memo from staff asking to remove item f. from the consent docket and that item will be brought back at a later date.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CONSENT DOCKET MINUS ITEM F.

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

- a. Receive public comment regarding a request for a Map Amendment to rezone property at 603 W Highpoint Drive from Commercial Shopping (CS) to Commercial General (CG)

City Planner Jacquelyn Porter reported that the applicant requests review and approval of a map amendment to rezone property addressed as 603 West Highpoint Drive from Commercial Shopping (CS) to Commercial General (GG). The subject property is located on the north side of Stillwater at the end of West Highpoint Drive. Ms. Porter stated that the owner is trying to lease the structure on the property and the allowed uses in CS is limiting the potential tenants for the structure.

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

Planning Commission recommended approval 3-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR PROPERTY LOCATED AT 603 WEST HIGHPOINT DRIVE.

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

- b. Receive public comment regarding a request for a Text Amendment to Chapter 23 Article VII, Division 2, as it pertains to signs in commercially zoned districts

City Planner Jacquelyn Porter reported that the Board of Adjustment requested that staff review and amend the sign code to address a common variance request regarding the number of signs in commercial zoned districts. The text amendment has been developed by staff to create less of a hardship on businesses located in a commercial zoning district. Ms. Porter stated that the intent of the proposed changes are to keep the integrity of the current code but make minor adjustments to meet the community's need at this time.

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

Planning Commission recommended approval of the Text Amendment 3-0.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE TEXT AMENDMENT OF CHAPTER 23, LAND DEVELOPMENT CODE ARTICLE VII, SIGNS, DIVISION 2 DISTRICT SIGN REGULATIONS, SECTION 23-97 THROUGH SECTION 23-200, OF THE LAND DEVELOPMENT CODE.

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

8. GENERAL ORDERS

- a. Consider bid award for the Husband Street Bridge Drilled Pier Project to Lopp Construction, LLC for a unit price contract in the amount of \$1,109,950; approve budget amendment to appropriate \$1,246,000 from the Transportation Sales Tax Fund; authorize the City Manager to execute all related documents; and approve expenditures not to exceed \$1,246,000, which includes an incentive payout and contingency funds

Deputy Director of Project Management and Construction Andy Doerflinger reported that in February 2022, City Council approved the award of a unit price contract to Lopp Construction, LLC in an amount not to exceed \$1,300,000 including contingency to replace the Husband Street Bridge over Boomer Creek. Lopp Construction, LLC mobilized in June 2022, demolished the existing bridge and excavated the footing locations to the required footing bearing elevations for the new bridge abutments. Mr. Doerflinger stated that the design drawing and geotechnical report indicated that limestone rock should be encountered at an elevation higher than the footing bearing elevation. When rock was not encountered, Lopp Construction, LLC issued a request for information to the City. He stated that additional geotechnical borings were completed in the location of the footing. These borings show the bedrock is significantly deeper than indicated in the original design geotechnical report. Mr. Doerflinger reported that a revised bridge foundation design was created that requires (12) 48 inch drilled piers that range from 29 to 41 feet long. The bid for the Husband Street Bridge Drilled Pier Installation was solicited with one bid received from Lopp Construction, LLC.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO AWARD A UNIT PRICE CONTRACT FOR THE LOW BID AMOUNT OF \$1,109,950.00 TO LOPP CONSTRUCTION, LLC; APPROVE THE ATTACHED BUDGET AMENDMENT TO APPROPRIATE \$1,246,000 FROM THE 260 - TRANSPORTATION SALES TAX FUND TO THE HUSBAND STREET BRIDGE DRILLED PIER PROJECT (19TR05260); AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACTS AND RELATED DOCUMENTS; AND AUTHORIZE TOTAL EXPENDITURES NOT TO EXCEED \$1,246,000, WHICH INCLUDES AN INCENTIVE PAYOUT AND CONTINGENCY FUNDS.

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

9. RESOLUTIONS

Chief Performance Innovation Officer Brady Moore reported that the Bipartisan Infrastructure Law (BIL) established the Reconnecting Communities Pilot (RCP) discretionary grant program through the US Department of Transportation and funded it with \$1 billion over the next five years as the first ever Federal program dedicated to reconnecting communities that were previously cut off from economic opportunities by transportation infrastructure. State Highway 51 (HW51), also known as 6th Avenue, divides Stillwater by north and south, essentially dividing the downtown and cultural district on the south side from the Oklahoma State University campus and the commercial districts that surround the university on the north side. Mr. Moore stated that the fact HW51 must be crossed by pedestrians and cyclists that want to travel back and forth between the two sides, makes it a significant barrier due to its traffic congestion. He reported that this will only get worse in 2025, when ODOT is scheduled to begin widening HW51 to five lanes. Staff proposes a Planning Grant Application for a potential project with two major components to help eliminate barriers to active transportation in Stillwater.

- Planning to develop Active Transportation Crossings of HW51 (6th Avenue)
 - Planning to develop a community-wide Active Transportation Map for connectivity to guide future growth in Stillwater.
- a. Resolution No. CC-2022-27: A resolution acknowledging City Council authorization and approval for the submission of an application for Fiscal Year 2023 Reconnecting Communities Pilot (RCP) Grant Program administered by the United States Department of Transportation for a planning grant to fund the study of a project to eliminate barriers to active transportation and other opportunities to improve community connectivity through active transportation infrastructure in the City of Stillwater

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2022-27 AS PRESENTED.

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

10. ORDINANCES

a. First 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 ADVANCE ORDINANCE NO. 3504 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. 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 CLARK TO ADVANCE ORDINANCE NO. 3509 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. 3496-Corrected: A corrected ordinance closing an easement located in the Northeast Quarter (NE/4) of Section Thirty-Five (35), Township Twenty (20) North, Range Two (2) East of the Indian Meridian, City of Stillwater Payne County, Oklahoma, on property located on North Rogers Drive South of Richmond, adjacent to North Rogers Drive in Park View Estates Section 10, and repealing all ordinances to the contrary

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3496 AS CORRECTED.

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

11. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:

- City Attorney Kimberly Carnley announced that Ashlyn Garis passed the bar exam so she is officially the Assistant City Attorney.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle announced that throughout the remainder of October, there will be a temporary reduction of Waste Management services due to a 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 will not be limited to one truck load per day.

c. Miscellaneous items from the City Council:

- Councilor Clark announced that the Stillwater Police Department would love for citizens to join them for the annual Coffee with a Cop on Wednesday, October 5,

from 7:30-9:30 a.m. at Panera Bread. Come out for a cup of coffee, have questions answered and get to the officers in your neighborhood.

- Councilor Hawkins announced that the Payne County Board of Commissioners issued a burn ban through October 13th. Payne County remains in a severe drought and with the wind added, these conditions can change a controlled fire to an uncontrolled fire emergency very quickly.
 - Councilor Dzialowski reminded residents that if they have had difficulties making utility or rent payments as a result of COVID-19, the City of Stillwater and Our Daily Bread may be able to help. The funding assistance program will be available until all funds are dispersed. Please go to www.ourdailybreadstillwater.org to apply.
 - Vice Mayor Zannotti stated that Public Power Week is October 2nd through October 8th. This year's focus is educating the next generation of public power customers. There are multiple resources and helpful tips available on the Public Power website. Vice Mayor also thanked the great staff members who serve in the Stillwater Utilities Department.
 - Mayor Joyce invited citizens to join online or in-person this Friday, October 7, at 9:30 a.m. for the Stillwater Fire Department Pinning Ceremony. The ceremony will be to pin the new Fire Marshal, Thomas Tharp, who has served the City for many years and was most recently our Deputy Fire Marshal.
- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

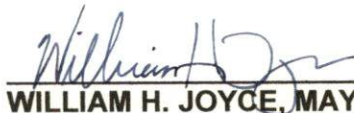
None.

13. ADJOURN

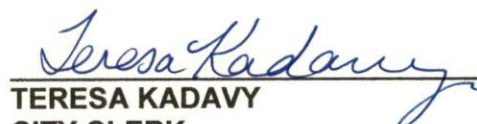
MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADJOURN THE OCTOBER 3, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The October 3, 2022 regular meeting of the Stillwater City Council adjourned at 6:28 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK