

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED SEPTEMBER 16, 2021 AT 4:15 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
SEPTEMBER 20, 2021

PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI
COUNCILORS JOHN WEDLAKE, AMY DZIALOWSKI AND CHRISTIE HAWKINS
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 regular meeting minutes of September 13, 2021
- b. Approve right-of-way agreement with Progressive Development for public infrastructure improvements including but not limited to public walkways, ADA ramps, and various site amenities to be constructed at 917 S Husband Street
- c. Approve setting November 1, 2021 as public hearing date for request to close easement at 711 N Main

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

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

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

Preston Bobo, 2715 S. Mar Vista Street, spoke in favor of a mask mandate.

Karen Flack, 3420 S. Sawgrass, spoke against masks and vaccinations.

Riley Flack, discussed the draft ordinance and stated it was a non-mandate mask mandate like the first ordinance that was issued mandating masks.

Todd Smith, 1116 S. Walnut, spoke against masks and vaccinations.

Greg Adams, Washington St., stated this is a divisive ordinance and spoke against a mask mandate.

William Crozier, 1202 N. Main Street, Apt. 16, stated that dogs are being used to sniff out the virus.

Chawndra Eschman, 1015 S. Duncan St., spoke against a mask mandate and vaccinations.

Bob Smith, 1116 S. Walnut, spoke against a mask mandate and vaccinations.

5. ITEMS REMOVED FROM CONSENT DOCKET

None.

6. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Map Amendment to rezone properties addressed as 2302 & 2324 W 8th Avenue and 802 S Western Road from Small Lot Single Family to Commercial Shopping Zoning (Deferred from September 13, 2021)

Planning Manager Lanc Gross reported that the applicant is requesting a map amendment to rezone properties addressed as 2302 & 2324 W. 8th Avenue and 802 S. Western Road from Small Lot Single Family (RSS) to Commercial Shopping (CS) Zoning. The subject site is currently within an area of residential zoning and is bordered on the north by Commerical Shopping. Mr. Gross stated that staff has received letters of opposition and a protest petition against this map amendment.

Mayor Joyce opened the public hearing.

Josh Powers, spoke on behalf of the applicant and stated that the applicant has changed the zoning request for this map amendment from Commercial Shopping to Office zoning.

Jason Hanson, the developer, spoke on the plans for a chiropractic office and designs for this area and answered Council's questions.

Bill McClean, 2324 W. 10th Avenue, spoke against the rezoning.

Jim Shideler, 2215 W. 8th Avenue, spoke against the rezoning and noted the history of the neighborhood.

Brian Correa, 2401 W. 8th Avenue, spoke against the rezoning.

Betsy Showalter, 2402 W. 8th Avenue, spoke against the rezoning and mentioned the historical nature of the neighborhood.

Adam Naff, 1705 W. 5th Avenue, spoke against the rezoning

Steve Trompler, 818 S. Wicklow, spoke against the rezoning.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval with a 4-0-1 vote with four in favor, zero opposed and one abstention.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO DEFER THIS MAP AMENDMENT BACK TO THE NEXT PLANNING COMMISSION MEETING TO REHEAR WITH THE REZONING AS OFFICE.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-ABSTAIN, 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 a medical marijuana processor for property located at 1930 N Jardot Road

Planning Manager Lanc Gross stated this request is for a Specific Use Permit to allow a medical marijuana processing facility at 1930 N. Jardot Road. The subject site is currently within an area of IL Light Industrial zoning and is surrounded by a mixture of various land uses.

Mayor Joyce opened the public hearing.

Katie Purdy, Gose and Associates, spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval of SUP 4-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 1930 N JARDOT ROAD.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-NAY, DZIALOWSKI-YEA, HAWKINS-YEA. NAY-ONE. MOTION CARRIED WITH FOUR YEA VOTES TO ONE NAY VOTE.

- c. Receive public comment regarding a request for a Specific Use Permit for a medical marijuana dispensary for property located at 520 S Jardot Road

Planning Manager Lanc Gross stated this request is for a Specific Use Permit to allow for a medical marijuana dispensary at 520 S. Jardot Road. The subject site is currently within an area of CG Commercial General zoning and is surrounded by service commercial uses. Mr. Gross stated this site is the location of a previous approved dispensary with a different owner.

Mayor Joyce opened the public hearing.

Katie Purdy, Gose and Associates, spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval of 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 520 S JARDOT ROAD.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-NAY, DZIALOWSKI-YEA, HAWKINS-YEA. NAY-ONE. MOTION CARRIED WITH FOUR YEA VOTES TO ONE NAY VOTE.

- d. Receive public comment regarding a request for a Specific Use Permit for a medical marijuana dispensary for property located at 1023 E 6th Avenue

Planning Manager Lanc Gross stated this request is for a Specific Use Permit to allow for a medical marijuana dispensary at 1023 E. 6th Avenue. The subject site is currently within an area of CG Commercial General zoning and is surrounded by commercial uses.

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

Planning Commission recommended approval of SUP 4-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 1023 E 6TH AVENUE.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-NAY, DZIALOWSKI-YEA, HAWKINS-YEA. NAY-ONE. MOTION CARRIED WITH FOUR YEA VOTES TO ONE NAY VOTE.

7. GENERAL ORDERS

a. Presentation of public art proposals for gateway project at 6th Avenue and Western Road

Chief Civic Innovation Officer Becky Taylor reported that in partnership with the Arts & Humanities Council of Stillwater, a search committee comprised of 12 diverse people was developed with the goal of reimagining the corner of 6th Avenue and Western Road through a Gateway Project. An RFP was released in June 2021 and closed on August 1. The search committee received 16 proposals from 12 different artists across the globe. Ms. Taylor said the search committee narrowed down the art proposals to the top three:

1. Community Circle
2. Interlaced
3. All Together

The next phase included feedback on these three proposals from community members.

A selection committee was comprised of the four following people:

- Norman McNickle, City Manager
- Rebecca Brienen, President of Arts & Humanities Council of Stillwater
- Kristine Waits, Community Member
- Barry Patton, Patton family member

The selection committee reviewed the search committee recommendation and the results of the community member survey, and agreed that based on the feedback, sculpture 2 is the best option for the 6th Avenue and Western Road corner. Ms. Taylor stated that the Arts & Humanities Council of Stillwater has raised \$35,000 of the \$55,000 needed for the sculpture and are continuing their fundraising efforts. Donations can be made at artsstillwater.us. The City's part will be \$50,000 to \$100,000 preparing the site for the sculpture.

No action was taken on this item.

b. Reconsider September 13, 2021 Planning Commission appointments

Mayor Joyce stated he made a mistake at the September 13, 2021 council meeting when he made appointments to the Planning Commission so a motion is needed to reconsider these appointments.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO RECONSIDER THE PLANNING COMMISSION APPOINTMENTS FROM THE SEPTEMBER 13, 2021 COUNCIL MEETING.

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

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR ZANNOTTI TO REAPPOINT MIKE SHANAHAN AND APPOINT STEVE HALLGREN AND MARK PRATHER TO THE PLANNING COMMISSION.

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

- c. COVID-19 update and discussion to include discussion of a possible ordinance to require face coverings

Mayor Joyce stated that the hospital numbers are going down but the ICU is still full. He said the emergency proclamation issued on September 3 expired at midnight last night. Mayor stated he doesn't know how much good a mask mandate would do with the passage of HB 658. Mayor acknowledged the comments made earlier about a non-mandate mask mandate because of no penalty provisions. He stated last time the community, including OSU, Stillwater Public Schools and Meridian Technology, came together to support the mask ordinance. If OSU and the public schools make changes regarding masks, we will support them.

Councilor Wedlake said he requested the draft ordinance be put on the agenda so that if a mask mandate becomes necessary, it will be ready to go. He said its unknown what the fall will bring, but this way we will be prepared. He stated the numbers are trending in a positive direction but they are still not good. Councilor Wedlake stated changing CDC recommendations aren't because they are trying to fool the public, it's because new information on the virus is constantly being learned.

Councilor Dzialowski stated she has received lots of correspondence regarding a mask ordinance. She stated it's hard to make a policy that is effective with no mask requirements in the schools or university. The cases are down in the hospital and Stillwater Public Schools but the community needs to stay ahead of the variants.

Councilor Hawkins stated as a community member she is all for masks and doing whatever can be done to help the hospital and health care workers. She stated this time has different challenges than a year ago as far as enforcing the mask mandate. Last year OSU, public schools and other cities were all in lockstep together.

Vice Mayor Zannotti stated a year ago there was no vaccine and now there is a vaccine. She stated a mask mandate is not enforceable with the other state laws that have been issued.

No action was taken on this item.

8. RESOLUTIONS

- a. Resolution No. CC-2021-31: A resolution concerning the City of Stillwater's bridge inspection responsibility pursuant to national bridge inspection standards and notification to the Oklahoma Department of Transportation of bridge inspection consultant selection for bridge inspection contractor commencing April 1, 2022 through March 31, 2024

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2021-31 AS PRESENTED.

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

- b. Resolution CC-2021-32: A resolution of the City of Stillwater adopting design and construction standards.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2021-32 AS PRESENTED.

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

9. ORDINANCES

a. First Reading

Ordinance No. 3482: An ordinance rezoning a tract of land located at 522 North Perkins Road from CS, Commercial Shopping to CG, Commercial General District

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3482 TO SECOND READING AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-YEA, DZIALOWSKI-NAY, HAWKINS-YEA. NAY-ONE. MOTION CARRIED WITH FOUR YEA VOTES TO ONE NAY VOTE.

b. Second Reading

Ordinance No. 3481: An ordinance amending the Stillwater City Code by amending Chapter 23, Land Development Code, Article XVI, Subdivision Preparation and Requirements, Division 2, Major Subdivisions, to amend Section 23-325, Preliminary Plat

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3481 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney: None.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle stated the Stillwater Fire Department is holding a pinning ceremony to recognize Lieutenant Zach Miller's promotion to Captain. The ceremony will begin at 10:00 a.m. on Friday, September 24.

c. Miscellaneous items from the City Council:

- Vice Mayor Zannotti reminded citizens that if they're going to the OSU football game this weekend to take advantage of the free park and ride shuttle service downtown. Passengers will be picked up at the 7th Avenue and Lewis Street bus stop. Shuttles run three hours before kick-off and continue to run every 15 minutes throughout post-game.
- Councilor Hawkins stated the last two TIME Projects community meetings are this week. Join us at 6:30 p.m. tomorrow in the OSU Student Union Theatre or at 6:00 p.m. on Thursday at Stillwater Junior High School.
- Councilor Wedlake stated that the City is holding a Household Hazardous Waste collection event on Saturday, October 23 from 8:00 a.m. to 1:00 p.m. at the Convenience Collection Center at 807 S. Perkins Road. Accepted items include oil-based paints, pesticides, herbicides, household cleaning products, pool chemicals and more.
- Councilor Dzialowski reported that next week is Healthcare Professional Appreciation Week in Stillwater. Show healthcare professionals how much they

are appreciated by putting out a white ribbon of hope, writing a thank you note or sharing a kind message on social media. The City is also encouraging residents to become fully vaccinated against COVID-19 in an effort to safeguard our healthcare professionals and save lives.

- Mayor Joyce reminded citizens that Stillwater Radio does a City Council recap every Tuesday after a meeting. Tune in to the One-on-One podcast with Bill Van Ness to hear City Councilors and City employees discuss what's happening in our community each week.
- 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 7:42 p.m. to convene the Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 7:56 p.m.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 7:57 P.M.

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

13. RETURN FROM EXECUTIVE SESSION

- a. Possible action regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager.

No action was taken on item a.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE REGULAR MEETING OF THE STILLWATER CITY COUNCIL AT 9:11 P.M.

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

14. ADJOURN

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO ADJOURN THE SEPTEMBER 20, 2021 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The September 20, 2021 regular meeting of the Stillwater City Council adjourned at 9:11 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK