

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW  
THE AGENDA WAS POSTED JULY 8, 2021 AT 10:10 A.M.  
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES  
STILLWATER CITY COUNCIL  
REGULAR MEETING  
COUNCIL HEARING ROOM  
723 S. LEWIS  
JULY 12, 2021**

**PRESENT: MAYOR WILLIAM H. JOYCE, COUNCILORS JOHN WEDLAKE AND  
CHRISTIE HAWKINS**

**ABSENT: VICE MAYOR ALANE ZANNOTTI AND COUNCILOR AMY DZIALOWSKI**

**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. PRESENTATIONS**

- a. Recognition of Finance Department for Certificate of Achievement for Excellence in Financial Reporting

Mayor Joyce congratulated the Finance Department for being awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada for 39 consecutive years.

Mayor Joyce introduced Interim City Attorney Kimberly Carnley and welcomed her to the City Council meetings.

**4. CONSENT DOCKET**

- a. Approve regular meeting minutes of June 21, 2021
- b. Approve an additional \$16,634 for cyber liability insurance for a total annual premium of \$38,086
- c. Approve right-of-way agreement with the Chi Omega House, 310 S Monroe, and authorize City Manager to sign documents
- d. Approve budget amendments reflecting the donation of \$3,955 from Stillwater Kiwanis for Strickland Park expenditures
- e. Accept Stillwater History Museum at the Sheerar quarterly report
- f. Appoint Center for Economic Development Law as special counsel for tax increment financing projects and matters

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

ROLL CALL VOTE: JOYCE-YEA, WEDLAKE-YEA, HAWKINS-YEA. NAY-NONE. MOTION CARRIED WITH THREE 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 the property addressed as 501 E 14th Avenue from O Office to RT Two-Family Residential

Planning Manager Lanc Gross reported that the applicants are requesting the approval of a map amendment to rezone the property addressed as 501 E. 14<sup>th</sup> Avenue from O Office to RT Two-Family Residential. Mr. Gross stated that the following conditions exist for this property:

- RT is a less intense zoning district than the current Office Zoning District
- The proposed Map Amendment will allow for the additional single family dwelling on the property to be a conforming use.
- The Map Amendment will help allow for development on the site in a manner that is compliant with the land development code.
- The Comprehensive Plan calls for low density residential uses in this area.

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

Planning Commission recommended approval with a 5-0 vote.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR WEDLAKE TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE MAP AMENDMENT FOR THE PROPERTY LOCATED AT 501 E. 14<sup>TH</sup> AVENUE.

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

- b. Receive public comment regarding a request for a map amendment to rezone the property addressed as 2805 E 6th Avenue from CG Commercial General to IL Light Industrial

Planning Manager Lanc Gross reported the applicant is requesting the approval of a Map Amendment to rezone the property addressed as 2805 E. 6<sup>th</sup> Avenue from CG, Commercial General to IL, Light Industrial. He stated that IL is a more intense zoning district than the current CG zoning district. The proposed Map Amendment will allow for a potential SUP request for a medical marijuana grower and processor facility in the future. Mr. Gross reported the Comprehensive Plan calls for commercial uses of this area and the Planning Commission noted that some areas along this part of 6<sup>th</sup> Avenue had previously been industrial.

Mayor Joyce opened the public hearing.

Charlie Meyers spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval with a 5-0 vote. The recommendation was based upon the reuse of vacant property, both zoning districts have many common permitted uses, and that historically land uses in the part of the community were industrial.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR WEDLAKE TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE MAP AMENDMENT FOR THE PROPERTY LOCATED AT 2805 E. 6<sup>TH</sup> AVENUE.

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

## **8. GENERAL ORDERS**

### **a. Update on dilapidated properties**

Interim City Attorney Kimberly Carnley updated Council on the dilapidated properties.

3314 E. Avenue, owned by Ricky Cole, now has a new roof on the residence and this is great progress. Code Enforcement believes that the next steps should include replacing damaged fascia boards and trimming out the outside doors and windows. Code enforcement will monitor the continued progress on this property.

723 West Highpoint, owned by Melissa Sorrentino and Richard and Matthew McCollum, is scheduled to be demolished this week or next week. Code Enforcement has been in contact with the contractor and was told that they are in town on several jobs and will get to this structure as well. Code Enforcement continues to monitor the progress.

502 & 506 S. Lowry, owned by Dan Amen. It is reported by Code Enforcement that the structure is on wheels for removal and counsel for the property owner stated that it is the owner's objective to have the buildings removed by this Friday. Code Enforcement will continue to monitor the progress of relocation.

No action was taken on this item.

### **b. Approve the carry forward of budget appropriations from FY21 to FY22**

Finance Director Christy Cluck reported that at the end of a fiscal year, there may be projects, materials, or services that have not been spent because they are incomplete or not yet received. If no action is taken to re-appropriate those funds in the next fiscal year's budget, the funding will lapse. City staff refers to this re-appropriation as a carry forward. Ms. Cluck stated that Finance staff works with the City departments to identify incomplete projects and materials or services not yet received that should be carried forward to complete the procurement process. She stated staff recommends approval of the carry forward of funds as presented.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CARRY FORWARD OF BUDGET APPROPRIATIONS FROM FY21 TO FY22 AS PRESENTED.

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

### **c. Accept grant allocation of \$368,242.50 from FEMA Pre-Disaster Mitigation Grant for Stormwater Master Drainage Plan capital project and approve associated budget amendments**

Director of City Engineering Monty Karns reported that Council authorized staff to apply for a Federal Emergency Management Agency (FEMA) grant known as a Pre-Disaster Mitigation (PDM) Grant. This grant has been awarded in the amount of \$490,990 and is funded at 75% by FEMA with a match of 25% from the City of Stillwater. Mr. Karns stated that budget amendments have been prepared reflecting receipt and allocation of grant funds.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE GRANT ALLOCATION OF \$368,242.50 FROM FEMA AND APPROVE THE ASSOCIATED BUDGET AMENDMENTS.

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

- d. Approve bid recommendation for maintenance agreement in the amount of \$57,600 with B&L Heating and Air Conditioning to service, maintain and repair the heating and air systems in the Municipal and Police Department buildings and authorize City Manager to sign related documents

Public Works Director Mark White reported that the Municipal Building and Police Department currently have a maintenance agreement with B&L Heating and Air Conditioning to service, maintain and repair the heating and air systems in the buildings. This agreement, which costs \$50,400 per year, expired at the end of FY21. He stated bids were solicited for a new maintenance agreement beginning in FY22 and one bid was received and that was from B&L Heating and Air Conditioning in the amount of \$57,600.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO AWARD THE BID TO B&L HEATING AND AIR CONDITIONING IN THE AMOUNT OF \$57,600.

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

- e. Approve bid recommendation for mill and overlay for Duck Street from 6th Avenue to Boomer Road and on Husband Street from Elm Street to Hall of Fame Avenue; full depth asphalt for Brooke Avenue from Jardot Road to Young Street; and resurface of the south taxi lane at Stillwater Regional Airport:
  - award a unit price contract for the low bid amount of \$1,095,523.40 to Haskell Lemon;
  - authorize City Manager to execute contracts and related documents, and;
  - authorize total expenditures not to exceed \$1,205,075, which includes a contingency of 10%

Director of City Engineering Monty Karns stated that Council approved the FY20 Pavement Management Program in August of 2020. Part of that program was to mill the existing surface and place a new asphalt overlay on Duck Street from 6<sup>th</sup> Avenue to Boomer Road and on Husband Street from Elm Street to Hall of Fame Avenue. He reported this program also included funds for deferred maintenance for full depth repairs of streets to be identified. Due to severe pavement failure, Brooke Avenue from Jardot Road to Young Street was selected by staff to be repaired using full depth asphalt. Mr. Karns stated the Stillwater Regional Airport also has a need to resurface the south taxi lane at the airport. He stated bids were solicited and two bids were received with Haskell Lemon being the low bidder.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR WEDLAKE TO AWARD A UNIT PRICE CONTRACT FOR THE LOW BID AMOUNT OF \$1,095,523.40 TO HASKELL LEMON; AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACTS AND RELATED DOCUMENTS; AND, AUTHORIZE TOTAL EXPENDITURES NOT TO EXCEED \$1,205,075 WHICH INCLUDES A 10% CONTINGENCY.

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

- f. Approve bid recommendation for resurfacing of McElroy Road from Washington Street to Boomer Road; Western Road from 32nd Avenue to 19th Avenue and on 18th Avenue from Fern

Street to Perkins Road; resurfacing of Lakeview Road from Perkins Road to Jardot Road; and a quarter mile of Jardot Road north of Lakeview Road:

- Award a unit price contract for the low bid amount of \$1,115,750.75 to TJ Campbell;
- Authorize the City Manager to execute contracts and related documents, and;
- Authorize total expenditures not to exceed \$1,227,325.82, which includes a contingency of 10%

Director of City Engineering Monty Karns stated that Council approved the FY21 Pavement Management Program on April 20, 2021. Part of this program was to resurface McElroy Road from Washington Street to Boomer Road; Western Road from 32<sup>nd</sup> Avenue to 19<sup>th</sup> Avenue and on 18<sup>th</sup> Avenue from Fern Street to Perkins Road. In the plan, resurfacing Lakeview from Perkins Road to Jardot Road was shown to occur in FY2023. Mr. Karns reported staff has become concerned about the ability of Lakeview Road to handle the anticipated additional traffic during the reconstruction of Perkins Road scheduled to begin later this year so this one mile section was added to the bid package. Bids were solicited for this project and two bids were received. TJ Campbell submitted the only bid that met the requirements and was accepted.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO AWARD A UNIT PRICE CONTRACT FOR THE LOW BID AMOUNT OF \$1,115,750.75 TO TJ CAMPBELL; AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACTS AND RELATED DOCUMENTS, AND; AUTHORIZE TOTAL EXPENDITURES NOT TO EXCEED \$1,227,325.82 WHICH INCLUDES A CONTINGENCY OF 10%.

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

## **9. ORDINANCES**

### **a. Second Reading**

Ordinance No. 3474: An ordinance rezoning property addressed as 102 E Tyler Avenue, from RTM, Two and Multi-family Residential District, to RSS, Single-family Residential District

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3474 AS PRESENTED.

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

## **10. REPORTS FROM OFFICERS & BOARDS**

- Miscellaneous items from the City Attorney:
  - 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 Interim City Attorney Kimberly Carnley.
- Miscellaneous items from the City Manager:
  - City Manager Norman McNickle thanked everyone who helped put together this year's Boomer Blast Fireworks show. He said the event was well attended and that he appreciated all of our employees who gave up a part of their holiday to put on a safe display for our citizens.
- Miscellaneous items from the City Council:
  - Councilor Hawkins stated that if anyone has a passion for animals, the City of Stillwater is looking to hire a new Animal Welfare Officer. The City of Stillwater

also has openings in a variety of other fields. Visit [Stillwater.org/employment](http://Stillwater.org/employment) to see a full list of open positions and to apply.

- Councilor Wedlake reported that the City of Stillwater has started to notify utility customers who are facing possible disconnects for non-payment. Anyone that is behind on utility payments, are encouraged to contact the City before losing electric, water and other services. Call Utility and Billing Services at 405-742-8245 to rectify your account or work out a payment plan.
- 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 Interim City Attorney Kimberly Carnley.

Stillwater City Council meeting recessed at 6:08 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:21 p.m.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR WEDLAKE TO ENTER INTO EXECUTIVE SESSION AT 6:22 P.M.

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

## **13. RETURN FROM EXECUTIVE SESSION**

- a. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of Interim City Attorney Kimberly Carnley.

No action was taken on this item.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE STILLWATER CITY COUNCIL MEETING AT 6:48 P.M.

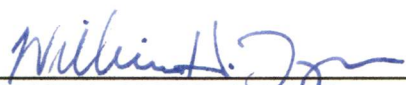
ROLL CALL VOTE: JOYCE-YEA, WEDLAKE-YEA, HAWKINS-YEA. NAY-NONE. MOTION CARRIED WITH THREE YEA VOTES.

## **14. ADJOURN**

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR WEDLAKE TO ADJOURN THE JULY 12, 2021 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The July 12, 2021 regular meeting of the Stillwater City Council adjourned at 6:50 p.m.

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

  
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**TERESA KADAVY**  
**CITY CLERK**