

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED OCTOBER 18, 2024 AT 8:15 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
OCTOBER 21, 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 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

The Stillwater City Council led the audience in the Pledge of Allegiance.

3. CONSENT DOCKET

- a. Approve October 4, 2024 special and executive session meeting minutes and October 7, 2024 regular meeting minutes.

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.

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

There were no requests to speak on agenda items not scheduled for public hearing.

5. ITEMS REMOVED FROM CONSENT DOCKET

None.

6. PUBLIC HEARINGS

- a. Receive public comment regarding a request from Progressive Development Corp., LLC, for a Map Amendment to rezone property addressed as 1002 S. Husband Street from Two-Family Residential (RT) to Commercial Business (CB) district.

City Planner Jacquelyn Porter stated that the applicant requests review and approval of a map amendment to rezone the property addressed as 1002 South Husband Street from Two-Family Residential (RT) to Commercial Business (CB). The subject property is located in the southwest area of Stillwater, near the intersection of South Husband Street and West 10th Avenue. She reported that the subject property is located southwest of the intersection and is currently zoned as two-family residential

with a single-family structure and accessory structure (detached garage). Progressive Development Corp. LLC requests to rezone the property to Commercial Business for a potential restaurant and/or retail site.

Cory Williams, 621 S. Husband, who is the applicant, spoke on his behalf.

Vice Mayor Dzialowski opened the public hearing.

Janet Rogers, 1006 S. Husband, stated that she lives on the property between 1002 and 1010 S. Husband and she is against this rezoning.

Griffin Privateau, 1104 S. Husband, spoke against the rezoning of the two subject properties.

Bruce Parnell, 1011 S. Duncan, spoke against the rezoning of the two subject properties.

Cory Williams addressed the questions and concerns of the speakers and answered Council's questions.

Vice Mayor Dzialowski closed the public hearing.

Discussion was held amongst staff and Council. City Attorney Kimberly Carnley asked Ms. Porter to explain the screening requirements that go along with this rezoning.

The Planning Commission recommended approval with a 3-0 vote.

City Attorney Kimberly Carnley explained Council's options for voting on this item.

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTY ADDRESSED AS 1002 SOUTH HUSBAND STREET.

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

City Attorney Kimberly Carnley requested that the Council meeting take a short recess.

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR HAWKINS TO RECESS THE CITY COUNCIL MEETING.

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

Stillwater City Council meeting recessed at 6:12 p.m.

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

CITY ATTORNEY KIMBERLY CARNLEY STATED THAT PURSUANT TO SECTION 2-56 A TIE VOTE IS NO DECISION.

- b. Receive public comment regarding a request from Progressive Development Corp., LLC on behalf of Outer Banks, LLC for a Map Amendment to rezone property addressed as 1010 S. Husband Street from Two-Family Residential (RT) to Commercial Business (CB) district.

City Planner Jacquelyn Porter stated that the applicant requests review and approval of a map amendment to rezone the property addressed as 1010 South Husband Street from Two-Family

Residential (RT) to Commercial Business (CB). The subject property is located in the southwest area of Stillwater, near the intersection of South Husband Street and West 10th Avenue. The subject property is located in the middle of the block southwest of the intersection and is currently zoned Two-Family Residential with a single-family structure and two accessory structures (a carport and a tool shed) on the property. Progressive Development Corp. LLC, on behalf of Outer Banks, LLC, both LLCs owned by Cory Williams, is requesting to rezone the property to Commercial Business for potential parking and/or commercial redevelopment. Ms. Porter stated that 1002 South Husband Street, which has been presented to be rezoned to CB (with no decision) is located to the north of this property, with one lot between them.

Cory Williams stated that he was withdrawing the application at this time.

7. GENERAL ORDERS

- a. Consider award of Monticello Project Bid #8-2024 to Ellsworth Construction OKC, LLC for a unit price of \$3,058,797.19, approve Amendment #5 with Kimley-Horn for construction administration services in the amount of \$90,900.00, authorize total construction expenditures of \$3,547,200 to include construction contract, construction administration services, testing and contingency, authorize City Manager to sign related documents, and approve associated budget amendments.

Engineering Manager of Transportation and Drainage Travis Small stated he will discuss the Monticello Roadway and Utilities Improvement Project and that there will be a companion item on the SUA docket for Trustees consideration regarding this project and possible funding. He stated that the FY20 Pavement Management Program (PMP) included reconstruction of Monticello based upon its condition rating resulting in it being the lowest scoring local street in the City at that time. The new IMS Survey conducted in 2022 gave this roadway stretch an average Pavement Condition Index of 25.3 out of 100 points, which categorized the road as poor to very poor. Monticello is located in an area needing water and sewer utility replacement. This utility replacement effort has been combined with Monticello's roadway reconstruction work. Mr. Small reported that bids were solicited and staff and Kimley-Horn (KH) reviewed the bid packages and recommend the project be awarded to Ellsworth Construction OKC, LLC. Amendment No. 5 has been negotiated with Kimley-Horn, totaling \$90,900.00, to provide construction administration services during the construction phase of the project. During a Special Meeting of the Transportation Project Advisory Committee on October 14, 2024, the committee took action to approve commencement of the project. Mr. Small answered Council's questions.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR HARDIN TO AWARD A UNIT PRICE CONTRACT TO ELLSWORTH CONSTRUCTION OKC, LLC FOR \$3,058,797.19; AUTHORIZE TOTAL CONSTRUCTION EXPENDITURES NOT TO EXCEED \$3,547,200 WHICH INCLUDES CONSTRUCTION CONTRACT, CONSTRUCTION ADMINISTRATION, TESTING AND CONTINGENCY; AND APPROVE BUDGET AMENDMENTS IN THE AMOUNT OF \$2,201,930 FROM THE TRANSPORTATION SALES TAX FUND (LATER IN SUA - \$1,143,500 FROM WATER FUND & \$201,770 WASTEWATER FUND); AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT AND RELATED DOCUMENTS AND APPROVE THE AMENDED MOTION AS STATED BELOW.

CITY ATTORNEY KIMBERLY CARNLEY STATED THERE IS ONE AMENDMENT TO THIS MOTION AND THAT IS TO APPROVE AMENDMENT NO. 5 WITH KIMLEY-HORN FOR CONSTRUCTION ADMINISTRATION SERVICES IN THE AMOUNT OF \$90,900.00.

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-2024-34: A resolution authorizing the City of Stillwater to accept local funding from the 2024 State Homeland Security Program in the amount of \$1,030,000 and to designate the State of Oklahoma, specifically the Oklahoma Office of Homeland Security, as the agent for the local share of grant funding for the purpose of funding planning and operational oversight costs of the Oklahoma Counter Terrorism Intelligence Center (OCTIC) and enhancing domestic violence extremist capabilities and program management; and authorizing the Mayor or Vice-Mayor to execute the Memorandum of Understanding

City Attorney Kimberly Carnley stated that for the past several years the City of Stillwater has participated in a memorandum of understanding with the State of Oklahoma Office of Homeland Security in regards to federal grant funding to support anti-terrorism programs. The federal grant requires 80% of funds to support local causes, and a local jurisdiction can request to assign the state as its agent for its local share for the purpose of funding these operations and programs which are coordinated by the state for the benefit of the local jurisdictions such as Stillwater. Approval of this resolution accepts local funding in the amount of \$1,030,000 and assigns it to the Oklahoma Office of Homeland Security to fund planning and operational oversight costs of the Oklahoma Counter Terrorism Intelligence Center which may include funding for the fusion center analysts and program management and enhancing domestic violence extremist capabilities and program management.

Emergency Management Director Rob Hill answered Council's questions.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ADOPT RESOLUTION NO. CC-2024-34 AS PRESENTED.

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

9. ORDINANCES

- a. Second Reading

Ordinance No. 3547: An ordinance authorizing the restatement of the Lease Agreement and Operation and Maintenance Contract dated April 1, 1979, as heretofore amended, including the Extension of the Lease Term; providing for citizen initiated referendum of said Lease Agreement in accordance with Section 4-2 of the City Charter.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADOPT ORDINANCE NO. 3547 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
 - Interim City Manager Brady Moore announced that on Monday, October 28 at 5:30 p.m. there will be study session at the Community Center to discuss short-term rentals.
 - Mr. Moore invited residents to save the date for November 16th, 2024, and join the City for the second volunteer day at Washington School. Volunteers are welcome from 9 a.m. to 1 p.m., and lunch will be provided by the Stillwater

Community Center Foundation. Staff is working on creating online volunteer registration and waiver forms. Volunteers will need to be dressed appropriately (closed toe shoes, etc.) Work will focus on cleaning up trees and yard waste; removal and breakdown of exterior breezeways and overall general exterior cleanup.

- Mr. Moore also announced that the City is accepting applications for various committees including the Stillwater Reinvestment Plan Implementation Policy Committee, also known as the Downtown TIF #3, and the Board of Adjustments. Committees are essential for increased development and infrastructure projects within our community. If anyone would like to get involved in their local government and help make Stillwater even greater please consider serving on one or more of these committees.

Miscellaneous items from the City Council:

- Councilor Hardin announced that LexiCon is back and better than ever. For those who do not know what LexiCon is it's the Stillwater Cultural District's free mini-comic convention for fans of comic books, science fiction, gaming of all types, cosplay, anime, and pop culture. Events are scheduled from Thursday, October 24th through Saturday, October 26th with the main event taking place on Saturday, 10 a.m. to 5 p.m.
 - Councilor Clark asked residents to mark their calendars for Tuesday, October 29th, beginning at 4:30 p.m. for the fountain dyeing at Chris Salmon Plaza in celebration of OSU Homecoming Week. Also, in the same area, beginning at 5 p.m., is the Downtown Stillwater Halloween Festival. This is a spooktacular, family-friendly event for all ages. Halloween festivities include trick-or-treating at various downtown businesses and organizations, costume contest, and many vendors. Clark announced that the 103rd edition of America's Greatest Homecoming will include:
 - ✓ Walkaround on Friday, Nov. 1st, with street closures at 5 p.m.;
 - ✓ Sea of Orange Parade on Saturday, Nov. 2nd, at 9 a.m.; and
 - ✓ football game at 6 p.m.
 - Councilor Hawkins invited residents to save the date and participate in the annual 2024 Parade of Lights and Tree Lighting event on Thursday, December 5th, 2024, at 6:30 p.m., in Downtown Stillwater. Stillwater Community Center, Visit Stillwater, and Downtown Association President Collett Campbell are accepting parade participant entry forms now and until Friday, November 15th at 5 p.m.
 - Vice Mayor Dzialowski stated that the City currently has surveys being conducted for the neighborhood parks. If you utilize these specific spaces or live in neighborhoods near these parks, please participate in the short surveys. Also, she reminded residents to save the date now and plan to attend the community meeting on January 9, 2025, to provide input as the City develops a "vision plan" for parks, community spaces, and public facilities. These are the community's public parks and spaces, and the City wants to make sure they meet the needs of our residents and families.
- i. Discussion about scheduling items for future meetings.

11. QUESTIONS & INQUIRIES

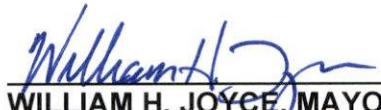
None.

12. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE OCTOBER 21, 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 October 21, 2024 regular meeting of the Stillwater City Council adjourned at 6:44 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL

TERESA KADAVY
CITY CLERK