IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED JUNE 3, 2022 AT 8:00 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JUNE 6, 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. Rotary Club Centennial

Mayor Joyce read the proclamation expressing gratitude and appreciation to all Rotarians in our city and offering special congratulations to Stillwater Rotary on their centennial. The proclamation was presented to Rotary Club members.

b. Stillwater Tennis Association Donation

President of the Stillwater Tennis Association (STA) Henri Uehara introduced the STA officers and board members that were present at the City Council meeting. He gave a brief history of the STA and thanked the City for their support. Mr. Uehara presented a $5,000 donation to the City to help cover expenses of resurfacing the Couch Park tennis courts.

4. CONSENT DOCKET

a. Approval of May 16, 2022 regular meeting and executive session minutes
b. Approve budget amendment accepting donation of $5,000 from Walmart to Stillwater Fire Department for use in replacing rescue equipment
c. Accept the electric utility easement at 2915 S Husband Street and authorize the Mayor to execute the document
d. Accept utility easement for property located at 2905 S Husband Street and authorize the Mayor to execute the document
e. Approve the Final Plat for Berry Creek West
f. Approve the renewal of the refueling services agreement for City vehicles and equipment with OnCue Marketing L.L.C. for a one year term effective July 1, 2022 and authorize City Manager to sign the agreement
g. Approve the renewal of the HVAC maintenance agreement with B&L Heating & Air Conditioning, Inc. for the Municipal Building and Police Department for a one year term effective July 1, 2022 and authorize City Manager to sign the agreement

h. Approve the renewal of the service agreement with Sandstorm Cleaning for a one year period beginning July 1, 2022 and authorize City Manager to sign the agreement
i. Approve acceptance of easements as listed below for the Redbud Sewer Project:
    - Powell Family Trust
        - ✓ 124 E. Randolph Court
        - ✓ Temporary Construction Easements - Parcels 10.1, 10.2, 10.3
    - Hosanna Assembly of God
        - ✓ 418 E. McElroy
        - ✓ Permanent Sewer Line Easement - Parcel 1
        - ✓ Temporary Construction Easement - Parcel 1.1
    - 109 Boomer Creek, LLC
        - ✓ 320 E. McElroy
        - ✓ Permanent Sewer Line Easement - Parcel 2
        - ✓ Temporary Construction Easement - Parcel 2.1
    - Ken and Nelda Helt Trust
        - ✓ 121 E. Redbud Drive
        - ✓ Temporary Construction Easement - Parcel 13.1
j. Accept sanitary sewer and stormwater sewer lines at 201 N Knoblock, St. John University Parish
k. Approve renewal of the contract with Marshall Electric for maintenance and repairs to City facilities for a one year period beginning July 1, 2022 and authorize City Manager to sign the contract

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO APPROVE THE CONSENT DOCKET AS PRESENTED.

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

Judy Wolgamott, 1411 N. Grandview Ct., expressed her concerns regarding the proposed AT&T 5G cell tower placement along Manning Street. Ms. Wolgamott stated that she is concerned about the tower ruining the peaceful and serene area, depreciating property values, harming of nature and the negative effects on human health.

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. PUBLIC HEARINGS

a. Receive public comment regarding a request for closing of a utility easement at property addressed as 1201 W 6th Avenue

City Planner Jacqueline Porter stated that Stillwater Medical Center requests the closure of a utility easement for property located at 1201 W. 6th Avenue. This easement is located directly to the east of the Cancer Center, which is part of the Stillwater Medical Center campus. Closing of this easement would allow for future development in this area.

Mayor Joyce opened the public hearing.

Stephen Gose, Gose and Associates, spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO CLOSE THE UTILITY EASEMENT FOR PROPERTY LOCATED AT 1201 W. 6TH AVENUE.

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 map amendment to rezone property addressed as 115 E 12th Avenue from Residential Single Family Small Lot (RSS) to Commercial Business (CB)

City Planner Jacqueline Porter stated that the applicant requests a review and approval of a map amendment to rezone the property addressed at 115 E. 12th Avenue from Small Lot Single-Family Residential (RSS) to Commercial Business (CB). The subject property is located on the south side of Stillwater located near the intersection of East 12th Avenue and Lewis Street. The stated use is for commercial retail, which is permitted by right in the CB district.

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

Planning Commission recommended approval 3-0.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTY LOCATED AT 115 E. 12TH AVENUE.

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

c. Receive public comment regarding a request for a map amendment to rezone a portion of the property located at 2810 S Western Road from Small Lot Single Family Residential to (RSS) to Commercial General (CG)

City Planner Jacqueline Porter stated that the applicant requests review and approval of a map amendment to rezone a portion of the property addressed at 2810 S. Western Road from Small Lot Single-Family Residential (RSS) to Commercial General (CG). The subject property is located on the south side of Stillwater across Western Road from the new Park Valley subdivision.

Mayor Joyce opened the public hearing.

Jimmy Hill, 2700 S. Western, spoke in favor of the map amendment.

Marshall Walker, 3705 S. Woodstone Drive, spoke in favor of the map amendment.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval 5-0.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR A PORTION OF THE PROPERTY LOCATED AT 2810 S. WESTERN ROAD.

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

d. Receive public comment regarding a request for a map amendment to rezone properties addressed as 1924, 1930, and 2002 E McElroy Road from Large Lot Single Family Residential (RLS) to Small Lot Single Family Residential (RSS)

City Planner Jacqueline Porter stated that the applicant requests review and approval of a map amendment to rezone the properties at 1924, 1930 & 2002 E. McElroy Road from Large Lot Single-Family Residential (RLS) to Small Lot Single-Family Residential (RSS). The subject properties are located on the east side of Stillwater near the northwest corner of McElroy Road and Jardot Road. 1924 and 2002 E. McElroy both have residential structures present while 1930 is undeveloped.

Mayor Joyce opened the public hearing.

Larry Roy, stated he is representing his 90 plus year old parents that live at 1819 Linda Avenue. He expressed concern about the increased water runoff and the impact that would have to his parents' property if these lots are developed. Mr. Roy asked that the drainage be studied before developing the property.

Safealdean Alusi, 2002 E. McElroy Road, developer of the property, stated that he wants to improve that area and bring in more houses and create a pretty environment for that area. Regarding Mr. Roy's concerns about water runoff, his engineers said that according to Oklahoma building codes, he cannot add or deduct from that with his development.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval 5-0.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTIES LOCATED AT 1924, 1930 & 2002 E. MCELROY ROAD.

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. Presentation of request from AT&T to lease city owned property along Manning Street for installation of a 120 foot monopole cell phone tower and associated equipment, and possible action to authorize the City Manager to negotiate a lease

Deputy City Manager Melissa Reames stated that AT&T is requesting a lease on City property to install a 120 foot monopole cell phone tower and associated equipment. Ms. Reames introduced Sandra Robinett with AT&T.

Ms. Robinett introduced Troy Williams with AT&T and he presented an overview of the plan/plot for the AT&T monopole cell phone tower. Mr. Williams stated this pole would be equipped with FirstNet, which in times of emergency allows first responders priority on the network and the pole can also be used by other cell company providers.

Discussion was held amongst staff and City Council. City Attorney Carnley stated that the item on the agenda tonight is for Council to decide if City staff should continue the lease negotiations with AT&T. This item would go through the normal planning process and be brought back to Council for a public hearing and other approvals before a lease is signed and a cell tower erected.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE CITY MANAGER TO NEGOTIATE A LEASE WITH AT&T FOR LEASE OF PROPERTY ALONG MANNING STREET FOR INSTALLATION OF A MONOPOLE CELL PHONE TOWER AND ASSOCIATED EQUIPMENT.

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

b. Approve bid recommendation for FY 2022-23 landscape maintenance at 21 City owned locations including buildings, downtown, traffic islands, and rights-of-way

Public Works Director Mark White stated that bids were solicited for FY23 for landscape maintenance of 21 City owned locations including buildings, downtown, traffic islands and rights of way. This is an annual bid that has been put in place for the past several years to provide upgraded landscape maintenance for highly visible areas and to reduce the landscape maintenance load on Public Works employees, allowing a focus on higher priority issues. One bid was received from the current landscape maintenance vendor, Cross Timbers Landscape, LLC.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO AWARD THE BID FOR LANDSCAPE MAINTENANCE TO CROSS TIMBERS LANDSCAPE, LLC IN THE AMOUNT OF $96,887.

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

c. Approve budget amendments appropriating $200,000 in the Aviation Gas for Resale revenue and expenditures accounts for purchase of aviation fuel for Stillwater Regional Airport

Deputy Airport Director Foster Becquet reported that Stillwater Regional Airport (SRA) is a wholesaler of aviation fuel, which is purchased and resold by the Stillwater Flight Center, Inc., SRA's sole fixed based operator. SRA is continuing to see a record number of aircraft operations, which drive fuel sales combined with a continued surge in fuel prices. Staff is projecting to need another $200,000 in the aviation fuel expenditure account to sustain the remaining fiscal year.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO APPROVE BUDGET AMENDMENTS INCREASING THE AVIATION GAS FOR RESALE REVENUE AND FUEL PURCHASES EXPENDITURE ACCOUNTS BY $200,000 FOR THE PURCHASE OF FUEL FOR STILLWATER REGIONAL AIRPORT.

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

d. Approve Contract Amendment No. 2 to the professional services agreement with Kimley Horn to add final design, bidding, and construction phase services for new roadway and drainage design of Monticello Drive and total expenditures not to exceed $89,210 as part of the College Gardens water and sewer project

Deputy Director of Projects and Construction Andrew Doerflinger stated that on September 14, 2020, SUA Trustees authorized the General Manager to execute a professional services agreement (PSA) with Kimley & Horn (K&H) to design the College Gardens project. This project included improvements to the water and sewer lines in the area. During planning for FY20 Pavement Management Program, Monticello Drive was included for reconstruction. Mr. Doerflinger reported that K&H was asked to expedite the water and sewer plans along Monticello while City Engineering staff designed the pavement replacement. The water and sewer plan sheets are complete but due to staffing issues, City staff is

unable to complete the roadway and drainage design on Monticello. Staff negotiated Contract Amendment No. 2 with K&H for the final design, bidding and construction phase services for new roadway and drainage design.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE CONTRACT AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN TO ADD FINAL DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES FOR NEW ROADWAY AND DRAINAGE DESIGN OF MONTICELLO DRIVE AND TOTAL EXPENDITURES NOT TO EXCEED $89,210 AS PART OF THE COLLEGE GARDENS WATER AND SEWER PROJECT.

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

e. Approve budget amendments appropriating $1,000,000 for health insurance expenditures and a transfer-in of $1,000,000 to the Self-Insurance Fund from the General Fund and SUA funds

Human Resources Director Christy Driskel reported that additional funds are needed in the health insurance account due to expenditures from the health account, several large claims and an overall increase over forecasted claims expenditures. She stated that an additional $1,000,000 is needed through June 30, 2022 and that funding utilizes reallocations from personnel budgets due to vacancies.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE THE BUDGET AMENDMENTS APPROPRIATING $1,000,000 FOR HEALTH INSURANCE EXPENDITURES AND A TRANSFER-IN OF $1,000,000 TO THE SELF-INSURANCE FUND FROM THE GENERAL FUND AND SUA FUNDS.

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

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE CITY COUNCIL MEETING AND CONVENE STILLWATER UTILITES AUTHORITY MEETING.

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

Stillwater City Council meeting recessed at 6:36 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 7:23 p.m.

9. RESOLUTIONS

a. Resolution No. CC-2022-15: A resolution of the City Council of the City of Stillwater concurring with the Stillwater Economic Development Authority's approval of the Redevelopment Agreement, Covenant Agreement, and Escrow Agreement (Assistance In Development Financing Disbursement Agreement) between the Stillwater Economic Development Authority, USA Rare Earth Magnets, LLC, and USA Rare Earth Real Estate, LLC, approving indebtedness of the Stillwater Economic Development Authority in a principal amount not to exceed $7,000,000.00 in tax apportionment obligations; waiving competitive bidding on the issuance of the notes issued in connection with the tax apportionment obligations; authorizing the pledge of apportioned tax increments; and authorizing other matters relating thereto

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2022-15 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:
   i. Request for an Executive Session pursuant to 25 O.S. § 307(B)(4) involving confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving RR Donnelley. It is the opinion of the City Attorney that disclosure of this matter will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

b. Miscellaneous items from the City Manager:
   - Deputy City Manager Melissa Reames reminded citizens that City Hall's new hours began last week. City Hall is now open 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 11:30 a.m. on Friday. Residents are invited to share feedback on the new schedule by visiting Speakup.stillwater.org and clicking on "City Hall New Hours" project page.

c. Miscellaneous items from the City Council:
   - Councilor Clark reported that the Payne County Health Department is conducting a countywide community health needs survey. The anonymous survey will guide planning and action to improve the health of residents who live, work and play in our community and provide the foundation for improving and promoting good health. The survey can be accessed through the Payne County Health Department's Facebook page or by contacting the health department.
   - Councilor Clark also thanked staff for the work that has been done to have digital packets for the city council meetings.
   - Councilor Hawkins reminded residents that The Enchantment Under the Sea Dance is just around the corner. The family fun event will be at the Stillwater Public Library on Friday, June 17 from 7:00 p.m. to 9:00 p.m. There will be live entertainment, crafts, a bounce house, a snow cone truck and more. Tickets must be purchased ahead of time.
   - Councilor Dzialowski invited residents to Stillwater Community United's annual Juneteenth celebration at Southern Woods Park on Saturday, June 18th from 11:00 a.m. to 1:00 p.m. All community members are invited to gather for free entertainment and activities for the whole family.
   - Vice Mayor Zannotti stated that the City of Stillwater would like to encourage everyone to shop and dine in Stillwater this summer. Every Friday in June is Shop Until Dark. Many retailers and restaurants are staying open later to enjoy the longer days. On June 17, these special hours will coincide with the 3rd Friday Art Walk in Downtown Stillwater.

   i. Discussion about scheduling items for future meetings.

11. QUESTIONS & INQUIRIES

None.

12. EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 7:29 P.M.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA.

NAY-NONE. MOTION CARRIED WITH FIVE YEA VOTES.

a. Confidential communication with the City Attorney concerning a pending investigation, claim, or action involving RR Donnelley.

13. RETURN FROM EXECUTIVE SESSION

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY HAWKINS TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 8:13 P.M.

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

a. Confidential communication with the City Attorney concerning a pending investigation, claim, or action involving RR Donnelley.

No action was taken on this item.

14. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE JUNE 6, 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 June 6, 2022 regular meeting of the Stillwater City Council adjourned at 8:13 p.m.

WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL

TERESA KADAVY
CITY CLERK