

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED MAY 13, 2022 AT 4:58 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MAY 16, 2022**

PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI AND
COUNCILORS AMY DZIALOWSKI AND KEVIN CLARK
ABSENT: COUNCILOR CHRISTIE HAWKINS

COUNCILOR DZIALOWSKI LEFT THE MEETING AT 5:52 P.M.

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. Public Works Week

Mayor Joyce read the proclamation proclaiming May 15-21, 2022 as Public Works Week in the City of Stillwater. Public Works Director Mark White accepted the proclamation.

b. National Police Week

Mayor Joyce read the proclamation officially recognizing May 11-17, 2022, as National Police Week in the City of Stillwater. Police Chief Jeff Watts accepted the proclamation.

4. CONSENT DOCKET

- a. Approve regular meeting minutes of May 2, 2022
- b. Approve purchase of property located at 2208 W 6th Avenue for \$262,500 plus up to \$2,500 for closing costs and 2214 W 6th Avenue for \$225,000 plus up to \$2,500 for closing costs as part of ODOT's Hwy 51 (6th Avenue) reconstruction project, and authorize the City Manager to sign related documents
- c. Approve budget amendment appropriating \$113,249, (10% grant match) for the allotted \$1,019,233 Stillwater Regional Airport will receive from the Bipartisan Infrastructure Law for airport capital projects
- d. Acknowledge receipt of ODEQ Permit No. SL000060220011 for the construction of 6,804 linear feet of forty-eight inches of FRP sanitary sewer line, 720 linear feet of forty-two inches of FRP sanitary sewer line, 362 linear feet of thirty-six inch DIP sanitary sewer line, 181 linear feet of twenty inch DIP sanitary sewer line, 215 linear feet of eighteen inch PVC sanitary sewer line, 943 linear feet of ten inch PVC sanitary sewer line, 245 linear feet of thirty DIP aerial crossing sanitary sewer line with two inverted siphon structures, one 100 gpm FRP lift station, and all

appurtenances to serve the Wastewater Collection System Improvements, Payne County, Oklahoma

- e. Approve adoption of the 2022-26 Strategic Plan
- f. Approve lease agreement with OSU to lease land situated on Western Road North of McElroy Road for an initial term of fifty (50) years, with two options for the City to renew for twenty five (25) years each for the purpose of constructing, furnishing and equipping a 15,000 – 18,000 square foot fire station

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

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

Mayor Joyce moved to items 9 a. and 9 b. on the agenda Resolution No. CC-2022-17 and Resolution No. 2022-14.

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. Public hearing for the purpose of giving members of the public an opportunity to be heard for and against the proposed 2022 Amended Stillwater (Re)Investment Plan (a Stillwater Downtown/Campus Link Project Plan) prior to any vote by Council

Deputy City Manager Melissa Reames introduced outside counsel Dan Batchelor, Center for Economic Development Law. Mr. Batchelor gave an overview of the proposed 2022 Amended Stillwater (Re)Investment Plan.

Mayor Joyce opened the public hearing.

Roger Gose, 1120 E. Connell, spoke in favor of the proposed amended project plan.

Mayor Joyce closed the public hearing.

No action was taken on this item.

Mayor Joyce moved to item 10 b. Ordinances on the agenda.

- b. A hearing to determine whether the structure located at 2420 East 12th Avenue, Stillwater, Oklahoma is dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E) (Continued from April 18, 2022)

City Attorney Kimberly Carnley requested this public hearing be tabled until the August 22, 2022 City Council meeting.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO TABLE THIS PUBLIC HEARING UNTIL THE AUGUST 22, 2022 CITY COUNCIL MEETING.

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

- c. Receive public comment regarding a request to rezone properties addressed as 5823, 5911, 6001 and 6099 N Perkins Road from General Industrial (IG) to Residential Single Family Small Lot (RSS) district

Chief Performance Innovation Officer Brady Moore introduced new City Planner Jacquelyn Porter.

Ms. Porter stated that the applicant requests a review and approval of a map amendment to rezone properties addressed as 6099, 6001, 5911 and 5823 N. Perkins Road from General Industrial (IG) to Small Lot Single-Family Residential (RSS). The subject property is located on the north side of Stillwater on the southeast corner of Burris Road and Perkins Road. Ms. Porter stated that all four lots are currently vacant and appear to have been used for agriculture purposes. Rezoning these properties would allow construction of single-family residences in a forthcoming subdivision.

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

Planning Commission recommended approval 4-0.

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 6099, 6001, 5911 AND 5823 N. PERKINS ROAD.

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

8. GENERAL ORDERS

- a. Approve award of contract for Lake McMurtry Nature Trail Learning Project to Gelino, CCC in the amount of \$284,708, approve associated budget amendments, and authorize the City Manager to sign a grant amendment agreement with the Oklahoma Department of Tourism and Recreation

Special Projects Director John McClenny reported that in 2020 Lake McMurtry Friends applied for and received a Recreation Trail Grant to construct a Nature Learning Trail on the west side of Lake McMurtry. The project was designed and bids were solicited but all bids received exceeded the available budget and were rejected in November, 2021. Staff and Lake McMurtry Friends worked with the design consultant to modify the design and decrease costs. Mr. McClenny stated that bids for the redesigned project were opened on March 16, 2022 and again all five base bids exceeded the available budget. Lake McMurtry Friends requested and received approval for a budget increase from the Oklahoma Department of Tourism and Recreation in the amount of \$29,880.80. Mr. McClenny reported that Lake McMurtry Friends will cover the increased matching amount of \$7,470.20. The total project budget will be revised to \$337,351 with \$47,947 previously spent on the design contract. That leaves \$289,404 for the project with the revised budget. Gelino, CCC of Stillwater was the low bidder with a base bid of \$284,708.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO AWARD BID FOR CONSTRUCTION OF LAKE MCMURTRY NATURE LEARNING TRAIL TO GELINO, CCC IN THE AMOUNT OF \$284,708; APPROVE THE ATTACHED BUDGET AMENDMENTS AND AUTHORIZE THE CITY MANAGER TO SIGN A GRANT AMENDMENT AGREEMENT WITH THE OKLAHOMA DEPARTMENT OF TOURISM AND RECREATION.

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

- b. Approve the purchase of property located at 2212 W 6th Avenue in an amount not to exceed \$201,000 including closing costs and approve the budget amendment appropriating the funds from the Sales Tax Transportation Fund as part of ODOT's Hwy 51 (6th Avenue) reconstruction project, and authorize the City Manager to sign related documents

Director of City Engineering Monty Karns reported that rights-of-way acquisition is one of the City's responsibilities in the ODOT Hwy 51 (6th Avenue) reconstruction project. Staff has identified life safety and transportation expansion concerns connected with the 6th Avenue corridor expansion on the north side of 6th Avenue between Western and Ridge:

- ✓ Properties will be damaged during road construction to the point that their use as residences will be impaired.
- ✓ Egress from these properties would be into a right hand turn lane creating a life safety issue and limiting directional flow to and from the properties.

Mr. Karns stated that staff is seeking approval to purchase the property at 2212 W. 6th Avenue for the price of \$200,000 plus \$1,000 for closing costs in order to acquire rights-of-ways and mitigate life safety and transportation expansion concerns.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO APPROVE THE PURCHASE OF PROPERTY LOCATED AT 2212 W 6TH AVENUE IN AN AMOUNT NOT TO EXCEED \$201,000 AND APPROVE THE BUDGET AMENDMENT APPROPRIATING THE FUNDS FROM THE SALES TAX TRANSPORTATION FUND.

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

Mayor Joyce noted that Councilor Clark left the council hearing room at 5:35 p.m.

9. RESOLUTIONS

- a. Resolution No. CC-2022-17: A resolution awarding General Obligation Limited Tax Bonds, Series 2022 in the sum of \$9,000,000 by the City of Stillwater, Oklahoma to the lowest and best bidder

Deputy City Manager Melissa Reames stated that staff is here to sell bonds to fund the new Fire Station #2. She introduced the City's financial advisors with Bank of Oklahoma, Zack Robinson and Chris Gander and Bond Counsel Don Kiser.

Mr. Robinson gave an overview of the bid process and presented and explained the bid tabulation to Council. Mr. Robinson recommended awarding the bid to Robert W. Baird & Co., Inc. at a true interest cost (TIC) of 3.935956.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT RESOLUTION NO. CC-2022-17 AS PRESENTED.

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

- b. Resolution No. CC-2022-14: A resolution providing for the issuance of general obligation limited tax bonds, Series 2022 in the sum of \$9,000,000 by the City of Stillwater, Oklahoma,

authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing levy of an annual tax for the payment of principal and interest on the same; and fixing other details of the issue

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2022-14 AS PRESENTED.

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

Mayor Joyce returned to item 7 a. on the agenda.

Mayor Joyce noted that Councilor Clark returned to the council hearing room at 5:42 p.m.

- c. Resolution No. CC-2022-16: A resolution of the Stillwater City Council Adopting an operating budget for the Fiscal Year 2022-23.

Finance Director Christy Cluck stated that the budgets that are attached to the resolution are unchanged from the budgets that were presented at the public hearing on May 2, 2022. Staff's recommendation is to adopt Resolution No. CC-2022-16.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT RESOLUTION NO. CC-2022-16 AS PRESENTED.

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

- d. Resolution No. CC-2021-38: a resolution of the Stillwater City Council declaring the structure located at 2420 East 12th Avenue, Stillwater, Oklahoma, dilapidated and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-112

No action was taken on this Resolution.

10. ORDINANCES

a. First Reading

Ordinance No. 3495: An ordinance amending Ordinance No. 3494 approving a minor amendment to the 2022 amended Stillwater (Re)Investment Plan (a Stillwater Downtown/Campus Link Project Plan) pursuant to the Oklahoma Local Development Act; providing for severability; and declaring an emergency

No action was taken on this Ordinance.

b. Second Reading

Ordinance No. 3494: An ordinance amending Ordinance No. 3407 to approve the 2022 amended Stillwater (Re)Investment Plan (a Stillwater Downtown/Campus Link Project Plan) pursuant to the Oklahoma Local Development Act; designating and adopting a proposed increment district and additional project area; deferring the naming and establishing the date for the creation of the increment district; adopting certain findings; authorizing the City of Stillwater to carry out and administer the project plan; establishing a tax apportionment fund; declaring apportioned funds to be special funds of the City of Stillwater or the Stillwater Economic Development Authority; authorizing the use of increment

revenues for the financing or payment of certain project costs; authorizing the Stillwater Economic Development Authority to carry out certain provisions of the project plan; ratifying and confirming the actions, recommendations and findings of the review committee and the Stillwater Planning Commission; directing continuing apportionment; providing for severability; and declaring an emergency

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO AMEND ORDINANCE NO. 3494 BY THE ADDITION OF THE CHANGES TO THE PROJECT PLAN UNDER ORDINANCE NO. 3495 ON PAGES 10 AND 11.

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

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3494 AS AMENDED.

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

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI DECLARING AN EMERGENCY FOR ORDINANCE NO. 3494.

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

Mayor Joyce moved to item 7 b. on the agenda.

11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
 - i. Request for Executive Session pursuant to 25 O.S. §307 (B)(2) to discuss labor negotiations with Fraternal Order of Police Lodge #102.
 - ii. Request for Executive Session pursuant to 25 O.S. §307 (B)(2) to discuss labor negotiations with International Association of Firefighters Local #2095.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle stated that the City of Stillwater's HR team will be holding open interviews Saturday, May, 21 from 10:00 a.m. to 12:00 p.m. in Room 121 at the Stillwater Community Center. Individuals will have the opportunity to interview for Library Shelver, Maintenance Worker and Library Admin Clerk positions. No appointment is necessary.
- c. Miscellaneous items from the City Council:
 - Councilor Clark invited the youth to come fish with local police officers and the Oklahoma Department of Wildlife Conservation at the annual Cops and Bobbers event Saturday, May 21. The youth fishing event will take place from 10:00 a.m. to 12:00 p.m. on the west side of Boomer Lake. There will be food, fun and fishing.
 - Vice Mayor Zannotti announced that Stillwater's first-ever Enchantment Under the Sea Dance will be Friday, June 17 from 7:00 p.m. to 9:00 p.m. in the Stillwater Public Library parking lot. Tickets are \$25 per couple, \$10 for each additional child and covers admission to the outdoor family dance, live entertainment, crafts, bounce house, snow cone truck and other snacks.
 - Mayor Joyce announced that the Stillwater City Council will not have another meeting until June 6, so other dates to remember until then are:
 - ✓ City offices will be closed Monday, May 30 for Memorial Day but trash and recycling will be collected as usual.

- ✓ City Hall's new hours of operation start June 2. The building will be open Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 7:30 a.m. to 11:30 a.m.
- ✓ Mayor Joyce reminded residents that many City services can be completed online outside of regular business hours.
 - Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. APPOINTMENTS

- a. Audit Committee

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO REAPPOINT AUSTIN POLLARD AND APPOINT RACHEL DOMNICK, CPA TO THE AUDIT COMMITTEE.

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

14. EXECUTIVE SESSION

- a. Confidential communication to discuss labor negotiations with Fraternal Order of Police Lodge #102.
- b. Confidential communication to discuss labor negotiations with International Association of Firefighters Local #2095.

Stillwater City Council meeting recessed at 6:13 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:59 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO ENTER INTO EXECUTIVE SESSION AT 7:00 P.M.

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

15. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR ZANNOTTI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:47 P.M.

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

- a. Possible action regarding labor negotiations with Fraternal Order of Police Lodge #102.
- b. Possible action regarding labor negotiations with International Association of Firefighters Local #2095.

No action was taken on items a. or b.

16. ADJOURN

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO ADJOURN THE MAY 16, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The May 16, 2022 regular meeting of the Stillwater City Council adjourned at 7:48 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK