

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED APRIL 28, 2021 AT 3:50 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
SPECIAL MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MAY 3, 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. PROCLAMATIONS/PRESENTATIONS

a. Firefighters commendation

Mayor Joyce read a proclamation recognizing the heroic efforts of Firefighter Sonny Stafford, Firefighter Erving Altamirano, and the crew members of Truck 3, Truck 1, Engine 1, Engine 2, and Battalion 1 on October 27, 2020. Mayor Joyce thanked the firefighters for their service and presented them the proclamation.

4. CONSENT DOCKET

- a. Approve budget amendments reflecting donations made to Stillwater Public Library
- b. Approve special meeting minutes of April 19, 2021 and executive session minutes of April 19, 2021
- c. Authorize application for the 2021 Emergency Solutions Grant on behalf of the Mission of Hope and authorize the Mayor to sign the grant documents
- d. Approve funding for additional geotechnical services for the Perkins Road widening project and the associated budget revision

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI 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.

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 the proposed operating budget for the City of Stillwater for fiscal year 2021-22 (Correcting scrivener's error of April 19, 2021)

Deputy City Manager Melissa Reames reported that the attached proposed budget was presented at the March 22, 2021 Council meeting. Minimal changes have been made to adjust personnel and remove capital projects that are appropriated in the FY21 budget. Ms. Reames stated a public hearing was held on April 19, 2021 for the FY22 proposed budget; however a scrivener's error on the agenda indicated comment from the public was being sought on the FY2022-23 budget instead of the FY2021-22 budget. In order to provide transparency and clarity to the public that the Council requests feedback on the FY2021-22 budget, the public hearing is being held again.

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

No action was taken on this item.

- b. Receive public comment and approve a request from Stillwater Habitat for Humanity for a Planned Unit Development (PUD) and associated Map Amendment to rezone property addressed as 505 E 18th Avenue, from Light Industrial (IL) to Small Lot Single Family Residential Planned Unit Development (RSS-PUD).

Planning Manager Lanc Gross stated that Stillwater Habitat for Humanity requests review and approval of a Planned Unit Development (PUD) and associated map amendment to rezone property addressed as 505 E 18th Avenue, from Light Industrial to Small Lot Single Family Residential Planned Unit Development. The applicant is requesting the rezoning and map amendment to allow construction of a single-family residential development that will consist of:

- 14 single-family structures
- a central common area
- a "pocket neighborhood" (a type of planned community consisting of a grouping of smaller residences, often around a courtyard or common garden)

Mayor Joyce opened the public hearing.

Stephen Gose, Gose & Associates, 113 E. 8th, spoke on behalf of the applicant.

Hillary Hunt, Executive Director of Stillwater Habitat for Humanity, spoke regarding Habitat's plans and answered council's questions.

Mayor Joyce closed the public hearing.

Planning Commission recommends approval 5-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE MAP AMENDMENT WITH THE PLANNED UNIT DEVELOPMENT FOR THE PROPERTY LOCATED AT 505 E 18TH AVENUE.

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

- c. Receive public comment regarding citizen input on proposed 2021 Community Development Block Grant projects and approve project selection

Administrative Services Manager Cindy Gibson reported that public meetings were held on February 16 and March 4, 2021 to gather citizen input for project suggestions for the 2021 Community Development Block Grant (CDBG) Small Cities grant. The selected project must meet the CDBG National Objective of benefitting persons of low-to-moderate incomes. Ms. Gibson stated upon review of the submitted suggestions, the following projects are grant eligible:

- Grocery Store on Wheels—a mobile market on wheels taking needed food out to those in the community without transportation;
- Public Infrastructure for Habitat's planned "Fern Street Cottages";
- Improvement of sidewalks, curbs and signalization for pedestrians;
- Drainage improvement along 12th Avenue in the area of Duck and Duncan Streets.

Mayor Joyce opened the public hearing.

Patti Crowley, 1206 S. Duncan, spoke in support of the drainage improvement along 12th Avenue in the area of Duck and Duncan Streets.

Mayor Joyce closed the public hearing.

Ms. Gibson stated staff's recommendation is to select the drainage improvement project along 12th Avenue between Duck and Duncan Streets as the project for the 2021 Community Development Block Grant Small Cities grant.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ACCEPT STAFF'S RECOMMENDATION TO SELECT THE DRAINAGE IMPROVEMENT PROJECT ALONG 12TH AVENUE BETWEEN DUCK AND DUNCAN STREETS AS THE PROJECT FOR THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES GRANT.

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

- d. Receive update on CDBG-CV program administration requirements and public comment regarding CDBG release of funds for the Phase 2 Stillwater Resident COVID Impact Assistance Program and authorize Mayor to sign all necessary documents

Chief Civic Innovation Officer Becky Taylor reported that since being awarded the CDBG-CV funds and Council approving Resolution No. 2021-10, City staff became aware of additional guidelines and restrictions as found in the CDBG-CV Policies and Procedures Manual, which was published a few months after the CDBG-CV Application and Guidelines document. Main challenges recently discovered with the CDBG-CV funds:

- City of Stillwater must obtain a minimum of three proposals to provide the services that Our Daily Bread was going to provide.
- City of Stillwater must complete an Environmental Review once Council approves the release of funds.
- Additional paperwork is required in the application process in addition to a notary on site for the applicant.
- If rental assistance is made for over 100 days and if dwelling unit was built before 1978, a lead based paint test will be required for the unit.

Ms. Taylor stated the new requirements found in the CDBG-CV Policies and Procedures manual make it increasingly more difficult of a process for all parties involved: the City of Stillwater, the program administrator and the applicant.

Administrative Services Manager Cindy Gibson stated that on January 11, 2021 City Council authorized application to the Community Development Block Grant (CDBG) Coronavirus Response in the amount of \$490,000 and on April 1, 2021 Oklahoma Department of Commerce (ODOC) award letter was received. On April 19, 2021, City Council authorized the Mayor to sign documents for 18119 Community Development Block Grant (CDBGCR) contract. Ms. Gibson stated a requirement of CDBG contracts is that a public hearing and comment period be held prior to submitting the release of funds request to ODOC.

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

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR WEDLAKE TO AUTHORIZE THE MAYOR TO SIGN THE RELEASE OF FUNDS DOCUMENTS AND STAFF TO PROCEED WITH REQUEST SUBMITTAL TO ODOC.

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

8. GENERAL ORDERS

- a. Receive annual report from McMurtry Friends

Executive Director of Lake McMurtry Friends Jill vanEgmond, presented to Council the variety of programs, services, income and improvements that have happened at Lake McMurtry over the last year.

- b. Receive annual report from Stillwater Area Sports Association (SASA)

SASA President Carolyn Walstad updated Council on the programs, camps, tournaments and improvements made by SASA this year. She also reported on the diversity of populations that are utilizing the facilities.

- c. Approve recommendation/alternative on Western Road as instructed by Council on April 19, 2021 pertaining to the FY21 Pavement Management Program:

- | | |
|------------------------------|-------------|
| • Option #1 Full reconstruct | \$7,000,000 |
| • Option #2 Mill Overlay | \$ 477,000 |
| • Option #3 Nova Chip | \$ 363,500 |
| • Option #4 Micro Surface | \$ 345,000 |

Director of City Engineering Monty Karns reported that during the most recent council meeting, the question was raised whether to go ahead with the Mill/OL at this time or to put those funds toward reconstructing Western Road in accordance with the Transportation Enhancement Plan (STEP) update. The update, in part, evaluated impact to the transportation system created by further development in the southwest area and impact of the two developments currently planned on the east side of Western between 32nd and 26th Avenues. Mr. Karns stated due to a lack of funding for Options #1, #3 and #4, staff recommends Option #2 Mill/Overlay as suggested in FY21 program.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE STAFF'S RECOMMENDATION OF OPTION #2:

- ESTIMATED COST: \$477,000 INCLUDING CONTINGENCY AND TESTING, WHICH IS INCLUDED IN THE FY21 PM PLAN.
- PROVIDES PATCHING AND ADDITIONAL PAVEMENT STRUCTURE TO HELP SUPPORT FUTURE TRAFFIC.
- LIFE = 10-12 YEARS

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

- d. Approve reallocation of the Stillwater Homebuyers Assistance Program Path 2 Low-to-Moderate Income Home Repairs funds (\$20,882.50) equally to Path 1 Low-to-Moderate Income 1st Time Buyer Assistance and Path 3 1st Time Buyer to Stillwater Assistance and approve adjustment of FY22 funding percentages as follows:

HBA Path	Current	Proposed
1	50%	60%
2	25%	5%
3	25%	35%

Administrative Services Manager Cindy Gibson reported that in March 2019 City Council received Homebuyers Assistance & Homebuyers Education (HBA/HBE) information and directed staff to develop a policy and guidelines. In November 2019, City Council adopted the proposed HBA/HBE Program Policy and Procedures. Ms. Gibson stated that in July 2020, staff presented an update on expenditures and approved additional funding of \$75,000 for FY21 budget. The FY21 update is as follows:

Homebuyer Education Class

- In-person classes for 2020 were cancelled due to COVID.
- Online classes were offered.
- FY21 had 62 registrants with 39 of those online

Homebuyers Assistance Program

- Path 1 Low-to-Moderate Income 1st Time Buyer
 - Assistance to seven families for first time homeownership. Total assistance awarded was \$35,224.
- Path 2 Low-to-Moderate Income Home Repairs
 - One application was received; however, the applicant chose to withdraw their application to be eligible for down payment assistance.
- Path 3 First Time Buyer to Stillwater
 - Assistance to four families for first time homeownership. Total assistance awarded was \$20,128.

Ms. Gibson stated with no funds for Path 2 being expended, staff seeks approval to reallocate the \$20,882.50 FY21 funding for Path 2 equally between Paths 1 and 3. Staff also requests that the percentages of funding for FY22 be increased for Paths 1 and 3 and decreased for Path 2 as listed above.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO APPROVE REALLOCATION OF THE STILLWATER HOMEBUYERS PROGRAM PATH 2 FUNDS EQUALLY TO PATHS 1 AND 3 AND APPROVE ADJUSTMENT OF FY22 FUNDING PERCENTAGES AS INDICATED IN THE REPORT.

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

e. Overview of the body worn cameras for Stillwater Police Department

Police Chief Jeff Watts reported that the Stillwater Police Department submitted a capital project request to purchase body worn cameras for police officers. The project was approved and the cameras will be purchased in FY21-22 at a cost of \$371,141 from the Capital Project fund. The total cost for 90 body worn cameras, information storage and upgrades will be approximately \$379,030.

No action was taken on this item.

- f. Approve budget amendments reflecting an increase in donation revenue in the amount of \$13,743 and expenditure appropriations in the amount of \$13,743 to be used for the purchase of a DUI simulator for the Police Department

Police Chief Jeff Watts stated that Janzen's Toyota, Toyota Dealer Match Program, and Barry Patton-Farmers Insurance donated a total of \$25,000 to purchase a DUI simulator and trailer for housing the simulator. Originally, the donors were going to purchase the simulator and donate funds to purchase the trailer. Chief Watts stated the donors have since decided to donate the funds for the entire project in lieu of purchasing the simulator.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO APPROVE BUDGET AMENDMENTS REFLECTING AN INCREASE IN DONATION REVENUE IN THE AMOUNT OF \$13,743 AND EXPENDITURE APPROPRIATIONS IN THE AMOUNT OF \$13,743.

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

- g. Approve Stillwater Public Library application for National Endowment of Humanities grant

Library Director Stacy DeLano stated the National Endowment for the Humanities is offering the American Rescue Plan: Humanities Organizations grant for up to \$200,000 and the grant requires no match. Stillwater Public Library would like to begin modernizing services and equipment, particularly those that librarians identified missing during the pandemic that better facilitate self and contactless service. Primary activities include installation of radio frequency identification tags on library material to prepare for transitioning to self-checkout, check-in, wayfinding, and other services dependent on technology; hiring a consultant to perform public focus groups and surveying on community needs for modern and emergency library usage resulting in a post-COVID-19 strategic plan. Ms. DeLano stated staff is seeking approval from Council to apply for the above mentioned grant.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE STILLWATER PUBLIC LIBRARY REQUEST TO APPLY FOR THE NATIONAL ENDOWMENT FOR THE HUMANITIES "AMERICAN RESCUE PLAN: HUMANITIES ORGANIZATIONS" GRANT

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

- h. Approve budget amendment allotting \$300,000 from TIF #3 for payment of the apportioned increment proceeds to the affected taxing jurisdictions Payne County Commission, Stillwater Public Schools, Meridian Technology and Payne County Health Dept.

Deputy City Manager Melissa Reames reported that on July 18, 2018 Stillwater (Re)Investment Plan (Downtown/Campus Link Project Plan) Stillwater Tax Increment Financing District #3 (TIF No. 3) became effective. She stated that ad valorem collections related to TIF No. 3 were first apportioned to the City of Stillwater in November 2020. Ms. Reames stated the City has agreed with the County Treasurer to apportion the increment proceeds to the affected taxing jurisdictions according to the

amended project plan dated September 16, 2019. She said the attached budget amendment allots funding to facilitate the payment of the apportioned increment proceeds to the affected taxing jurisdictions; Stillwater Public Schools, Meridian Technology Center, Payne County Commissioners and Payne County Health Department

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE THE BUDGET AMENDMENT ALLOTING FUNDS TO FACILITATE THE PAYMENT OF THE APPORTIONED INCREMENT PROCEEDS TO THE AFFECTED TAXING JURISDICTIONS; STILLWATER PUBLIC SCHOOLS, MERIDIAN TECHNOLOGY CENTER, PAYNE COUNTY COMMISSIONER AND PAYNE COUNTY HEALTH DEPARTMENT.

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

i. Update on utility disconnections

Chief Civic Innovation Officer Becky Taylor reported that with the onset of winter and to assist those who experienced economic trouble due to COVID-19, Council voted to place a moratorium on utility disconnections. The moratorium, in addition to Phase 1 of the Stillwater Resident COVID Impact Assistance Program, was a multifaceted approach to help residents of Stillwater who were experiencing financial hardship stay warm during the cold months without fear of getting utilities disconnected. Ms. Taylor stated with the option for utility assistance through Phase 2 of the Stillwater Resident COVID Impact Assistance Program and the warmer weather, it seems timely to end the utility moratorium. As of April 28th, utility accounts totaling \$771,914 were past due by 30 days or more. She stated for any past due amounts not paid by account holders, the City would realize a loss of these amounts.

No action was taken on this item.

9. RESOLUTIONS

- a. Resolution No. CC-2021-13: A resolution notifying the public of the compiling and publishing of the code Supplement No. 8 to the code of the City of Stillwater, Oklahoma

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2021-13 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 No. CC-2021-14: A resolution approving reinstatement of cut-off notifications and resuming disconnections

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ADOPT RESOLUTION NO. CC-2021-14 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:
- i. 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 Stillwater City Manager Norman McNickle and City Attorney John Dorman.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle stated that the Stillwater Block 34 Trust has not met this past year due to the pandemic but they are in the process of scheduling a meeting. He reported weather has delayed things, but the contractor has begun the job of leveling the area and bids for turf and irrigation will come before Council for approval May 17.

c. Miscellaneous items from the City Council:

- Vice Mayor Zannotti reminded citizens that Stillwater has 23 park and lake recreational locations. A few reminders are to keep dogs on a leash, don't feed the geese and help keep the parks clean.
- Councilor Wedlake reminded citizens if they have a dedicated safe area to make sure it is registered with the City of Stillwater. The information provided will be used by rescue personnel responding to a disaster area. Go to Stillwater.org/shelter to register.
- Councilor Dzialowski reported that the City of Stillwater will be offering an OSU Student Move-Out Special at the Convenience Collection Center located at 807 S. Perkins Road. All throughout the month of May, students with a valid OSU I.D. can drop off furniture, appliances without Freon, mattresses, computers, televisions and stereos for free.
- Councilor Hawkins stated if citizens are looking to get more involved in the community and have a love for the library, apply to join the Library Board. There are two vacancies that need to be filled. The Library Board has supervision and control of the public library, appoints the librarians and may adopt regulations for the operation of the library. Terms length is three years.
- Mayor Joyce told citizens to save the date of July 4, 2021. The City of Stillwater is officially planning Boomer Blast fireworks show 2021. The City will keep residents updated through Stillwater.org/news and on social media.

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 and City Attorney John Dorman.

Stillwater City Council meeting recessed at 7:35 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 7:42 p.m.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 7:42 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 Norman McNickle and City Attorney John Dorman.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO RECONVENE THE SPECIAL MEETING OF THE STILLWATER CITY COUNCIL AT 9:13 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 DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE MAY 3, 2021 SPECIAL 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 May 3, 2021 special meeting of the Stillwater City Council adjourned at 9:14 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK