

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED APRIL 12, 2023 AT 3:34 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
APRIL 17, 2023**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR AMY DZIALOWSKI,
COUNCILORS CHRISTIE HAWKINS, KEVIN CLARK AND TIM HARDIN**
ABSENT: NONE

1. CALL MEETING TO ORDER

Mayor Joyce called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

Boy Scout Troop #828 led the audience in the Pledge of Allegiance.

3. CONSENT DOCKET

- a. Approval of April 3, 2023 regular meeting minutes and April 3, 2023 executive session minutes
- b. Accept the Block 34 engineering and architectural design documents and authorize staff to issue a donation receipt in the amount of \$306,871 for calendar year 2022
- c. Stillwater History Museum at the Sheerar quarterly report
- d. Approve budget amendment to move transportation projects appropriated in the General Fund and City Capital Fund totaling \$4,021,362 to the Transportation Sales Tax Fund
- e. Approve budget amendment increasing the transfer-out from the Visitor Tax Fund to SEDA to fund the Visit Stillwater contract in an amount of \$65,000

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

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FIVE 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 the proposed fiscal year 2023-24 operating budget and consider action to incorporate changes presented during this public hearing and/or other changes identified by the Council and return to the Council for review at the May 1, 2023 meeting, or direct

- b. staff to proceed with adoption of the budget on May 1, 2023 as presented in the attached schedule

Finance Director Christy Cluck stated that there have been no changes in the proposed budget since it was presented to Council at the March 27, 2023 meeting. She addressed Council's questions regarding the \$19.6 million in projected City wide net income and explained the total City net income of \$19.6 million is net income of the restricted/designated funds and cannot be used for general purposes or general operations of the City. That amount must be retained in the restricted/designated funds and used for those funds' restricted/designated purposes only.

Mayor Joyce opened the public hearing.

Roger Gose, 1120 E Connell Ave, expressed his concerns about restricted funds sitting in reserve and instead should be allocated to road projects and other infrastructure needs.

Mayor Joyce closed the public hearing.

Ms. Cluck stated that if there are no changes to the proposed budget, then resolutions will be brought to Council for adoption at the May 1, 2023 meeting.

7. GENERAL ORDERS

- a. Consider approval of Audit Committee recommendation to engage HSPG & Associates, PC of Oklahoma City to perform the audit for the City of Stillwater and related Trust Authorities for fiscal year ending June 30, 2023

Finance Director Christy Cluck reported that the City of Stillwater solicits proposals for audit services every three years with annual review by the City's Audit Committee and the City Council. She stated that the goal of staff and the Audit Committee is to select a highly qualified accounting firm with considerable expertise in governmental accounting and auditing to ensure the City receives a quality audit. Pricing is then considered to ensure fiscal responsibility. The requests for proposals were sent out in January 2023 and four firms responded. The Audit Committee met on March 21, 2023 and reviewed the proposal evaluations. Ms. Cluck stated that the narrative proposals were evaluated and scored by City staff without consideration of the cost proposals. The cost proposals were opened by the Procurement Manager and shared with City staff after the narrative proposal scores were finalized. The City's Audit Committee recommends the firm of HSPG & Associates, PC of Oklahoma City to perform audits for the City of Stillwater and related Trust Authorities.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE CITY'S AUDIT COMMITTEE'S RECOMMENDATION THAT THE FIRM OF HSPG & ASSOCIATES, PC OF OKLAHOMA CITY BE ENGAGED TO PERFORM THE AUDIT FOR THE CITY OF STILLWATER AND RELATED TRUST AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2023.

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

- b. Update and discussion on the timelines for the electric rate and cost of service study, water, wastewater, and rural water rates and cost of service study, and rural fire contract rate study

Deputy City Manager Melissa Reames updated the timelines for the rate studies being conducted at this time and answered Council's questions.

- The electric rate and cost of service study conducted by LM Vedder Consulting is scheduled to be completed in May and presented to City Council/SUA Trustees in June.

- The water, wastewater, rural water rate and cost of service study conducted by New Gen Strategies & Solutions will have preliminary recommendations to Council/SUA Trustees in June 2023.
- Jacobs Engineering Group Inc. presented Council with a stormwater revenue requirements and fee recommendation at the November 30, 2020 meeting. This meeting was informational only and no action was taken.
- Rural Fire contract rate study conducted by New Gen Strategies & Solutions will be ready for Council review in June 2023. Contracts renew on the calendar year with the renewal period open the previous December.

No action was taken on this item.

- c. Consider authorizing staff to proceed with a replacement Animal Welfare facility and a Public Safety District as November 14, 2023 ballot measures

Deputy City Manager Melissa Reames stated that Together Investing in Municipal Excellence (TIME) is the general obligation bond initiative used to present projects to the citizens for their adoption through an increase to property tax. Current projects up for consideration are a replacement to the 1984 Animal Welfare facility and the creation of a Public Safety District. Ms. Reames stated that staff has engaged 505 Architects to create conceptual designs and cost estimates for the replacement Animal Welfare facility in order to better determine project costs before presenting this question to the voters. The Public Safety District would allow up to 5 mills to be assessed each year for specified items for police and fire.

Director of Communications Dawn Jones stated that the process of marketing these TIME projects to the community will be very similar to the previous bond issue in 2022. The timeline is fluid and can be adjusted as needed. Currently, the plan is to bring resolutions to the Council in July for adoption in order to have the two items on the November 14, 2023 ballot.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO DIRECT STAFF TO PROCEED WITH A REPLACEMENT ANIMAL WELFARE FACILITY AND A PUBLIC SAFETY DISTRICT AS NOVEMBER 14, 2023 BALLOT MEASURES.

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

- d. Johnson Controls presentation regarding a performance-based efficiency contract, consideration of approval of a performance-based efficiency contract with Johnson Controls, and possible action to approve project financing

Deputy City Manager Melissa Reames introduced Caleb Kamarunas with Johnson Controls.

Mr. Kamarunas presented and discussed why Johnson Controls is here, how they can help, and the process to get the contract finalized. He addressed the city-wide impact of this energy efficiency project and also presented the financial highlights and impacts of the project. Mr. Kamarunas and his co-workers answered Council's questions.

Discussion was held amongst Council regarding this contract and the financing methods. Councilor Clark stated that he would like to see the contract before approving it. Mayor Joyce expressed concerns over the financing as he has no experience with this type of financing.

City Council will hold a special meeting on April 24, 2023 to consider the Johnson Controls contract and financing methods.

No action was taken on this item.

8. ORDINANCES

a. Second Reading

Ordinance No. 3522: An ordinance closing a portion of the 15-Foot General Access Easement in the south half of Section 34, Township 20 North, Range 2 East, of the Indian Meridian, Payne County, Oklahoma, near property addressed as 4099 North Land Run Drive

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3522 AS PRESENTED.

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

9. 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 Gelino CCC, LLC. 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.
- II. Request for an Executive Session pursuant to 25 O.S. § 307 (B)(1) of the Oklahoma Open Meeting Act for the purpose of confidential communications to discuss the consideration of specific current employees for the appointment of an Interim City Manager following the retirement of City Manager Norman McNickle, including determining the compensation for the Interim City Manager.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle announced that Saturday, April 22, will be the volunteer clean-up day for our historic Washington School. Registration will begin at 9 a.m. at Southern Woods Park across the street from the school at 12th and Knoblock. Trash and debris clearing from the building will begin 10 a.m. Please wear clothing, gloves and shoes appropriate for heavy cleaning. For more information, contact Michelle Charles at: (405) 742-8219 or email at: michelle.charles@stillwater.org.

c. Miscellaneous items from the City Council:

- Councilor Hardin announced that the tickets for the Community Center's "Daddy Daughter Prom" are available online for purchase at Stillwater.org/dancingwithdaddy. There are multiple dates and times for this event. Friday, May 5, 7 to 8:30 p.m. and Saturday, May 6, 5 to 6:30 p.m. and 7 to 8:30 p.m. The prom will be at the Stillwater Community Center located at 315 W. 8th Avenue.
- Councilor Clark announced that Tuesday, April 18 is National Lineman Appreciation Day. This day honors the dedication and innovation of the men and women who work around the clock to keep the power going. Many thanks to our Stillwater Electric Utility staff for their continued hard work.
- Councilor Hawkins announced that the Stillwater Arts Festival is back. The Prairie Arts Center located at 1001 Duck St., will host this year's festival on April 21, from 12 to 8 p.m. and April 22, from 9 a.m. to 6 p.m. This two-day event will include art exhibition, art-making activities, food trucks, live music and more.
- Vice Mayor Dzialowski asked residents to save the date for the Stillwater Animal Welfare's low-cost vaccine clinic for the public. The event will be Sunday, April 30, from 9 a.m. to 3 p.m. at 707 E. 8th Avenue. For more information, go to

Stillwater.org and don't forget to follow Animal Welfare on Facebook for the latest updates.

- Mayor Joyce reminded citizens that the Friends of the Stillwater Public Library will have their annual Used Book Sale, April 20-23. The sale is open to members only on Thursday from 5 to 8 p.m., and to the general public on Friday from 12 to 8 p.m. and Saturday from 10 a.m. to 5 p.m. The event will finish up on Sunday with the \$1 bag sale from 1:30 to 4 p.m.
- i. Discussion about scheduling items for future meetings.

10. QUESTIONS & INQUIRIES

None.

11. EXECUTIVE SESSION

- a. Confidential communications concerning a pending investigation, claim, or action involving Gelino CCC, LLC.
- b. Consideration, discussion, and possible action to enter into executive session for the purpose of confidential communications for the purpose of discussing specific current employees to be appointed Interim City Manager, including additional compensation for the Interim City Manager, as allowed by 25 O.S. § 307 (B)(1).

Stillwater City Council meeting recessed at 6:55 p.m. to convene Stillwater Economic Development Authority meeting.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:55 P.M.

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

Stillwater City Council reconvened at 7:21 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HARDIN TO ENTER INTO EXECUTIVE SESSION AT 7:21 P.M.

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

12. RETURN FROM EXECUTIVE SESSION

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HARDIN TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 8:40 P.M.

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

No action was taken on items a. or b.

13. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE APRIL 17, 2023 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The April 17, 2023 regular meeting of the Stillwater City Council adjourned at 8:40 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK