

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED MARCH 17, 2022 AT 3:15 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MARCH 21, 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. Sunshine Week – Carol Anderson, League of Women Voters

Carol Anderson with the League of Women Voters, stated Sunshine Week is celebrated every year around March 16th to remind citizens to stay aware of what is happening within the government at both the local and federal levels.

- b. National Safe Place Week – Angie Freeny, Payne County Youth Services

Mayor Joyce read the proclamation declaring the week of March 20-26, 2022 as "National Safe Place Week." Angie Freeny, Payne County Youth Services, accepted the proclamation.

4. CONSENT DOCKET

- a. Approval of March 7, 2022 regular and executive session minutes
b. Approve Addendum to OSU Intergovernmental Agreement for Installation and Maintenance of Bus Shelters to include the installation of a new community bus shelter located at 712 E. 12th Ave. near Our Daily Bread Food and Resource Center

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS 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

Robert McClendon, Stillwater NewsPress Editor, 211 W. 9th, spoke against encryption of police and fire department radio traffic so the media can have access to report the story.

Miguel Najera, President of FOP #102, spoke in support of encryption of police and fire department radio traffic for the safety of the first responders and for the privacy of citizens.

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Specific Use Permit for a marijuana dispensary at 611 W Highpoint Drive

Chief Performance Officer Brady Moore stated that the applicant requests a review and approval for a Specific Use Permit to allow a medical marijuana dispensary use at the property addressed as 611 W. Highpoint Drive.

Mayor Joyce opened the public hearing.

Jose Sanchez, 407 S. Lowry, spoke in favor of the SUP for 611 W. Highpoint Drive and gave a brief history of the building and area.

Jose C. Sanchez, 407 S. Lowry, spoke in favor of the SUP for 611 W. Highpoint Drive and stated that he has met with Payne County Drug Court Director, Noel Bagwell, and he addressed their concerns.

Francisco Sanchez, 605 W. 49th Avenue, spoke in favor of the SUP for 611 W. Highpoint Drive and explained how they are committed to safely serving their clients by running a clean, honest and reputable business.

Mollie Delp, 407 S. Lowry, spoke in favor of the SUP for 611 W. Highpoint Drive and stated they have been here a long time and hold high expectations for Stillwater.

Mayor Joyce closed the public hearing.

Planning Commission recommended denial of this SUP request due to public health and safety concerns along with the other comments from the Commissioners with 5-0 vote.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO REJECT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 611 W. HIGHPOINT DRIVE.

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. Approve allocation of \$8,784,987.88 in ARPA funding towards projects related to the Kaw Pipeline, raw water storage, and the Water Treatment Plant

Special Projects Director John McClenny reported that Stillwater will receive a total of \$8,784,987.88 in Coronavirus Local Fiscal Recovery Funds through the American Rescue Plan Act (ARPA). The amount is allocated in two equal payments. He stated that the City received the first payment in October 2021 and the second payment is expected 12 months later. Recipients have until December 31, 2024 to allocate funds and until December 31, 2026 to spend funds. Staff has presented to Council significant needs identified related to water infrastructure including the Kaw Pipeline, raw water storage and the

Water Treatment Plant. Mr. McClenny reported that water and sewer infrastructure is one of the allowable uses of the funding. Staff recommends that the ARPA funding be allocated to projects related to the water issues identified above.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE ALLOCATION OF ARPA FUNDING TOTALING \$8,784,987.88 TOWARDS PROJECTS RELATED TO THE KAW PIPELINE, RAW WATER STORAGE AND THE WATER TREATMENT PLANT AND DIRECT STAFF TO PREPARE THE NECESSARY RESOLUTION AND BUDGET AMENDMENTS FOR REVIEW AND APPROVAL AT THE APRIL 4, 2022 REGULAR CITY COUNCIL MEETING.

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

- b. Authorize staff to submit Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant applications in the total amount of \$22.6 million for Duck Street and Western Road reconstruction projects

Special Projects Director John McClenny stated that Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants have been opened for applications. RAISE grants are for surface transportation infrastructure projects that will have a significant local or regional impact. Mr. McClenny reported that grant award amounts can be from \$5,000,000 to \$25,000,000 and the expected match is 20%. He stated that staff proposes two potential projects for these funds:

- Reconstruct Western Road and add a left turn lane, storm sewers, curb and gutter and active transportation pathways from 12th to 6th Avenue with a cost of \$8.4 million.
- Reconstruct Duck Street from 6th Avenue to Elm Street as a tree lined boulevard with protected left turn lanes and active transportation paths along both sides. From Elm Street to Boomer Road, due to limited right of way, reconstruct the road and add active transportation paths along both sides with a cost of \$14.2 million.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE STAFF TO DEVELOP AND SUBMIT RAISE GRANT APPLICATIONS FOR DUCK STREET AND WESTERN ROAD PROJECTS IN THE TOTAL AMOUNT OF \$22.6 MILLION.

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

- c. Approve the use of safety/security encryption of police and fire department radio traffic with the new public safety radio system

Police Chief Jeff Watts reported that on December 20, 2021 City Council approved the lease purchase of a new digital radio system for police and fire from Motorola Solutions. One of the features of the new radio system is that it allows for the safety/security encryption of police and fire department radio traffic and prevents scanners and phone scanner apps from monitoring public safety radio transmissions. Chief Watts stated the benefits of safety/security encryption for public safety personnel and explained the need for this service.

Chief Public Information Officer Dawn Jones presented an overview of the new Media Relations Process, which will address concerns expressed by some members of the media. She stated once this process is finalized, it will be followed to provide factual information promptly, depending on the immediate situation.

Emergency Management Director Rob Hill answered Council's technical questions regarding encryption of radio traffic and the drawbacks of providing keys or radios to members of the media.

Discussion was held amongst the Council and staff present addressed their questions and concerns.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO SUPPORT THE USE OF SAFETY/SECURITY ENCRYPTION OF POLICE AND FIRE DEPARTMENT RADIO TRAFFIC WITH THE NEW PUBLIC SAFETY RADIO SYSTEM.

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

- d. Approve budget amendments reflecting receipt and expenditure of additional CDBG-CV funds (CDBG-CV Contract 18119) in the amount of \$265,000 for the purposes of funding the Stillwater Resident COVID Impact Assistance Program Phase 3

Chief Civic Innovation Officer Becky Taylor reported that the Oklahoma Department of Commerce (ODOC) has approved \$265,000 in additional CDBG-CV funding to CDBG-CV Contract 18119. Our Daily Bread (ODB) will use these funds to administer Phase 3 of the Stillwater Resident COVID Impact Assistance Program in accordance to the rules and regulations outlined within the grant criterion. Ms. Taylor stated that Phase 3 will begin in the Fall 2022 and follow the same procedures as Phase 2.

Ms. Taylor reported that after Phase 3 funds have been allocated, \$905,000 in financial assistance will have been distributed.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR CLARK TO APPROVE THE BUDGET AMENDMENTS REFLECTING RECEIPT AND EXPENDITURE OF ADDITIONAL CDBG-CV FUNDS (CDBG-CV CONTRACT 18119) IN THE AMOUNT OF \$265,000 FOR THE PURPOSE OF FUNDING THE STILLWATER RESIDENT COVID IMPACT ASSISTANCE PROGRAM PHASE 3.

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

- e. Approve the purchase of property located at 2222 W 6th Avenue in an amount not to exceed \$189,500 plus \$2,500 for closing costs and 2218 W 6th Avenue in an amount not to exceed \$145,000 plus \$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

Director of City Engineering Monty Karns stated that the 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 Street corridor expansion on the north side of 6th between Western and Ridge. Properties at 2218 and 2222 W. 6th Avenue need to be purchased at the prices listed above to acquire rights-of-way and mitigate the life safety and transportation expansion issues.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO APPROVE THE PURCHASE OF PROPERTY LOCATED AT 2222 W 6TH AVENUE IN AN AMOUNT NOT TO EXCEED \$189,500 PLUS \$2,500 FOR CLOSING COSTS AND 2218 W 6TH AVENUE IN AN AMOUNT NOT TO EXCEED \$145,000 PLUS \$2,500 FOR CLOSING COSTS AND AUTHORIZE THE CITY MANAGER TO SIGN RELATED DOCUMENTS.

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

9. RESOLUTIONS

- a. Resolution CC-2022-7: A resolution authorizing the creation of phase 3 of a grant program to assist Stillwater residents experiencing financial hardship due to COVID-19

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT RESOLUTION NO. CC-2022-7 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: None.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle reported that the traffic signal at Krayler Avenue and Perkins Road will soon be a 4-way stop and the two entrances off of Perkins Road into Pioneer Shopping Center are closed due to construction. Please use either Hall of Fame or McElroy entrances to access the shopping center. The Stillwater Police Department is working with ODOT to have more patrol in the area.
- c. Miscellaneous items from the City Council:
 - Councilor Clark reported that the Stillwater Fire Department is offering tours of Fire Station #2 between now and April 5th. These 30-minute tours are designed for community members to come visit the station and ask questions.
 - Councilor Hawkins stated that the OSU Landscape Architecture and City of Stillwater Stormwater Program are hosting an online presentation about rain barrels on Wednesday, April 6 at 1:30 p.m. Participants will learn why rainwater harvesting is important and about site selection and installation techniques for rain barrels. The virtual meeting is free and open to the general public.
 - Councilor Dzialowski reminded citizens that the bond proposition for a new Fire Station #2 will be on the ballot Tuesday, April 5th with early voting on March 31st and April 1st. She encouraged all registered voters to participate and make their voices heard.
 - Vice Mayor Zannotti stated that the City's free sharp collection pilot program is still available through May 2022. Stillwater residents can pick up a free sharps container at the Convenience Collection Center and return filled containers to be properly disposed of at no cost.
 - Mayor Joyce stated that if anyone is looking for a way to get involved in the community, there are vacancies on the Airport Advisory Committee, Audit Committee, Board of Adjustment, Board of Drainage Appeals and the Building Trades Board. Information on each board is available online at sillwater.org. The next round of appointments is scheduled for the April 4th City Council meeting.
- i. Discussion about scheduling items for future meetings.

11. QUESTIONS & INQUIRIES

None.

12. APPOINTMENTS

- a. Appointments to the Transportation Projects Advisory Committee (TPAC)

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR ZANNOTTI TO APPOINT GARY CLARK, TAMMY BROWN, ROGER GOSE, STEVE WHITWORTH AND BRAD RICKELMAN TO THE TRANSPORTATION PROJECTS ADVISORY COMMITTEE (TPAC).

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

13. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE MARCH 21, 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 March 21, 2022 regular meeting of the Stillwater City Council adjourned at 7:28 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK