IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED JANUARY 10, 2025 AT 11:40 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JANUARY 13, 2025

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

The Stillwater City Council led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS/PRESENTATIONS

a. Proclamation for Stran Talley

Mayor Joyce read the proclamation honoring Stran Talley for his Civics Leadership and placing second at the State Finals of the National Civics Bee. Stran accepted the proclamation.

4. CONSENT DOCKET

a. Approve December 16, 2024 regular meeting minutes
b. Accept fiscal year 2024 Annual Comprehensive Financial Report, Single Audit Report, Passenger Facility Charge Program Audit Report, and Auditor Communication Letter
c. Award a Unit Price Contract to Rudy Construction for $1,887,172.75 related to McElroy/Manning/Hall of Fame diamond grinding and full depth repair (Bid No. 46-2024); authorize total construction expenditures of $2,119,900 which includes construction contract, testing and contingency; approve budget amendment in the amount of $1,255,189.00 from the Transportation Sales Tax Fund; authorize the City Manager to execute the Contract and related documents.
d. Award a work order-based contract to Scodeller Construction, Inc. for up to $750,000 related to Joint & Crack Sealing for various city streets (Bid No. 48-2024); authorize total construction expenditures of $800,000 which includes construction contract, testing and contingency; and approve a budget amendment in the amount of $300,000 from the Transportation Sales Tax Fund; and authorize the City Manager to execute the contract and related documents.
e. Award a Unit Price Contract to Haskell Lemon Group, LLC for $189,655.00 related to Airport T-Hangar 2 concrete apron improvements (Bid No. 51-2024); authorize total construction expenditures of $213,621.00 which includes construction contract, testing and contingency; authorize the City Manager to execute the Contract and related documents.
f. Approve the application of Dobson Technologies, LLC dba Dobson Fiber for a right of way Occupancy Permit as recommended by the Development Services Director pursuant to City Code Sec. 37-205(c).

g. Approve the application of Vero Fiber Networks, LLC for a right of way Occupancy Permit as recommended by the Development Services Director pursuant to City Code Sec. 37-205 (c).
h. Accept a general utility easement located at 28 Elmwood Drive.
i. Approve budget amendments reflecting revenue and expenditure of sponsorship funds from Grand River Dam Authority (GRDA) totaling $17,500 for Myers Park Playground Equipment.
j. Approve Memo to set public hearing date for February 24, 2025 for the closing of right-of-way, requested by Independent School Dist. No.16 & Bank SNB, at 5021 N. Perkins Road as required by City Code 23-60(b).
k. Approve correction made to Exhibit C-2 of Amendment No. 2 to CMAR Agreement with Lippert Brothers, Inc. for the Stillwater Regional Airport Terminal and Building Improvements Project.
l. Approve Memorandum of Understanding with Stillwater Public Schools creating a payment schedule for distribution of Tax Increment Financing District #3 capital payment obligations.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS 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.

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 a request from Josh Wilson for Blue Sky Buds LLC, d/b/a/ BRIXX Cultivation for a Specific Use Permit to allow a medical marijuana dispensary at property addressed as 121 S. Main Street in the Commercial General (CG) district.

Associate City Planner Diana Hood stated that the applicant requests review and approval of a Specific Use Permit to operate a Medical Marijuana dispensary at the property addressed as 121 South Main Street. The applicant is requesting a specific use permit to operate a Medical Marijuana dispensary in the Commercial General (CG) zoning district. Ms. Hood reported that the applicant, Blue Sky Buds, LLC doing business as BRIXX Cultivation is currently located at 135 South Main Street so they are requesting this rezoning to move locations.

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

The Planning Commission recommended approval of this SUP request with 4-0 vote.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 121 SOUTH MAIN STREET.

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

b. Receive public comment regarding a request from Jason Johnson for a map amendment to rezone property addressed as 701 W. Highpoint Drive from Multi-Family Intermediate (RMI) and Commercial General (CG) to Commercial Business (CB) district.

Associate City Planner Diana Hood stated that the applicant requests review and approval of a Map Amendment to rezone the property addressed as 701 West Highpoint Drive from Multi-Family Intermediate (RMI) and Commercial General (CG) to Commercial Business (CB). The rezoning request is made by the applicant to Commercial Business (CB) to allow the existing facility to be converted from apartments to condominiums for potential parking and/or commercial redevelopment. Ms. Hood reported that Commercial Business (CB) is the only zoning district that defines condos as permitted use by right.

Mayor Joyce opened the public hearing.

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

Mayor Joyce closed the public hearing.

Planning Commission recommended approval with a 4-0 vote.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTIES ADDRESSED AS 701 WEST HIGHPOINT DRIVE.

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

c. Receive public comment regarding a request from Pioneer Investment Group, LLC for a map amendment to rezone property addressed as 3118-3124 E. 4th Avenue from Small Lot Single-Family (RSS) to Two-Family and Multi-Family (RTM) district.

Associate City Planner Diana Hood stated that the applicant requests review and approval of a Map Amendment to rezone the property addressed as 3118-3124 E. 4th Avenue from Small Lot Single-Family (RSS) to Two-Family and Multi-Family (RTM). The subject property is currently zoned Small Lot Single-Family (RSS) with single multifamily structure (quadplex), with frontage on East 4th Avenue and parking/access off South Mockingbird Lane. Ms. Hood reported that the applicant is requesting to rezone to Two-Family and Multi-Family (RTM) to allow for the use to add two new duplex structures north of the existing quadplex.

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

Planning Commission recommended approval with a 5-0 vote.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTY ADDRESSED AS 3118-3124 EAST 4TH AVENUE.

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

8. GENERAL ORDERS

a. Presentation and discussion on the proposed new Stillwater Animal Welfare Facility including schematic layouts, cost estimate, and community impact of a new facility.

Director of City Engineering Candy Staring gave a brief history of the site selection for the new proposed animal welfare facility. She reviewed the features and benefits of the site. Ms. Staring confirmed the placement and relocation of Hargis Road and how it will relate to the new animal welfare site and the airport. She listed the existing facility issues and stated overall that the current facility does not meet the needs of the community. Ms. Staring presented recent price comparables to other City projects currently taking place like Fire Station #2 and the Airport Terminal Building as well as price comparables for a recent animal welfare facility that was recently built in Moore. She reported on the progress to date and discussed the major goals for the facility such as being practical, sensible, functional and purposeful along with other quality goals. Ms. Staring presented and discussed the anticipated schedule if there is a passing vote in April 2025.

Ms. Staring introduced Barrett Williamson with BLW Architects. Mr. Williamson stated that they partnered with a specialty architecture firm Animal Arts as they have designed more than 1500 shelters across the United States. He stated a needs assessment basis was done, compared existing animal housing to the improved housing and discussed the improved safety and efficiency of the new proposed animal welfare facility. Mr. Williamson reported there would be separate lobbies for adoption and surrender that will provide improved customer service. He presented and discussed the entire site plan and floorplan. Mr. Williamson discussed the construction price estimate with the total cost being $7.2 million for a 12,200 square foot facility which would be $590 a square foot.

Captain Royce Stephens presented the Animal Welfare Mission which is education, adoption, reunification and enforcement. He stated that they continue to meet these missions, but it is more difficult as the needs of the community grow. Despite the obstacles of the current animal welfare facility, staff continues to meet these missions. Captain Stephens stated that a new facility would mean that many of the services provided now can be enhanced and improved with this new facility. This new facility would provide space for volunteers and a healthier space for staff as well as the animals.

Ms. Staring presented the next steps in the process of getting the new proposed animal welfare facility.

Ms. Staring, Mr. Williamson and Captain Stephenson answered Council's questions.

No action was taken on this item.

Councilor Clark left the Council chambers at 6:19 p.m.

b. Presentation, discussion, and possible action on proposed funding of the new Stillwater Animal Welfare Facility with a general obligation bond proposition at an April 1, 2025 election, including discussion of project costs, overall estimated budget, and bond terms.

Assistant City Manager and Finance Director Christy Cluck presented the overall project costs and bond scenarios. She reported that it was stated that the construction estimate is $7.2 million but it does take much more in cost to open this type of facility. The overall project budget is $8,750,000 which will equate to the General Obligation Bond total. This price includes construction costs, bond issuance costs, security and other utilities, design, FF&E and contingency.

Ms. Cluck introduced Chris Gander, Financial Advisor with Bank of Oklahoma. Mr. Gander explained how the General Obligation Bond process works and then presented the bond election scenarios and how a bond election would affect taxpayers.

City Attorney Kimberly Carnley stated that there is one more Council meeting in January in order to timely submit a resolution to the Election Board to call the April 1, 2025 election. She encouraged Council to give some direction to staff because when the resolution is brought back to Council on January 27, it will have to include a GO Bond amount and term.

Ms. Cluck, Mr. Gander, Ms. Staring and City Attorney Carnley answered Council's questions.

Council directed staff to proceed with the $8.75 million with a 15-year term to bring back to the next Council meeting for consideration.

No action was taken on this item.

Councilor Clark returned to the Council meeting at 6:42 p.m.

9. RESOLUTIONS

a. Resolution No. CC-2025-1: A resolution establishing the Stillwater Regional Airport Rates and Charges Schedule

City Attorney Kimberly Carnley stated that Stillwater Regional Airport Advisory Board is responsible for annually reviewing rates and charges at Stillwater Regional Airport. Airport Director Kellie Reed worked with a subcommittee to review rate and charges. The Board is recommending approval of the rates and charges schedule attached to this resolution. Airport Director Kellie Reed will explain what has changed.

Airport Director Kellie Reed stated that this is a simple change that is being requested, largely administrative changes. In summary, rates and charges remained unchanged except for removing fax and copy fees due to lack of use, updating lock change fees per cost of occurrence, revising the wording of the Airport Rescue and Fire Fighting (ARFF) section to include capturing Index A flights that were not previously charged to support, and revising fees associated with air carrier charter aircraft to be charged per occurrence rather than per roundtrip. Ms. Reed stated that a larger update to the Airport's Rates and Charges will be part of a broad Citywide analysis and update.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HARDIN TO ADOPT RESOLUTION NO. CC-2025-1 AS PRESENTED.

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

b. Consider approval of Resolution CC-2025-2: A Joint Resolution of the City Council of the City of Stillwater and the Stillwater Economic Development Authority approving the Stillwater Data Center Economic Development Agreement by and among the City of Stillwater, the Stillwater Economic Development Authority, and Kipper LLC

Lisa Harden, Center for Economic Development Law, stated that there are two related items for consideration that will significantly advance economic development in Stillwater. The first item is a resolution to adopt to approve the Stillwater Data Center Economic Development Agreement, which is a collaborative effort by the City of Stillwater, SEDA and Kipper, LLC, the Company. This agreement establishes the framework for the initial first two phases of the Data Center Campus, with the potential to expand to six phases. Ms. Harden stated that under the agreement the Company will develop the first two phases of the project and related public improvements while the City has allocated specific water and wastewater capacity to support the first two phases. She stated that additionally the Company has pledged to prioritize carbon free energy sources.

Ms. Harden stated that the second item is an ordinance adopting the Stillwater Data Center Economic Development Project Plan and Incentive Agreements.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2025-2 AS PRESENTED.

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

NAY-NONE. MOTION CARRIED WITH FIVE YEA VOTES.

10. ORDINANCES

a. First Reading

Ordinance No. 3552: An ordinance rezoning a tract of land located at 701 W. Highpoint Drive from Multi-Family Intermediate (RMI) and Commercial General (CG) To Commercial Business (CB).

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR CLARK TO ADVANCE ORDINANCE NO. 3552 TO SECOND READ AS PRESENTED.

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

Ordinance No. 3553: An ordinance rezoning a tract of land located at 3118 - 3124 E. 4th Avenue from Small Lot Single-Family Residential (RSS) to Two-Family And Multi-Family (RTM).

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3553 TO SECOND READ AS PRESENTED.

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

b. Second Reading

Consider adoption of Ordinance No. 3546: An ordinance approving and adopting The Stillwater Data Center Economic Development Project Plan and Supporting Incentive Districts, Pursuant To The Oklahoma Local Development Act; Identifying and Establishing Six Incentive Districts; Designating and Adopting Project Area and Incentive District Boundaries; Deferring The Numerical Designations and Effective Dates for the Incentive Districts; Adopting Certain Findings; Authorizing The City Of Stillwater and The Stillwater Economic Development Authority To Carry Out and Administer The Project Plan; Ratifying And Confirming The Actions, Recommendations and Findings of The Review Committee and The Stillwater Planning Commission; Approving and Adopting A Tax Incentive Agreement; Providing For Severability; and Declaring An Emergency

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3546 AS PRESENTED.

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

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI DECLARING ORDINANCE NO. 3546 AN EMERGENCY.

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

Ordinance No. 3551: An ordinance rezoning tract of land located at 1324 East 6th Avenue from Commercial General (CG) to Commercial Shopping-Planned Unit Development (CS-PUD).

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3551 AS PRESENTED.

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

11. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:
   i. Request for an executive session pursuant to 25 O.S. § 307(B)(1) for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Brady Moore.
   ii. Request for an executive session pursuant to 25 O.S. § 307(B)(1) for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Attorney Kimberly Carnley.

b. Miscellaneous items from the City Manager:
   - City Manager Brady Moore announced the good news that customers will no longer see the collection line item "PCA Storm Recovery" on their utility bills. The more than $3.5 million community share portion from energy costs incurred in 2021 from winter Storm Uri, is now paid in full. The other half of the total $7 million was paid through the SUA Rate Stabilization Fund. We appreciate our customers and SUA Trustees for coming together to ensure we all made it through that very tough winter crisis as safe as possible, and for resolving all related expenses.

c. Miscellaneous items from the City Council:
   - Councilor Clark announced that due to inclement weather, the Parks and Community Resources Open House that was scheduled for last week, was rescheduled to Thursday, February 20. Please plan to attend this community meeting as staff looks forward to hearing your ideas, suggestions, and concerns about Stillwater parks, community spaces and facilities. There will be sign-ups for volunteer opportunities and educational information available. Some preliminary information collected from recent surveys will also be shared. The City wants to ensure our parks and public spaces meet the needs of our residents and families. The event will begin at 5:30 p.m., at the Stillwater Community Center, Lowry Activity Center.
   - Councilor Clark also announced for Councilor Hardin that it's that time a year again to purchase a Rural Fire Service Contract if anyone that lives outside of city limits, but within the Stillwater Fire Department's response area. For an annual fee of $200, the contract ensures that response fees for each fire incident on a contracted property will not exceed $2,000. Residents will still receive rural fire assistance without a contract but will be responsible for paying the full Rural Fire Service fee for any services rendered. All collected fees go toward training, rescue tools, and other fire equipment.
   - Councilor Hawkins invited residents to please join City staff this Thursday, from 5-7 p.m. at the Stillwater Community Center, for the annual "Meet Your Legislators" event. This is a great opportunity to ask questions, build relationships, and share concerns with your legislators before the legislative session begins on Monday, February 3. Many thanks to Stillwater League of Women Voters and Friends of the Stillwater Public Library for hosting the event.
   - Vice Mayor Dzialowski announced that the Stillwater Community Center will present "Dancing with Daddy" on February 7, 2025. All are invited to spend an evening of dancing, refreshments, and more. There will be two dances to choose from:
     - 1st Dance: 5:30–7 p.m.
     - 2nd Dance: 7:30–9 p.m.

     Cost per person is $15. Tickets are required and must be purchased in advance.

There will be line dancing, thanks to "Tippi Toes" studio joining the events and teaching quick lessons.

- Mayor Joyce reminded residents that Stillwater Community United will have their annual unity event to commemorate the life and legacy of Dr. Martin Luther King, Jr. on Sunday, Jan. 19. The event begins at 6 p.m. at the Stillwater Community Center. Also, the annual unity march with OSU will be on Monday, Jan. 20 beginning at 1 p.m. Participants need to meet at Southern Woods Park and everyone will march to the OSU campus together and join additional commemorative events. Please also note that City offices will be closed in observance of Dr. Martin Luther King Jr. on Monday, Jan. 20. Trash, recycling and yard waste will be collected as usual.

i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

a. Confidential communications for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Brady Moore.
b. Confidential communications for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Attorney Kimberly Carnley.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 7:00 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 meeting recessed at 7:00 p.m. to convene Stillwater Economic Development Authority meeting.

Stillwater City Council reconvened at 7:02 p.m.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 7:02 P.M

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

14. RETURN FROM EXECUTIVE SESSION

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 8:43 P.M.

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

a. No action was taken on this item.

b. No action was taken on this item.

15. ADJOURN

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE JANUARY 13, 2025 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 January 13, 2025 regular meeting of the Stillwater City Council adjourned at 8:43 p.m.

WILLIAM H. JOYCE, MAYOR **STILLWATER CITY COUNCIL**	**TERESA KADAVY** **CITY CLERK**