

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED MARCH 31, 2022 AT 10:15 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
APRIL 4, 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. Autism Acceptance Month

Mayor Joyce read the proclamation declaring April 2022 Autism Acceptance Month.

b. Sexual Assault Awareness Month

Mayor Joyce read two proclamations declaring April 2022 as Sexual Assault Awareness Month and National Child Abuse Awareness Month in Stillwater. These proclamations were presented to representatives from Wings of Hope.

c. Fair Housing Proclamation

Mayor Joyce read the proclamation declaring April 2022 as Fair Housing Month in Stillwater and Community Development Director Jeff Mathews accepted the proclamation.

4. CONSENT DOCKET

- a. Approve regular meeting minutes of March 21, 2022
- b. Approve May 16, 2022 as public hearing date for request to close utility easement at 1201 W 6th Avenue
- c. Accept permanent sewer easement required for the Sanitary Sewer Interceptor Replacement Project located at 1613 E. 19th, Parcel 2.1, and authorize the Mayor to execute the easement document
- d. Accept electric easement for the property at 1312 N. Henderson Street, Oakdale Subdivision, and authorize the Mayor to execute the easement document
- e. Accept electric easement for property at 1900 N. Jardot Road and authorize the Mayor to execute the easement document

- f. Accept sewer and drainage easements located at 201 N Knoblock Street, St. John University Parish
- g. Accept Final Plat for Skyline East 2nd Section Phases 2 & 3
- h. Approval of Engagement Letter to retain BOK Financial Securities to provide municipal financial advisory services to the City of Stillwater

Councilor Clark requested that item h. be removed from the consent docket.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CONSENT DOCKET MINUS ITEM H.

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

There were no requests to speak on agenda items not scheduled for public hearing.

6. ITEMS REMOVED FROM CONSENT DOCKET

- h. Approval of Engagement Letter to retain BOK Financial Securities to provide municipal financial advisory services to the City of Stillwater

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE ITEM H. FROM THE CONSENT DOCKET.

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

COUNCILOR CLARK RECUSED FROM VOTING.

7. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Specific Use Permit for a medical marijuana dispensary at 102 N Main Street, CG, Commercial General District

Chief Performance Innovation Officer Brady Moore stated the the applicant is requesting a review and approval of a Specific Use Permit to allow for a medical marijuana dispensary at the property addressed as 102 N. Main Street, which is required in the Commercial General District. The property is located on the northwest corner of N. Main Street and Elm Avenue. Mr. Moore stated that the Future Land Use Map within the Comprehensive Plan indicates that the desired land use within this part of the community is Commercial.

Mayor Joyce opened the public hearing.

Brendan Isley, 102 ½ N. Main Street, owner of Doc Greens, LLC, stated he plans to close the dispensary behind this building and move the dispensary to the location at 102 N. Main Street.

Mayor Joyce closed the public hearing.

Planning Commission approved with conditions with a vote of 5-0. The condition is that Doc Greens will not operate a dispensary at their old location directly west of this location.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT WITH CONDITION FOR THE PROPERTY LOCATED AT 102 N. MAIN STREET.

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 request to apply for an EBSCO Solar grant for up to \$300,000 for the installation of solar energy technology at the library

Special Projects Director John McClenny reported that for the seventh consecutive year, EBSCO Solar is accepting applications for grants that will fund solar installations at libraries. With support of the Special Projects and Electric Utilities directors, library staff requests approval to apply for the EBSCO Solar grant offered to libraries for the installation of solar energy technology. Mr. McClenny reported EBSCO most likely will fund projects at \$85,000, but awards could reach \$300,000 or be less than \$85,000 depending on the number of grants awarded. If awarded, grant funds will be used to engage an engineer to plan the project and for the purchase and installation of solar energy technology. Mr. McClenny stated that there is no matching requirement for this grant.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO APPROVE STAFF'S REQUEST TO APPLY FOR THE EBSCO SOLAR GRANT FOR UP TO \$300,000 FOR THE INSTALLATION OF SOLAR ENERGY TECHNOLOGY AT THE LIBRARY

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

- b. Approve budget amendments increasing the aviation gas for resale revenue and fuel purchases expenditure accounts by \$300k each and the flowage fee revenue account by \$25k for the remainder of FY22

Airport Director Paul Priegel reported that earlier this fiscal year, a budget amendment was approved by Council to increase the aviation gas for resale revenue and expenditure accounts each by \$500,000 in hopes that would allow for enough funds to sustain fuel sales through the end of the fiscal year. Mr. Priegel stated that the Stillwater Airport is continuing to see a record number of aircraft operations, which drive fuel sales, plus a recent surge in fuel prices. He reported that at this time, staff projects to need another \$300,000 to sustain the remaining fiscal year. Mr. Priegel also stated that due to the increase in actual and projected fuel sales, the flowage fee account is anticipated to far exceed projected revenue.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO APPROVE THE ATTACHED BUDGET AMENDMENTS INCREASING THE AVIATION GAS FOR RESALE REVENUE AND FUEL PURCHASES EXPENDITURE ACCOUNTS BY \$300,000 EACH AND THE FLOWAGE FEE REVENUE ACCOUNT BY \$25,000 FOR THE REMAINDER OF FY22.

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 No. CC-2022-8: A resolution concerning Coronavirus Local Fiscal Recovery Funds for non-entitlement units of government (ARPA Funds), authorizing the acceptance of funds, the appropriate budget amendments, and the execution of necessary agreements and related documents

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2022-8 AS PRESENTED.

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

10. ORDINANCES

a. First Reading

Ordinance No. 3491: An ordinance rezoning tracts of land located at 721 S Stanley Street from Office (O) to Public (P), and 1202, 1218, 1302, and 1318 W 8th Avenue, 705, 711, 717 and 720 S Blakeley Street, and 706, 710, 714 and 718 S Adams Street from Small Lot Single Family Residential (RSS) to Public (P)

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3491 TO SECOND READING AS PRESENTED

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

11. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:

- i. Request for executive session pursuant to 25 O.S. §307(B)(4) for the purpose of confidential communication with the City Attorney concerning a pending tort claim filed by Keith Reed as spouse and immediate next of kin of Teri Reed. It is the opinion of the City Attorney that public disclosure of this matter will seriously impair the ability of the City Council to process the claim and/or conduct an investigation, and/or to prosecute or defend any resulting litigation or proceeding in the public interest.

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle stated that last week, members of our community gathered for two separate ceremonies to honor and celebrate the retirement of Captain Kyle Gibbs, who served over 35 years with the Stillwater Police Department, and Captain Scott Lowery, who served over 29 years with the Stillwater Fire Department. Mr. McNickle thanked both of them for their years of service and wished them the best in their retirement.

c. Miscellaneous items from the City Council:

- Councilor Clark stated that Stillwater Animal Welfare is full of adoptable dogs. This week, Monday through Wednesday, adult dog adoption fees are just \$20.
- Councilor Hawkins stated that the City of Stillwater is hiring and the HR team will be holding open interviews this Saturday, April 9 from 8:00 a.m. to 10:00 a.m. in Room 121 at the Stillwater Community Center. Individuals will have the opportunity to sit down and interview for Meter Technician, Equipment Operator and Maintenance Worker positions and no appointment is necessary.
- Councilor Dzialowski reported that the Stillwater Big Band is having a free concert at the Community Center, April 5th. The show begins at 7:00 p.m. and will feature jazz, classic rock and big band tunes.
- Vice Mayor Zannotti reminded citizens that Election Day is April 5th for the bond proposition for the new Fire Station 2 on the ballot. Polls are open from 7:00 a.m. to 7:00 p.m. so go vote.
- Mayor Joyce reported that the Arts Festival is back. Over 70 artists, 30 musicians and several unique food trucks will gather in the heart of Downtown

Stillwater April 15 and 16. He stated that there will also be an antique and classic car show, made in Oklahoma businesses, a kid's zone with special hands-on art activities and more.

- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

- a. Confidential communication regarding a tort claim filed by Keith Reed as spouse and immediate next of kin of Teri Reed.

Stillwater City Council meeting recessed at 5:54 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:21 p.m.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 6:21 P.M.

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

14. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR DZIALOWSKI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 6:37 P.M.

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

- a. Possible action regarding a tort claim filed by Keith Reed as spouse and immediate next of kin of Teri Reed.

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR ZANNOTTI TO DENY THE TORT CLAIM FILED BY KEITH REED.

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

15. ADJOURN

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ADJOURN THE APRIL 4, 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 April 4, 2022 regular meeting of the Stillwater City Council adjourned at 6:37 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK