



**STILLWATER CITY COUNCIL**

**REGULAR MEETING AGENDA for JULY 9, 2018 at 5:30 p.m.**

**Council Hearing Room, Stillwater Municipal Building, 723 S. Lewis Street, Stillwater, OK**

**Mayor Will Joyce, Vice Mayor Pat Darlington, Councilor Alane Zannotti, Councilor John Wedlake, & Councilor Amy Dzialowski**

**NOTE:** The Mayor and City Council will gather in Conference Room 1112B beginning at 5:00 p.m. this date for dinner. No City Council business will be discussed or acted upon at this time. This is not a closed session and members of the public and press are welcome to attend. Meals will only be provided to the City Council and staff.

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1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. CONSENT DOCKET

*Items listed on the consent docket are routine administrative matters that may be approved by a single vote with or without discussion. Councilors may remove individual items from the consent docket and place them on Items Removed from Consent Docket for additional consideration. **The City Council will take action at this meeting (including a vote or series of votes) on these items either collectively as part of the Consent Docket or individually under Items Removed from Consent Docket.***

- a. Approve contract amendment #7 between City of Stillwater and LBR, Inc. for construction services administration for the Runway 4/22 project at Stillwater Regional Airport (CC-18-81)
- b. Approve professional services agreement between City of Stillwater and Mead Hunt for services related to Stillwater Regional Airport (CC-18-82)
- c. Accept electric easement from the OSU Foundation at 400 S. Monroe Street (CC-18-78)
- d. Accept water main, sewer main and easement at Saddle Creek Addition located at 3098 East 4<sup>th</sup> Avenue (CC-18-79)
- e. Approve right-of-way agreement with First United Methodist Church at 400 W 7<sup>th</sup> Avenue (CC-18-80)
- f. Budget amendment to increase personnel budget as agreed to in Police Services Agreement with Fraternal Order of Police Local #102 for contract year 2018-19
- g. Approve re-appropriation of FY18 funds to the FY19 budget (CC-18-83)
- h. Approve 2018 Community Development Block Grant application to the OK Department of Commerce to fund inclusive and accessible playground improvements at Strickland Park (CC-18-84)
- i. Approve release of mortgage for Stillwater Children's Museum LTD (CC-18-85)

- j. Approval of minutes:
  - i) Regular Meeting June 4, 2018
  - ii) Executive Session June 4, 2018
  - iii) Regular Meeting June 18, 2018
  - iv) Executive Session June 18, 2018

**APPROVED 5-0 EXCLUDING ITEM H.**

4. PUBLIC COMMENT ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

*The City Council will hear comments on agenda items not scheduled for public hearing from speakers who have submitted a written request in accordance with Sec. 2-25, Stillwater City Code. General information regarding communication with the City Council in this manner is found on the reverse side of the agenda.*

5. ITEMS REMOVED FROM CONSENT DOCKET

**ITEM H. APPROVED 5-0**

6. PUBLIC HEARINGS

*The City Council will hear public comments, discuss, and take action at this meeting (including a vote or series of votes) on each item listed under Public Hearings unless the agenda entry specifically states that no action will be taken.*

- a. Receive public comment regarding a request for a Specific Use Permit to allow a personal and laundry services use (salon and spa) in the O, Office district at 1121 S. Western Road (CC-18-77)

**POSTPONED TO JULY 16, 2018 5-0**

7. RESOLUTIONS

*The City Council will discuss and take action at this meeting (including a vote or series of votes) on each item listed under Resolutions unless the agenda entry specifically states that no action will be taken.*

- a. RESOLUTION NO. CC-2018-14: A RESOLUTION REGARDING COMMITMENT OF LEVERAGE FOR THE OKLAHOMA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG 18), 2018 STATE SMALL CITIES PROGRAM

**ADOPTED 5-0**

8. ORDINANCES

*The City Council will discuss and take action at this meeting (including a vote or series of votes) on each item listed under Ordinances unless the agenda entry specifically states that no action will be taken.*

First Reading

- a. ORDINANCE NO. 3408: AN ORDINANCE RELATED TO CITY MANAGEMENT OF PUBLIC RIGHTS-OF-WAY (ROW); AMENDING CHAPTER 37, TITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES", BY ENACTING A NEW ARTICLE IV, TITLED "RIGHTS-OF-WAY OCCUPANCY MANAGEMENT", PROVIDING FOR THE STRUCTURAL INTEGRITY OF THE CITY'S STREETS AND RELATED INFRASTRUCTURE; PROVIDING FOR THE MINIMUM DISRUPTION OF TRAFFIC TO THE TRAVELING PUBLIC; ENSURING THAT COSTS INCURRED BY THE CITY TO ACQUIRE, MAINTAIN AND MANAGE THE RIGHTS-OF-WAY ARE PROPERLY ALLOCATED AMONG THE VARIOUS USERS OF THE RIGHTS-OF-WAY; ENACTING THE FOLLOWING NEW SECTIONS TO CHAPTER 37, ARTICLE IV: SECTION 37-200 - INTENT AND PURPOSE, SECTION 37-201 - NAME AND SCOPE, SECTION 37-202 - DEFINITIONS, SECTION 37-203 - ADMINISTRATION, SECTION 37-204 - AUTHORITY TO OCCUPY THE RIGHTS-OF-WAY, SECTION 37-205 - OCCUPANCY PERMITS, SECTION 37-206 - OCCUPANCY FEES OR INSPECTION FEE AND SERVICE CHARGE, SECTION 37-207 - RIGHTS-OF-WAY CONSTRUCTION PERMITS, SECTION 37-208 - APPEALS, SECTION 37-209 - ENGINEERING, CONSTRUCTION AND LOCATION STANDARDS, SECTION 37-210 -

INSURANCE, SECTION 37-211 - INDEMNIFICATION, SECTION 37-212 - NO LIMITS ON LIABILITY, SECTION 37-213 - RECORD MAINTENANCE, SECTION 37-214 - RELOCATION OF EQUIPMENT AND FACILITIES, SECTION 37-215 - PRE-EXCAVATION LOCATION OF EQUIPMENT, SECTION 37-216 - DAMAGE TO OTHER FACILITIES, SECTION 37-217 - ABANDONED AND UNUSABLE FACILITIES, SECTION 37-218 - RIGHTS-OF-WAY VACATION, SECTION 37-219 - RESERVATION OF REGULATORY AND POLICE POWERS, SECTION 37-220 - SEVERABILITY, SECTION 37-221 - REVOCATION, SECTION 37-222 - TRANSFERS, SECTION 37-223 - EXEMPTIONS, SECTION 37-224 - ENFORCEMENT, SECTION 37-225 - PENALTIES, SCHEDULE A - SCHEDULE OF DEGRADATION VALUES; AND PROVIDING FOR SEVERABILITY OF THIS ORDINANCE

**ADVANCED 5-0**

- b. ORDINANCE NO. 3412: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, CHAPTER 33, PARKS AND RECREATION, BY REPEALING IN ITS ENTIRETY ARTICLE V.- TRAIL BIKE RIDING, INCLUDING DIVISION 1, GENERALLY, SECTIONS 33-159 THROUGH 33-171 AND DIVISION 2, PERMIT, SECTION 33-196 THROUGH 33-202

**ADVANCED 5-0**

Second Reading

- a. ORDINANCE NO. 3399: AN ORDINANCE RELATED TO STORMWATER MANAGEMENT IN THE CITY OF STILLWATER; AMENDING STILLWATER CITY CODE, CHAPTER 35, CURRENTLY TITLED "STORMWATER MANAGEMENT AND EARTH CHANGES"; AMENDING CHAPTER 35 BY RE-TITLING IT AS "STORMWATER QUALITY AND MANAGEMENT"; AMENDING ARTICLE I, TITLED "IN GENERAL", SECTION 35-1, BY AMENDING CERTAIN DEFINITIONS AND ADDING NEW DEFINITIONS; AMENDING ARTICLE II, TITLED "DRAINAGE AND SEDIMENTATION", TO PROVIDE FOR THE MORE EFFECTIVE PROHIBITION OF ILLICIT DISCHARGES INTO THE CITY'S MUNICIPAL SEPARATE STORMWATER SEWER SYSTEM (MS4); AMENDING ARTICLE II, AND ARTICLE III, TITLED "EARTH CHANGES", TO REASSIGN RESPONSIBILITIES FROM THE CITY ENGINEER TO THE DEVELOPMENT SERVICES DIRECTOR OR THE DIRECTOR'S DESIGNEE AND TO THE STORMWATER PROGRAM MANAGER; AND PROVIDING FOR SEVERABILITY **ADOPTED 5-0**
- b. ORDINANCE NO. 3409: AN ORDINANCE RELATED TO LAND DEVELOPMENT IN THE CITY OF STILLWATER; AMENDING STILLWATER CITY CODE CHAPTER 23, TITLED "LAND DEVELOPMENT CODE", ARTICLE V, TITLED "USE CATEGORIES AND LIMITATIONS"; PROVIDING FOR THE REGULATION OF TELECOMMUNICATIONS TOWER AND SMALL CELL TELECOMMUNICATIONS MOBILE, WIRELESS NETWORK USES; AMENDING SECTION 23-96, TITLED "DEFINITIONS"; REPEALING THE CURRENT SECTION 23-113, TITLED "TELECOMMUNICATIONS TOWERS"; ENACTING THE FOLLOWING NEW SECTIONS: SECTION 23-113 – INTENT AND PURPOSE OF WIRELESS TELECOMMUNICATION REGULATION, SECTION 23-113.1 - TELECOMMUNICATION TOWER USE CONDITIONS, SECTION 23-113.2 - SMALL CELL TELECOMMUNICATION FACILITY USE CONDITIONS, SECTION 23-113.3 - FEDERAL RESTRICTIONS ON APPLICATION REVIEW PERIODS AND SECTION 23-113.4 - APPLICATION REQUIREMENTS; AND PROVIDING FOR SEVERABILITY **NO ACTION**

9. REPORTS FROM OFFICERS & BOARDS

*Announcements and remarks about matters of general interest may be made by Councilors, the City Manager, or the City Attorney at this time. Items of City business that may require discussion or action (including a vote or series of votes) are listed below.*

- a. Miscellaneous items from the City Attorney
  - i) ~~Request for Executive Session pursuant to 25 O.S. §307(B)(2) to discuss labor negotiations with International Association of Firefighters Local #2095.~~  
**CITY ATTORNEY DORMAN WITHDREW THIS REQUEST**
  - ii) Request for an Executive Session pursuant to 25 O.S. 307 (B)(4) for the purpose of confidential communication with the City Attorney regarding pending litigation, *Burns v. City of Stillwater*, Case No. CJ-16-245, Payne County District Court. It is the opinion of the City Attorney that public disclosure of this matter will seriously impair the ability of the City Council to prosecute/defend this pending litigation or proceeding in the public interest.
- b. Miscellaneous items from the City Manager
- c. Miscellaneous items from the City Council
  - i) Discussion about scheduling items for upcoming meetings

#### 10. QUESTIONS & INQUIRIES

#### 11. APPOINTMENTS

- a. Audit Committee

**JOHN KILLAM REAPPOINTED TO THE AUDIT COMMITTEE 5-0**

#### 12. EXECUTIVE SESSION

- a. ~~Confidential communication to discuss labor negotiations with International Association of Firefighters Local #2095.~~
- b. Confidential communication with the City Attorney regarding pending litigation, *Burns v. City of Stillwater*, Case No. CJ-16-245, Payne County District Court

#### 13. RETURN FROM EXECUTIVE SESSION

- a. No action will be taken on this item.
- b. No action will be taken on this item.

**NO ACTION**

#### 14. ADJOURN

**APPROVED 5-0**

***NOTE: Meetings are televised on AT&T U-verse channel 99 and Suddenlink channel 14.***

***Agendas and most reports are accessible to the public on the internet at [stillwater.org](http://stillwater.org) on Wednesday afternoons prior to the Monday evening meeting.***

***The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the City Manager's office at least 48 hours prior to the meeting by calling 405.742.8209.***

***On \_\_\_\_\_, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S. Lewis Street.***