IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AMENDED AGENDA WAS POSTED SEPTEMBER 7, 2018 AT 4:55 P.M. AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
SEPTEMBER 10, 2018

PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR PAT DARLINGTON
COUNCILORS ALANE ZANNOTTI, JOHN WEDLAKE AND AMY DZIALOWSKI
ABSENT: NONE

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

3. COMMENDATION OF BRAVERY FOR WATER RESCUE ON AUGUST 16, 2018

   a. Zach Willis
   b. Zach Palmateer
   c. Thomas Corbell
   d. Jake DeWolf
   e. Jack Barry
   f. Nate Kelly

Mayor Joyce commended each of the above named individuals for their bravery during the rescue of a resident during a storm and flooding on August 16, 2018. Richard Buchanan was recognized by Mayor Joyce for bringing the incident to the attention of City Council.

4. CONSENT DOCKET

   a. Approve budget amendment accepting grant funds from OK Department of Libraries for Stillwater Public Library to purchase e-books
   b. Set October 15, 2018 as public hearing date for a request to close 20 feet of right-of-way on each side of West Street between Maple Avenue and 4th Avenue
   c. Approve addendum to lease agreement between City of Stillwater and Our Daily Bread (CC-18-103)
   d. Bid recommendation for Stillwater Regional Airport Runway 4-22 Project and authorization for the mayor to sign the grant agreement (CC-18-107)
   e. Accept 2018 Community Development Block Grant contract in the amount of $106,282 to construct an ADA inclusive playground at Strickland Park and authorize Mayor to sign grant documents (CC-18-106)

Vice Mayor Darlington requested that Item c. be removed from the Consent Docket.
MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE CONSENT DOCKET EXCLUDING ITEM C.

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

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

Keith Reed, 523 W 9th, Perkins, Oklahoma, representing the Bicyclist & Pedestrian Ad Hoc Committee, expressed concern regarding Item 4.b., the request to close 20 feet of right-of-way on each side of West Street between Maple Avenue and 4th Avenue, and asked what assurances they had that the elevated sidewalks and bike paths proposed in the TIF would remain intact. Regarding Ordinance No. 3418, Mr. Reed stated that the City has not made it a priority to improve the infrastructure to accommodate not only new user groups, but also walkers, runners and bicyclists.

Charles Snyder, expressed approval of the adoption of Ordinance 3414. Mr. Snyder said that in the International Residential Code, Chapter 11, which deals with the energy code standards, there is language inserted into it from a compliance guide and not written in code language. Mr. Snyder suggested that part of the code be removed.

6. ITEMS REMOVED FROM THE CONSENT DOCKET

c. Approve addendum to lease agreement between City of Stillwater and Our Daily Bread (CC-18-103)

Vice Mayor Darlington said that Our Daily Bread is planning to create a garden at its location and shared some of the accomplishments made since its creation a year ago.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE CITY OF STILLWATER AND OUR DAILY BREAD.

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

7. PUBLIC HEARINGS

a. Receive public comment regarding a request for the closing of unnamed right-of-way at Teal Ridge Estates, Third Section, 2199 and 1799 W 19th Avenue and 1940 W 26th Avenue (CC-18-105)

Development Review Manager Lanc Gross reported that the request to close is for the third addition of Teal Ridge Estates. The unnamed right-of-way has no utilities. A preliminary plat of Teal Ridge has a different street right-of-way, which is why the closing has been submitted.

Mayor Joyce opened and closed the public hearing as no one was present for or against.

Staff recommended approval of the request to close the unnamed right-of-way between 19th and 26th Avenues on properties addressed as 2199 and 1799 West 19th Avenue and 1940 W 26th Avenue.
MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ACCEPT STAFF’S RECOMMENDATION TO CLOSE THE UNNAMED RIGHT-OF-WAY BETWEEN 19TH AND 26TH AVENUES ON PROPERTIES ADDRESSED AS 2199 AND 1799 WEST 19TH AVENUE AND 1940 WEST 26TH AVENUE.

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

8. GENERAL ORDERS

a. Establish certain fees in Development Services (CC-18-104)

Development Services Director Paula Dennison reported that in 2016 the Finance Department prepared a Cost of Services Study for the Development Services Department and found that there was a very large gap between revenues and expenditures of the department. City Council requested that staff have further meetings with the Builders Relations Committee for additional discussions regarding the impact of the proposed fees. The proposed fee schedule has the support of the Builders Relations Committee, who recommended that the fees currently on the books not be increased and fees be applied where there are none. Staff recommended approval of the application of fees in Development Services where there are none and direct staff to prepare a resolution for the next meeting.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT STAFF’S RECOMMENDATION AND APPROVE THE APPLICATION OF FEES IN DEVELOPMENT SERVICES WHERE THERE ARE NONE AND DIRECT STAFF TO PREPARE A RESOLUTION.

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

b. Appointment process for the (Re)Investment Plan (A Stillwater Downtown/Campus Link Project Plan Implementation Policy Committee

City Attorney Dorman stated that the project plan calls for four citizens at large to be appointed by City Council and three seats for the taxing jurisdictions, Payne County, Meridian Technology Center and Stillwater Public Schools. Term length will be established at the time of appointment. Individuals may apply to be on the committee and City Councilors may forward names to Mayor Joyce. The application for boards and committees may be found on the City of Stillwater website. Mayor Joyce will name a slate to be voted on by City Council at the September 17, 2018 City Council meeting.

9. ORDINANCES

First Reading

a. ORDINANCE NO. 3417: AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF STILLWATER, OKLAHOMA, CHAPTER 12, TITLED "BUSINESSES" BY AMENDING ARTICLE IV, "ITINERANT MERCHANTS AND PEDDLERS," SECTION 12-117, "DEFINITIONS," BY REVISING THE DEFINITION OF "ITINERANT MERCHANT"; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3417.

ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-YEA, ZANNOTTI-YEA, WEDLAKE-YEA, DZIALOWSKI-YEA. NAY-NONE. MOTION CARRIED WITH FIVE YEA VOTES.
b. ORDINANCE NO. 3418: AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF STILLWATER, OKLAHOMA, CHAPTER 29, TITLED "MOTOR VEHICLES AND TRAFFIC" BY AMENDING ARTICLE I, "IN GENERAL," SECTION 29-1, "DEFINITIONS," BY REVISIGN THE DEFINITION OF "BICYCLE, ELECTRIC-ASSISTED BICYCLE AND MOTORIZED BICYCLE," ADDING NEW DEFINITIONS FOR THE TERMS "MOPED," "MOTOR SCOOTER OR MOTORIZED SCOOTER," AND "MOTOR-DRIVEN CYCLE"; AMENDING ARTICLE VII "BICYCLES AND MOTORIZED SCOOTERS, BY RENAMING IT "BICYCLES AND NON-LICENSED ELECTRIC AND MOTORIZED PERSONAL CONVEYANCES"; AMENDING SECTION 29-201, GENERALLY AND SECTION 29-211 RIDING ON SIDEWALKS; AMENDING ARTICLE VIII "MOTORCYCLES AND MOTOR SCOOTERS" BY RENAMING IT "MOTORCYCLES, MOTOR-DRIVEN CYCLES, AND MOPEDS"; AMENDING SECTION 29-222, REQUIRED EQUIPMENT; AMENDING SECTION 29-223, CLINGING TO VEHICLES, DELETING SECTION 29-224, HANDLEBARS; AMENDING SECTION 29-225 PASSING BETWEEN LANES; AMENDING SECTION 29-226 RIDING ON SIDEWALKS; AMENDING SECTION 29-227, HEADGEAR; DELETING SECTION 29-228 RESTRICTION ON TIME OF OPERATION; AND AMENDING SECTION 29-229 SPECIAL SPEED LIMITATION; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3418.

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

Second Reading


MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3414 AS AMENDED.

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

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR WEDLAKE TO ADOPT ORDINANCE NO. 3415.

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

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney
   i) Request for 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 A Tech Paving. 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.

b. Miscellaneous items from the City Manager: Mr. McNickle gave an update on the Water Resources Water Line Dead-End Looping Project and welcomed new employees: Meter Readers Colin Randall and Joseph Courtright; File Technician Lindsey Gibbs; Firefighters I Caleb White, Emily Howser, Holden Hunsinger, Jimmy Sparks, Mason Wells and Rhett Strain; Library Director Melody Kellogg; Entry Maintenance Workers Carlos Burhans, Cody Booth, Seth Winter and Quinn Shire; Waste Management Attendants Anthony Payne and Jonathan Faurbo; and Wastewater Treatment Operator Jeffrey Darby.

c. Miscellaneous items from the City Council: Councilor Zannotti shared that Up with People is coming to Stillwater on September 24 through October 1 and tickets are on sale for their performances on September 29. Vice Mayor Darlington said that crews are repairing the walking paths that were damaged at Boomer Lake on North Husband Street and encouraged citizens to attend the public hearing on October 15 regarding the proposed right-of-way closure. Councilor Dzialowski announced that the City collected $2,415,524 in sales tax from June 2018 transactions apportioned in August 2018, an increase of 8.35% over August 2017.
   i) Discussion about scheduling items for upcoming meetings

11. QUESTIONS & INQUIRIES

None.

12. APPOINTMENTS

a. Western Payne County Ambulance Authority

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO REAPPOINT ELAINE ACKERSON AS CHAIR TO THE WESTERN PAYNE COUNTY AMBULANCE AUTHORITY FOR A TERM EXPIRING JULY 2021.

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

Stillwater City Council recessed to Stillwater Utilities Authority at 6:12 p.m. and reconvened at 7:11 p.m.
13. EXECUTIVE SESSION

   a. Confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving A Tech Paving.

   MOTION BY VICE CHAIR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ENTER INTO EXECUTIVE SESSION.

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

   The Stillwater City Council entered into Executive Session at 7:12 p.m. and returned to open session at 7:46 p.m.

   MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO RECONVENE THE SEPTEMBER 10, 2018 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

14. RETURN FROM EXECUTIVE SESSION

   a. No action will be taken on this item.

   No action was taken on Item a. following Executive Session.

15. ADJOURN

   MOTION BY COUNCILOR ZANNOTTI SECOND BY COUNCILOR WEDLAKE TO ADJOURN THE SEPTEMBER 10, 2018 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

   The September 10, 2018 regular meeting of the Stillwater City Council adjourned at 7:47 p.m.

   WILLIAM H. JOYCE, MAYOR
   STILLWATER CITY COUNCIL

   ELIZABETH CHRZ
   CITY CLERK