IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AMENDED AGENDA WAS POSTED DECEMBER 14, 2017 AT 4:09 P.M. AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
DECEMBER 18, 2017

PRESENT: MAYOR GINA J. NOBLE
COUNCILORS ALANE ZANNOTTI, WILLIAM JOYCE AND JOHN WEDLAKE
ABSENT: VICE MAYOR PAT DARLINGTON

1. CALL MEETING TO ORDER

Mayor Noble 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. CONSENT DOCKET

a. Accept public infrastructure improvements for Tradan Heights Estates, Section 2 (CC-17-171)
b. Accept electric easement for Aspen Dental located at 2307 N. Perkins Road (CC-17-170)
c. Accept public infrastructure improvements serving One on Fourth (formerly Avid Square) and Brookside apartment complexes (CC-17-169)
d. Memo to set February 5, 2018 as the public hearing date for closing of a general utility easement on property addressed as 615 N. Monroe Street; a general utility easement on property addressed as 920 W. Scott Avenue, and 510 N. Washington Street; the entire right-of-way of Scott Avenue from Monroe Street to Washington Street; and the entire right-of-way of an alley on property addressed as 705 W. University Avenue
e. Approve the Environmental Review and Assessment and the Request for Release of Funds for the #17036 CDBG 17 grant for Strickland Park skate park and playground equipment and authorize the Mayor to sign the associated documents (CC-17-172)
f. Approve Amendment No. 6 and the required budget amendment to contract with LBR for engineering services for plans/specifications, bid documents, and construction safety plans to remark runway 17-35 and associated taxiways at Stillwater Regional Airport (CC-17-167)
g. Endorsement of the Pew Charitable Trust Statement of Principles supporting prioritizing infrastructure decisions that will:
   i) Improve resiliency requirements for buildings and infrastructure systems built before and after flood-related catastrophes;
   ii) Enhance the use of natural defenses in planning and preparedness; and
   iii) Reduce unsustainable development in high-risk areas.
h. Approval of minutes: Regular Meeting December 4, 2017
   Executive Session December 4, 2017

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO APPROVE THE CONSENT DOCKET AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, ZANNOTTI-YEA, JOYCE-YEA, WEDLAKE-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.
4. PUBLIC COMMENT ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

Michael Oliver, 1123 S. Gray Street, spoke regarding Ordinance 3394 and 12th Avenue development. Mr. Oliver requested that City Council amend the mixed use boundaries to reflect the original area recommended by the neighborhood group and expressed that there is not a desire for commercial development in the neighborhood.

City Attorney John Dorman explained the ordinance process and stated that at this meeting, only the title was being read. The remainder of the document has not been finalized and the maps only reflect what has been covered in prior hearings. If the ordinance is advanced at this meeting, it would be by title only.

Shirley Weeks, 71 University Circle, questioned why Ordinance 3394 was on the agenda at this meeting and expressed her support of the original overlay proposed by the neighborhood group.

Alan Brunken, 2820 W. 15th, stated his desire to have the previous action by City Council modified regarding the 12th Avenue overlay because he believes that City Council did not have complete and accurate information.

5. ITEMS REMOVED FROM THE CONSENT DOCKET

None.

6. PUBLIC HEARINGS

a. Receive public comment regarding a request for a Map Amendment to rezone property located at 423 W. 8th Avenue from the RT Residential One and Two-family district to the RMI Residential Multi-family – Intermediate district (CC-17-168)

Development Services Director Paula Dennison reported that the request for a Map Amendment is for property addressed as 423 W. 8th Avenue currently zoned RT, Residential Two-family district. Zoning in that area includes RT, RT PUD, O, O PUD and RSS. The house was built in the 1930s as a large single-family house on an approximately 5,000 square foot lot. The Center for Domestic Violence shelter acquired the site and did some work on the house as a single-family structure still maintaining one dwelling to have the ability to have eight bedrooms and four bathrooms. The Center for Domestic Violence sold the building around 2012 and the person that acquired the property created three separate dwelling units within the single-family structure. There were no building permits acquired and the zoning did not change, creating an illegal conversion of the property. There are three storage buildings on the property and one driveway for parking. The new owner is making a request to go from RT, Residential Two-family district to RMI, Residential Multi-family – Intermediate district to continue the three separate dwelling unit use.

During discussion with City Council, Ms. Dennison stated that no inspections have been done on the house since all the improvements were made; parking is available in the driveway, street and surrounding properties; the C3 Plan shows a higher density than what is permitted now; if the rezoning were to be approved, the use would continue as it is currently; and if the rezoning is not approved, it would become an enforcement issue with the current owner.

Mayor Noble opened the public hearing.

Jon Vaught, 5016 W. Woodland Drive, property owner, explained that when they purchased the property, they had not planned to rezone it, as it was advertised as a three-apartment unit. When they received notice from the City of Stillwater that they were out of compliance, they evicted the upstairs tenant. They currently have two tenants. Mr. Vaught described some of the safety features in the building and some of the changes that were made over time.

Mayor Noble closed the public hearing.
The Planning Commission recommended approval of the Map Amendment by a vote of 3-1.

Councilor Wedlake expressed concern that the building had not been inspected since modifications were made to the structure after the Center for Domestic Violence sold the property and the lack of sufficient parking for tenants. Councilor Joyce stated that the zoning of the property needs to fit the surrounding uses, decisions should be based on what the land is best suited for, and expressed concern about the size of the lot. Councilor Zannotti said the size of the lot needs to fit the zoning of the property.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO DENY THE REQUEST FOR A MAP AMENDMENT TO REZONE PROPERTY ADDRESSED AS 423 W. 8TH AVENUE FROM RT, RESIDENTIAL ONE AND TWO-FAMILY DISTRICT TO THE RMI, RESIDENTIAL MULTI-FAMILY-INTERMEDIATE DISTRICT.

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

b. *Receive public comment regarding a request for closing of all easements between 6th and 4th Avenues and Willis and McFarland Streets and the entirety of the right-of-way of McFarland Street between 4th and 6th Avenues and the entirety of the right-of-way of 5th Avenue between Willis and McFarland Streets (See staff memo to postpone to Jan. 8, 2017)


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

7. GENERAL ORDERS

a. Presentation on the Oklahoma Aviation and Aerospace Economic Impact Study and Stillwater Regional Airport by Grayson Ardies, Manager Airport Development Division, Oklahoma Aeronautics Commission (CC-17-166)

Airport Development Division Manager for the Oklahoma Aeronautics Commission Grayson Ardies presented the Oklahoma Aviation & Aerospace Economic Impact Study. Mr. Grayson explained that the objectives of the study were to estimate economic impacts supported by 109 study airports, estimate impacts from military aviation in Oklahoma and estimate impacts tied to "off-airport" aviation/aerospace companies in Oklahoma. It was emphasized that the report represents a "snapshot" in time. Total annual economic impact for all airport sectors was $43.8 billion, derived from $11.7 billion in annual payroll and $32.1 billion in annual spending. There was a $10.6 billion annual economic impact from public airports. Stillwater Regional Airport's annual economic impact was 663.4 total jobs, $26.2 million annual payroll and $44.1 million annual spending. Airport related tax revenue contributions from direct economic impacts totaled almost $500 million. Mr. Grayson said that the study could be used as an economic tool to attract businesses to Stillwater.

b. Presentation and acceptance by the City Council of the 2017 Comprehensive Annual Financial Report and FY17 Single Audit report (CC-17-173)

Chief Financial Officer Melissa Reames presented the 2017 Comprehensive Annual Financial Report (CAFR) and FY17 Single Audit report to City Council. Ms. Reames stated the the report is geared toward the investment community and bonding companies and that research is being done on a report directed toward the lay person. The Audit Committee recommended that the City Council accept the FY17 single audit report.
MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ACCEPT THE 2017 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND FY17 SINGLE AUDIT REPORT.

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

c. Approve budget amendment and authorize expenditure of funds for development engineering review services up to $230,000 (CC-17-174)

Development Services Director Paula Dennison stated that the request is a short-term solution to continue development engineering review services. A long-term solution will be presented to City Council at a later date. City Council authorized Development Services to contract with a company this fiscal year for a certain amount. As of the end of October 2017, those funds are being depleted rapidly. In addition to the recommendation in the report, staff also requests that City Council approve the associated budget amendment that was included with the report.

In response to Councilor Joyce's inquiry, Ms. Dennison explained that more funds are being expended due to a number of large complex projects being built at this time. The firm being used now is different than the one previously used and there is a learning curve. Ms. Dennison stated that staff had presented a cost of services study to City Council, which was set aside; this study will be resurrected at a later date. There are no fees currently associated with the reviews provided by the outside party. Ms. Dennison shared that staff is looking at many long-term solutions other than contracting with a single outside firm for these services. Chief Financial Officer Melissa Reames shared that there has been a robust use tax collection and proposes to use this revenue to offset the request for additional funds for development engineering review services.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO APPROVE STAFF'S RECOMMENDATION OF A MAXIMUM EXPENDITURE LIMIT FOR DEVELOPMENT ENGINEERING REVIEW FOR FY18 OF $230,000.00 AND THE ASSOCIATED BUDGET AMENDMENT.

8. RESOLUTIONS

a. Resolution No. CC-2017-21: Resolution authorizing the Mayor of the City of Stillwater, Oklahoma, a municipal corporation, to sign and issue an election proclamation calling for a general election and a runoff election, if needed, in the City of Stillwater

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ADOPT RESOLUTION NO. CC-2017-21 AS PRESENTED.

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

9. ORDINANCES

First Reading

a. *Ordinance 3393: An ordinance amending the Stillwater City Code by amending Chapter 23, Land Development Code, Article Xiii, Overlay Districts, to create Division 4, 12th Avenue Neighborhood Conservation Overlay District, Section 23-276.1, Created; Section 23-276.2, Legal Description; Section 23-276.3, Purpose and Intent; Section 23-276.4, Administration; Section 23-276.5, Permitted Uses; Section 23-276.6, Design Standards; Section 23-276.6.1, Building Front Façade; Section 23-276.6.2, Building Materials; Section 23-276.6.3, Building Design; Section 23-276.7, Accessory Buildings; Section 23-276.8, Driveways; Section 23-276.9, Lighting; Section 23-276.10, Landscaping; Section 23-276.11, Parking; Section 23-276.12, Bulk Standards; and Section 23-276.13, Lot Subdivision Requirements (First Read by Title Only)
City Attorney Dorman explained that this ordinance only creates the 12th Avenue Neighborhood Conservation Overlay District category and does not designate which properties are subject to the neighborhood overlay. The properties subject to the neighborhood overlay will not be added until public hearings are held.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3393 BY TITLE ONLY.

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

b. *Ordinance 3394: An ordinance amending the Stillwater City Code by amending Chapter 23, Land Development Code, Article Xiii, Overlay Districts, to Create Division 5, 12th Avenue Neighborhood Mixed-Use Overlay District, Section 23-277.1, Created; Section 23-277.2, Legal Description; Section 23-277.3, Purpose and Intent; Section 23-277.4, Administration; Section 23-277.5, Permitted Uses; Section 23-277.6, Permitted Uses, Restrictions; Section 23-277.7, Design Standards; Section 23-277.7.1, Building Front Façade; Section 23-277.7.2, Building Design; Section 23-277.8, Accessory Buildings; Section 23-277.9, Driveways; Section 23-277.10, Lighting; Section 23-277.11, Landscaping; Section 23-277.12, Parking; Section 23-277.13, Signage; Section 23-277-14, Bulk Standards; And Section 23-277.15, Lot Subdivision Requirements (First Read by Title Only)

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO ADVANCE ORDINANCE NO. 3394 BY TITLE ONLY.

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

Second Reading

a. Ordinance 3390: An ordinance closing a utility easement on property addressed as 1710 East 6th Avenue

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO ADOPT ORDINANCE NO. 3390 AS PRESENTED.

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

b. Ordinance 3391: An ordinance closing a portion of a utility easement on property addressed as 1824 West University Avenue

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADOPT ORDINANCE NO. 3391 AS PRESENTED.

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

c. Ordinance No. 3392: An ordinance rezoning tracts of land addressed as 602 South West Street from CG-PUD, Commerical General District Planned Unit Development, to CG Commercial General District

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADOPT ORDINANCE NO. 3392 AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, ZANNOTTI-YEA, JOYCE-YEA, WEDLAKE-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.
10. APPOINTMENTS

a. Stillwater Medical Center Authority Board

MOTION BY MAYOR NOBLE, SECOND BY COUNCILOR WEDLAKE TO REAPPOINT JOE HANEY, CARY COUCH AND BETH BUCHANAN TO THE STILLWATER MEDICAL CENTER AUTHORITY FOR TERMS TO EXPIRE JANUARY 2021; AND APPOINT MALINDA WEBB TO THE MEDICAL STAFF LIAISON POSITION TO THE STILLWATER MEDICAL CENTER AUTHORITY.

ROLL CALL VOTE: NOBLE-YEA, ZANNOTTI-YEA, JOYCE-YEA, WEDLAKE-YEA. NAY-NONE. MOTION CARRIED WITH FOUR 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)(3) for the purpose of confidential communication regarding the purchase or appraisal of real property.
   ii) Request for an Executive Session pursuant to 25 O.S. §307 (C) (10) for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within the City of Stillwater because public disclosure of the matter to be discussed would interfere with the development of products and services and would violate the confidentiality of the business.

b. Miscellaneous items from the City Manager: Mr. McNickle announced holiday closings for the City of Stillwater and the arrival of the new K9 police officer, Egon.

c. Miscellaneous items from the City Council: Councilor Zannotti encouraged residents to recycle. Councilor Joyce reminded citizens that fireworks are not permitted in City limits and to check to see if there is a burn ban prior to starting an outside fire on their property. Councilor Wedlake asked individuals who live or own property outside City limits to consider applying for the 2018 Rural Fire Service Contract.
   i) Discussion about scheduling items for upcoming meetings

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

a. Confidential communication regarding the purchase or appraisal of real property.

b. Confidential communication pertaining to economic development.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO ENTER INTO EXECUTIVE SESSION.

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

The Stillwater City Council entered into Executive Session at 7:01 p.m. and returned to open session at 7:12 p.m.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO RECONVENE THE DECEMBER 18, 2017 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

ROLL CALL VOTE: NOBLE-YEA, ZANNOTTI-YEA, JOYCE-YEA, WEDLAKE-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.
14. RETURN FROM EXECUTIVE SESSION
   
a. No action will be taken on this item.
b. No action will be taken on this item.

No action was taken on Items a. and b. following Executive Session.

15. ADJOURN

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR JOYCE TO ADJOURN THE
DECEMBER 18, 2017 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The December 18, 2017 meeting of the Stillwater City Council adjourned at 7:13 p.m.

GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL

ELIZABETH CHRZ
CITY CLERK