

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE **AMENDED AGENDA
WAS POSTED NOVEMBER 4, 2016 AT 1:20 P.M. AT THE MUNICIPAL BUILDING,
723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
NOVEMBER 7, 2016

PRESENT: MAYOR GINA J. NOBLE, VICE MAYOR PAT DARLINGTON,
COUNCILORS MIGUEL NAJERA AND WILLIAM JOYCE
ABSENT: COUNCILOR ALANE ZANNOTTI

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Anna Dorman, daughter of City Attorney John Dorman, led the audience in the Pledge of Allegiance.

3. *PROCLAMATIONS & PRESENTATIONS

- a. Fire Department honoring of Ava Wells as Honorary Fire Marshal

Deputy Fire Marshal Steve Sylvester showed a video describing how Honorary Junior Fire Marshal Ava Wells had used the knowledge she obtained during Fire Prevention Week to instruct her family on what to do when she smelled smoke in her home. Deputy Fire Marshal Sylvester and Fire Department mascot, Sparky, presented Ms. Wells with an Honorary Junior Fire Marshal certificate and t-shirt.

4. CONSENT DOCKET

- a. Approval of minutes:

Regular Meeting	October 17, 2016
Executive Session	October 17, 2016
- b. Final plat for North Tower Park Section 5, Block 1, Lot 36 and Block 2, Lot 14 (CC-16-136)
- c. **Acceptance of water line, sewer line and street paving public improvements for Tradan Heights Third Section located at Landry Lane and Prescott Drive (CC-16-133)
- d. Authorize pavement reconstruction final change order – Airport Industrial Access Road (CC-16-134)
- e. Memo to set hearing date of December 19, 2016 for closing of a portion of utility easement at 1711 W. Liberty
- f. Accept waterline improvement and easement for The Canyons, 4th Section located at southwest corner of Burris & Perkins Roads (CC-16-138)
- g. Approve Amendment No. 2 of professional services agreement with LBR, Inc. for final design, plans, & bid package for the reconstruction and realignment of the connecting taxiway & diagonal section of the parallel taxiway system to runway 17-35 at Stillwater Regional Airport (CC-16-131)
- h. Authorize an additional appropriation of \$10,000 to the Leigh and Hall Phase II storm water drainage project from the storm water account, 16467 CDBG 15/ 16DS01210 (CC-16-132)
- i. Acknowledge receipt of Rural Water Advisory Board semi-annual report
- j. Acknowledge receipt of the following permits from the Oklahoma Department of Environmental Quality:
 - i) Permit No. WL000060160221 for construction of waterline to serve City of Stillwater & Rural Water District #3, Payne County, Oklahoma
 - ii) Permit No. WL000060160467 for construction of the Central Zone one million gallon elevated composite storage tower and 44th Avenue Zone one million gallon elevated composite storage tower to serve the City of Stillwater, Payne County, Oklahoma

- iii) Permit No. WL000060160233 for the construction of 747 linear feet of four inch PVC potable waterline to the City of Stillwater, Payne County, Oklahoma
- iv) Permit No. WL000060150753 for construction of West 51 Highway 7.8 MGD booster pump station and waterlines to serve the City of Stillwater, Payne County, Oklahoma
- v) Permit No. WL000060160510 for construction of the Chester, Fern, & Tucker Addition waterline to serve the City of Stillwater, Payne County, Oklahoma
- vi) Permit No. WL000060160373 for construction of 75 linear feet of waterline on Harned Street to serve Boomer Lake Park splash pad
- vii) Permit No. WL000060160638 for installation of an air powered submersible tank mixer at the Tan-Tar-A standpipe
- viii) Permit No. WL000060160122 for construction of 5,300 linear feet of potable waterline to serve the City of Stillwater, Payne County, Oklahoma

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR JOYCE TO APPROVE THE CONSENT DOCKET AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, JOYCE-YEA. NAY-NONE. MOTION CARRIED WITH FOUR 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 THE CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- a. Receive public comment regarding request for a Specific Use Permit for property located at 105 S. Main for an electronic message sign in the CG district (CC-16-137)

Development Review Manager Mike Beaty reported that the applicant is requesting a Specific Use Permit for an electronic message center sign on property located at 105 S. Main. The property is located in the CG (Commercial General) zoning district. The properties to the east of the subject property, across the alley, are zoned RSS (Small Lot Single Family). A Specific Use Permit is required to allow an electronic message center sign on a property adjacent to residentially zoned property. The proposed electronic message center sign meets all code requirements.

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

The Planning Commission recommended approval of the Specific Use Permit as presented with a 6-0 vote.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR NAJERA TO APPROVE THE SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 105 S. MAIN AS PRESENTED.

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

- b. Receive public comment regarding request for a Map Amendment to rezone property located at 1220 W. 12th Avenue from RSS to O & RTM CG (See staff memo to postpone to November 21, 2016)
- c. Receive public comment regarding request for a Map Amendment to rezone property located at 2215 E. 6th Avenue from IL to CG (See staff memo to postpone to November 21, 2016)

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR JOYCE TO POSTPONE ITEM B., RECEIVE PUBLIC COMMENT REGARDING REQUEST FOR A MAP AMENDMENT TO REZONE PROPERTY LOCATED AT 1220 W. 12TH AVENUE FROM RSS TO O & RTM CG, AND ITEM C., RECEIVE PUBLIC

COMMENT REGARDING REQUEST FOR A MAP AMENDMENT TO REZONE PROPERTY LOCATED AT 2215 E. 6TH AVENUE FROM IL TO CG, TO NOVEMBER 21, 2016.

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

- d. Receive public comment regarding a request for a closing of a portion of the alley adjacent to properties addressed as 801-809 W. 4th Avenue, 406-416 S. Ramsey Street, and 411 S. Washington Street (CC-16-135)

Development Review Manager Mike Beaty stated that applicant has requested closing of the platted alley right-of-way adjacent to properties owned by the applicant. Staff expanded the closing request to include a small portion to the west.

Mayor Noble opened the public hearing.

Kelly Harris, Keystone Engineering, 923 S. Lowry, representing the owner, made herself available for questions from City Council.

Mayor Noble closed the public hearing.

Staff recommended closing the entire remaining right-of-way of the platted alley right-of-way between Washington and Ramsey Streets, south of 4th Avenue.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR JOYCE TO APPROVE THE CLOSING OF THE FULL WIDTH OF THE REMAINING PORTION OF THE PLATTED ALLEY RIGHT-OF-WAY BETWEEN WASHINGTON AND RAMSEY STREETS, SOUTH OF 4TH AVENUE AND ADJACENT TO PROPERTIES ADDRESSED AS 411 S. WASHINGTON, 801-809 W. 4TH AVENUE AND 406-416 S. RAMSEY STREET.

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

8. GENERAL ORDERS

- a. Friends of Lake McMurry annual report

Lake McMurry Executive Director Dan Lowrance presented the annual report which included data from 2012 to 2016 by fiscal year. Included in this information were the number of annual passes sold; daily passes sold; income and expenses; capital investment projects; and events and activities. Mr. Lowrance reported that the most recent capital improvement at Lake McMurry is an ADA accessible campsite and pavilion parking pad, making total capital investments to date \$275,634. New Park Manager Dustin Lamoreaux was introduced.

Vice Mayor Darlington suggested that kayaking classes be held at Lake McMurry.

- b. Stillwater Area Sports Association annual report

Stillwater Area Sports Association Executive Director Carolyn Walstad reviewed capital improvements made at Strickland Park, fiscal years 2014 through 2016 capital investments, income and expenses, league participation numbers, youth baseball tournament totals and new activities that have been added to the league. Ms. Walstad stated that 78 program scholarships have been given over the past fiscal year. Discussion was held regarding how the programs are operated.

- c. Presentation of the new City of Stillwater utility bill (CC-16-139)

Chief Financial Officer Melissa Reames presented a video, that is available for viewing on the City's new website, to familiarize customers with the new City of Stillwater utility bill format. Customer Service will be transitioning to a new payment system on November 16, 2016. In early 2017, a new mobile application will be made available to customers, as well as other electronic methods for customers to pay their utility bills.

9. RESOLUTIONS

- a. **RESOLUTION NO. CC-2016-30: A 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 NAJERA, SECOND BY COUNCILOR JOYCE TO APPROVE RESOLUTION NO. CC-2016-30 AS PRESENTED.

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

10. ORDINANCES

First Reading

- a. **ORDINANCE NO. 3352: AN ORDINANCE AMENDING THE STILLWATER CITY CODE BY AMENDING CHAPTER 29, MOTOR VEHICLES AND TRAFFIC, ARTICLE 1, IN GENERAL, BY REPEALING IN ITS ENTIRETY SECTION 29-18, PERSONS UNDER THE INFLUENCE OF ALCOHOL OR OTHER INTOXICATING SUBSTANCE OR COMBINATION THEREOF; SECTION 29-19, ALCOHOL CHEMICAL ANALYSIS; IMPAIRED ABILITY; PENALTY; AND SECTION 29-20, DRIVING UNDER THE INFLUENCE WHILE UNDERAGE; AND DECLARING AN EMERGENCY**

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR JOYCE TO ADVANCE ORDINANCE NO. 3352 AS PRESENTED.

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

- b. **ORDINANCE NO. 3354: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 18, ENVIRONMENT, ARTICLE II, LITTER, TO AMEND SECTION 18-18, DEFINITIONS, AND TO REPEAL IN ITS ENTIRETY SECTIONS 18-27 THROUGH 18-31, REGARDING HANDBILLS; AND DECLARING AN EMERGENCY**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR NAJERA TO ADVANCE ORDINANCE NO. 3354 AS PRESENTED.

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

Second Reading

- a. **ORDINANCE NO. 3353: AN ORDINANCE CLOSING A PORTION OF THE PLATTED ALLEYWAY BETWEEN STANLEY STREET AND BLAKELY STREET AND BETWEEN 4TH AVENUE AND 6TH AVENUE ADJACENT TO PROPERTIES ADDRESSED AS 409-519 SOUTH STANLEY STREET; 1316 WEST 6TH AVENUE; 410- 524 SOUTH BLAKELY STREET; AND 1303-1305 WEST 4TH AVENUE**

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR NAJERA TO ADOPT ORDINANCE NO. 3353 AS PRESENTED.

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

11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney

- i) Request for Executive Session pursuant to 25 O.S. Section 307 (B)(1) of the Oklahoma Open Meeting Act for the purpose of confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager Norman McNickle.
- 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 reminded citizens that the State of Oklahoma began enforcing a law this month requiring motorists to slow down or safely change lanes around garbage trucks.
- c. Miscellaneous items from the City Council: Vice Mayor Darlington invited everyone to Downtown Stillwater's Holiday Open House on Sunday, November 20 and Monday, November 21. Mayor Noble announced that the Annual Breakfast with Santa is Saturday, December 3. Councilor Najera shared that a ribbon cutting was held on Tuesday, November 1 to celebrate the opening of the new Western Road alignment with Hall of Fame Avenue and that road work will begin on November 14 on the 6th Street and Perkins Road project. Councilor Joyce announced that the City of Stillwater recently unveiled its redesigned website and reminded everyone to vote on Tuesday, November 8.
 - i) Discussion about scheduling items for upcoming meetings

12. QUESTIONS & INQUIRIES

None.

Stillwater City Council recessed at 6:25 p.m. and reconvened at 6:30 p.m.

13. EXECUTIVE SESSION

- a. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager Norman McNickle.
- b. Confidential communication 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.

MOTION BY COUNCILOR JOYCE, SECOND BY VICE MAYOR DARLINGTON TO ENTER INTO EXECUTIVE SESSION.

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

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR NAJERA TO RECONVENE THE NOVEMBER 7, 2016 MEETING OF THE STILLWATER CITY COUNCIL.

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

The Stillwater City Council entered into Executive Session at 6:30 p.m. and returned to open session at 8:07 p.m.

14. RETURN FROM EXECUTIVE SESSION

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

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

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

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

15. ADJOURN

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR NAJERA TO ADJOURN THE NOVEMBER 7, 2016 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The November 7, 2016 meeting of the Stillwater City Council adjourned at 8:08 p.m.

**GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL**

**ELIZABETH CHRZ
CITY CLERK**

DRAFT