

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED APRIL 16, 2020 AT 4:10 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
SPECIAL MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
APRIL 20, 2020**

IMPORTANT NOTICE This meeting will be conducted via videoconferencing. The meeting will be available to watch live on the City's Facebook Page (@CityOfStillwater), AT&T U-verse channel 99, Suddenlink channel 14 and the City of Stillwater's YouTube Live link at youtube.com/c/CityofStillwaterTV/live.

Notice regarding Public Comment Stillwater City Code, Section 2-53(a) & (b), provides that taxpayers or residents of the city, or their authorized legal representatives, may address the Council at a regularly scheduled meeting on any item of business listed on the meeting agenda provided they have submitted a written request prior to the meeting either online at stillwater.org/requesttospeak or via the form found in the lobby outside Council chambers prior to meetings.

For meetings conducted via videoconferencing, the same request to speak procedure shall be followed; however, **City Hall is closed to the public**. Login information to participate via videoconference will be provided prior to the meeting to those who have requested to speak. For those wishing to speak via teleconferencing, please provide a phone number and someone will call you before the public comments portion of the agenda to place you in a queue. **Forms are due by 3:00 p.m. the day of the meeting.**

NOTE: Should a connection with any one of the City Councilors present for the videoconference be lost, the meeting will be recessed up to a maximum of 30 minutes to re-establish the connection. If reconnection is not possible, the meeting will be reconvened on April 21, 2020 at 5:30 p.m.

City Council Members

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

Method of Participation

Remotely - Videoconference
Remotely - Videoconference
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**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. CONSENT DOCKET

- a. Approve regular meeting minutes March 23, 2020
- b. Approve special meeting minutes April 6, 2020
- c. Approve special meeting minutes April 13, 2020
- d. Accept Stillwater History Museum at the Sheerar quarterly report
- e. Accept utility easements along Martin Street and Autry Street in Tradan Heights Estates, Section 3

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO APPROVE THE CONSENT DOCKET EXCLUDING ITEM D.

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

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

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

4. ITEMS REMOVED FROM CONSENT DOCKET

- d. Accept Stillwater History Museum at the Sheerar quarterly report

Councilor Zannotti thanked the Sheerar Museum for their quarterly report and their hard work and dedication for looking forward during this COVID-19 pandemic and scheduling events in July 2020. She also thanked them for hosting the Vibrant Community workshop in January.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO APPROVE ITEM D FROM CONSENT DOCKET.

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

Councilor Dzialowski joined the meeting at 5:34 p.m.

5. PUBLIC HEARINGS

- a. Receive public comment regarding the proposed operating budget for the City of Stillwater for fiscal year 2021-22

City Manager Norman McNickle reported that nothing has changed since the budget was presented at the previous meeting and staff's recommendation is to approve the budget with the understanding that it will be modified due to the impact of COVID-19. Staff has taken significant action in terms of spending and will continue to do that until we have a better idea of the city's revenue.

Mayor Joyce opened and closed the public hearing as no one was present to speak.

This item will be brought back to council on May 18, 2020.

6. GENERAL ORDERS

- a. Lakeside Golf Course annual report

Michael Henderson, owner of Henderson Golf Management, LLC, presented the FY2019 annual report for Lakeside Golf Course. He reported on the programs offered, investments, attendance, expenses and revenues for the golf course. Mr. Henderson discussed how staff at the golf course is cleaning equipment, limiting golf carts to one person, and other precautions being implemented in regards to COVID-19.

- b. Approve renewal of contract for services with Henderson Golf for the operation of Lakeside Golf Course

Special Projects Director John McClenny reported after soliciting and reviewing proposals in 2017, the City of Stillwater entered into an operations agreement with Henderson Golf to operate and maintain Lakeside Golf Course. This contract will renew the agreement with Henderson Golf for one year and allows for two subsequent one-year renewals. Mr. McClenny stated Henderson Golf receives an annual

payment of \$120,000 to operate Lakeside Golf Course. This is included in the proposed budget and is approximately \$30,000 per year less than the losses experienced when the City was operating the golf course.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO RENEW THE CONTRACT WITH HENDERSON GOLF FOR THE OPERATION AND MAINTENANCE OF LAKESIDE GOLF COURSE.

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

- c. Approve bid recommendation to award a unit price contract to Emry Sapp and Sons, Inc. for the bid amount of \$546,736, authorize expenditures up to \$625,000 for the project including a contingency of \$78,264, approve a budget amendment of \$160,000 from the ½ cent sales tax fund, and authorize City Manager to execute contract documents for a transportation project to grind concrete pavement at the following locations:
 - 32nd Avenue from Sangre to Western Roads
 - Main Street from Stillwater Creek bridge to 11th Avenue
 - Western Road from 6th to 3rd Avenues

Director of City Engineering Monty Karns reported the estimate for the project was \$465,000, which included quantities to remove and replace damaged pavement sections. One bid was received from Emry Sapp and Sons, Inc. with the base bid amount of \$546,736. Two alternates were also included for adding Main Street and Boomer Road south of Stillwater Creek. Both of these alternates would require participation by Payne County. In conversations with the District 1 County Commissioner, there are not sufficient funds for Payne County's participation. Staff reviewed the bids and do not believe rejecting and rebidding would result in lower bids. Staff is requesting a unit price contract be awarded to Emry Sapp and Sons, Inc. for the advertised project and a contingency of \$78,264 for additional pavement sections, which might require replacement, and to pay for actual quantities of work performed. Mr. Karns reported the summary of the costs and approved allocations:

• Bid price	\$546,736
• Contingency	<u>78,264</u>
• Required Funds	\$625,000
• Appropriated	<u>(\$465,000)</u>
• Add'l Funds Required	\$160,000

Mr. Karns stated awarding a contract as indicated about requires additional funds be appropriated from the ½ cent sales tax fund.

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR DARLINGTON TO AWARD A UNIT PRICE CONTRACT TO EMYR SAPP AND SONS, INC. FOR THE BID AMOUNT OF \$546,736, AUTHORIZE EXPENDITURES UP TO \$625,000 FOR THE PROJECT INCLUDING A CONTINGENCY OF \$78,264, APPROVE A BUDGET AMENDMENT OF \$160,000 FROM THE ½ CENT SALES TAX FUND, AND AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS.

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

- d. Authorize the Mayor to sign relocation agreements with OG&E and ONG for relocation of facilities within the project limits of the Perkins Road improvement project and approve the associated budget amendment appropriating \$318,000 from the ½ cent sales tax fund for the project

Director of City Engineering Monty Karns reported the City of Stillwater entered into a project agreement with the Oklahoma Department of Transportation for improvements to Perkins Road (US Hwy 177) from just north of 6th Avenue (SH 51) to Airport Road. Improvements include:

- Adding a left turn lane from McElroy to Lakeview
- Reconstruction of McElroy intersection and approaches
- Asphalt mill and overlay of sections not being reconstructed
- New traffic signals

Mr. Karns reported the project agreement states the City is responsible for certain items including utility relocation costs. Utilities in private easements, which are impacted by road improvement, are relocated at the cost of the government entity responsible for the project. Utilities within the public right-of-way are relocated at the cost of the utility. Mr. Karns stated two utilities to be relocated, Oklahoma Gas & Electric and Oklahoma Natural Gas, have facilities in private easements. The costs to relocate these are estimated to be:

• ONG	\$237,044
• OG&E	\$ 52,000
• Contingency	<u>\$ 28,955</u>
• Total	\$317,999

Mr. Karns stated funds have been appropriated for this project so the budget amendment is no longer needed.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO AUTHORIZE MAYOR TO SIGN RELOCATION AGREEMENTS WITH OG&E AND ONG FOR RELOCATION OF FACILITIES WITHIN THE PROJECT LIMITS OF THE PERKINS ROAD IMPROVEMENT PROJECT.

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

- e. Approve right-of-way acquisition at 2224 W. Admiral Avenue, authorize the Mayor to execute the document, and authorize payment of \$3,725 for 450 square feet of right-of-way and damages

Director of City Engineering Monty Karns reported that on November 4, 2019, City Council approved awarding a contract for improvement of Western Road and Hall of Fame from 6th Avenue to Monroe. Included in this improvement is the construction of a sidewalk. For proper construction of this sidewalk, additional right-of-way is necessary. Mr. Karns stated communication was opened with the owner of 2224 W. Admiral and an agreement was reached for value of the dedication.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR WEDLAKE TO APPROVE THE RIGHT-OF-WAY ACQUISITION, AUTHORIZE THE MAYOR TO EXECUTE THE DOCUMENT, AND AUTHORIZE PAYMENT OF \$3,725 FOR 450 SQUARE FEET (0.0103 ACRES) OF RIGHT-OF-WAY AND DAMAGES AT 2224 W. ADMIRAL.

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

- f. Approve budget amendment reflecting donation of \$5,000 from Oklahoma State University for materials and upkeep of the dog park

City Manager Norman McNickle reported the City of Stillwater and Oklahoma State University have partnered in operation of the dog park located in Southern Woods Park. He stated OSU has opted to donate \$5,000 for materials and upkeep of the park rather than providing materials and labor.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE BUDGET AMENDMENT REFLECTING THE RECEIPT OF THE DONATED FUNDS FROM OSU AND MOVEMENT OF FUNDS TO AN ACCOUNT TO BE USED FOR DOG PARK MAINTENANCE AND MATERIALS.

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

- g. Approve budget amendment appropriating federal grant funds of \$5,200,00 for phase 1 of the north apron expansion at Stillwater Regional Airport

Deputy City Manager Melissa Reames reported that in February 2019, the City Council approved Resolution CC-2019-1 approving the Stillwater Regional Airport to make application to the Federal Aviation Administration for Airport Improvement Program grant funds to reconstruct the north portion of the apron. Ms. Reames that stated in August 2019, the City of Stillwater accepted the grant award. Construction has recently begun on this project, requiring the City to begin payments for work completed.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE BUDGET AMENDMENT APPROPRIATING FEDERAL GRANT FUNDS FOR PHASE 1 OF THE NORTH APRON EXPANSION.

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

- h. Approve collective bargaining agreement with Fraternal Order of Police Lodge #102 for contract year 2020-21

City Manager Norman McNickle reported every year the City enters into negotiations for an annual contract with the Fraternal Order of Police Lodge #102 and the International Firefighters Association. Following a couple of meetings where negotiations began, FOP President Matt Smittle sent an email requesting to extend the current contract for the 20-21 contract year due to the unusual circumstances created by the COVID-19 pandemic. Mr. McNickle reported that on April 1, 2020, the agreement was taken to FOP for a vote of the membership and membership voted yes on the contract. Staff's recommendation to Council is to approve the collective bargaining agreement with FOP for contract year 2020-2021. Mr. McNickle expressed his thanks to the FOP for cooperation and fast action during the negotiation period amid the COVID-19 crisis.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT WITH FRATERNAL ORDER OF POLICE LODGE #102 FOR CONTRACT YEAR 2020-21.

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

- i. Approve budget amendment reflecting donation from Wilson Chevrolet to Stillwater Fire Department for the purchase of personal protective equipment

City Manager Norman McNickle reported the past several years Wilson Chevrolet has donated money to first responders. A donation was recently received from Aaron Wilson of Wilson Chevrolet for the purchase of personal protective equipment for the fire department. Mr. McNickle thanked Wilson Chevrolet for their generosity and support.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE BUDGET AMENDMENT REFLECTING THE RECEIPT AND EXPENDITURE OF DONATED FUNDS FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT.

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

- j. Update on dilapidated property addressed as 3314 E 4th, owner Ricky Cole, and approve agreement outlining timeframe for repairs

City Attorney John Dorman reported Mr. Cole is still working on finalizing permits, so staff is recommending this item be moved to the May 4, 2020 council meeting.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO MOVE ITEM J. TO MAY 4, 2020 COUNCIL MEETING.

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

- k. Approve Stillwater Regional Airport to submit an application for Coronavirus Aid, Relief, and Economic Security (CARES) Act and authorize Mayor to sign associated documents

Airport Director Paul Priegel reported the airport is eligible for a grant in the amount of \$1,112,414 from the Coronavirus Aid, Relief, and Economic Security Act. He stated this grant amount is based on 2018 annual enplanement numbers and entitlements. Mr. Priegel stated this grant is 100% funded so there is no match from the City and it is specified to be used for operational and personnel costs. He reported the only requirement of this grant is that the airport would maintain 90% of the employees that were employed as of March 27, 2020 until December 31, 2020. Staff is asking council's approval to submit this grant application and authorize the mayor to sign documents.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE STILLWATER REGIONAL AIRPORT TO SUBMIT APPLICATION FOR THE CARES ACT AND AUTHORIZE MAYOR TO SIGN THE DOCUMENTS.

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

- l. Quarterly Financial Report

Finance Director Christy Cluck stated the third quarter financials show where the City was before COVID-19. She reported that at the end of the third quarter both the City's revenues and expenditures were on target, and sales and use tax were coming in above projections. Ms. Cluck reported the interest income was above projections and utility revenues were on target. She stated overall the City was sitting in a very good financial position at the end of the third quarter. Ms. Cluck reported that in the final quarter of FY20, and amidst the unknown effect that COVID-19 will have on the City's revenues, staff has instituted spending reductions in all departments to hedge against potential future declines in revenues and all non-essential spending has been eliminated. She stated staff will bring budgetary action to the council as needed.

- m. Update on COVID-19

Mayor Joyce reported there have been no updates to the standing emergency declaration since the council last met besides the strong encouragement of wearing fabric face coverings when in public. Mayor reminded citizens we are still in a shelter in place order and that the numbers remain low and the

curve is flattening so this order and their cooperation is working. Mayor stated the City is taking donations of masks to distribute to citizens who need them. He stated as reopening begins fabric face coverings will be required when out in public. Mayor reported meetings are being held to discuss the phases of reopening businesses.

Vice Mayor Darlington reminded citizens there are many organizations and resources to help with mental health or other needs, so please reach out for help if needed.

7. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
 - Mr. McNickle reminded citizens that the City is asking for donations of masks and they can be dropped off in the police department lobby. When enough masks are received, they will be distributed to the community.
- c. Miscellaneous items from the City Council:
 - Mayor Joyce reminded citizens to complete the Census 2020 survey. He reported Stillwater is behind Norman in the “Bedlam Census” battle.
- i. Discussion about scheduling items for future meetings.

8. QUESTIONS & INQUIRIES

None.

9. ADJOURN

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADJOURN THE APRIL 20, 2020 SPECIAL 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 April 20, 2020 special meeting of the Stillwater City Council adjourned at 6:55 p.m.

**WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL**

**TERESA KADAVY
CITY CLERK**