

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED JANUARY 20, 2022 AT 2:45 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JANUARY 24, 2022

PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI,
COUNCILORS AMY DZIALOWSKI AND CHRISTIE HAWKINS
ABSENT: NONE

1. CALL MEETING TO ORDER

Mayor Joyce 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. Approve regular meeting minutes of January 10, 2022
- b. Accept electric easement at 2525 W 6th Avenue
- c. Accept pedestrian easement at 2525 W 6th Avenue
- d. Accept sewer easement required for the Sanitary Sewer Interceptor Replacement Project located in the 2200 Block of East 32nd Avenue and authorize the Mayor to execute the easement document
- e. Approve designation of HR Director Christy Driskel as authorized agent for City of Stillwater's Oklahoma Municipal Retirement Fund

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE THE CONSENT DOCKET AS PRESENTED.

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

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

OSU Vice President, Joe Weaver, 3023 W. Shiloh Creek Avenue, thanked Our Daily Bread on the great work they are doing in the community and surrounding areas. He also stated the OSU Board of Regents unanimously approved the partnership with the City to assist in keeping American Airlines flights at Stillwater Regional Airport.

Scott Petty, 5821 Trenton Avenue, spoke in support of the Husband Street Bike Corridor.

Betsy Showalter, 24023 W. 8th Avenue, spoke against rezoning the addresses at 8th and Western from Small Lot Single Family to Office.

5. ITEMS REMOVED FROM CONSENT DOCKET

None.

6. PUBLIC HEARINGS

- a. A hearing to determine whether the structure located at 2420 East 12th Avenue, Stillwater, Oklahoma is dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E)

Beth Anne Childs, Childs Law Firm, stated she had visited with the property owner, Ms. Combs, and she is in the process of getting quotes from realtors and has already received two quotes. Ms. Childs stated that Ms. Combs has also been in communication with code enforcement. Ms. Childs asked that this item be tabled to the April 18, 2022 council meeting.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO TABLE THIS ITEM TO THE APRIL 18, 2022 CITY COUNCIL MEETING.

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

- b. Receive public comment regarding a request to 802 S Western, 2302 W 8th Avenue, and 2324 W 8th Avenue from Small Lot Single Family to Office

Chief Performance Innovation Officer Brady Moore stated that the applicant has requested that this item be postponed to the March 7, 2022 City Council meeting.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO POSTPONE THIS ITEM TO THE MARCH 7, 2022 COUNCIL MEETING.

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

7. GENERAL ORDERS

- a. Receive overview from Our Daily Bread on the completed utility assistance program partnership.

Chief Civic Innovation Officer Becky Taylor gave an overview of Phase 1 and 2 of the Stillwater Resident Covid Impact Assistance Program and introduced Rachel Condley and Kali Barnes with Our Daily Bread (ODB).

Rachel Condley, Executive Director of ODB, presented the goals, services and programs that are offered through ODB.

Kali Barnes, Grant Coordinator with ODB, gave an overview of how the grant applications were reviewed and how the grant funds were distributed.

No action was taken on this item.

- b. Approve air service agreement with American Airlines providing for a minimum revenue guarantee to be capped at \$2 million per fiscal year and approve the associated budget amendment allocating \$1 million for revenue shortfall for the first period ending June 30, 2022

Airport Director Paul Priegel reported that due to the severe impact of the COVID-19 pandemic on air travel across the nation, especially our community, American Airlines has requested financial support in

order to continue air service throughout the recovery period of the pandemic. Airlines are facing increased operational costs due to unusually high fuel prices and lower ridership. In addition to this, airlines are seeing an unprecedented pilot and other staffing shortage, forcing the airlines to prioritize which markets to keep and which markets in which to end service. Mr. Priegel stated regional markets are being hit among the hardest as many of the pilots are being moved to larger aircraft to support more substantial routes. This has resulted in regional service cuts across the nation with many remaining regional markets having to enter into agreements to provide revenue guarantees to ensure airlines don't suffer additional revenue shortfalls during the recovery period. Mr. Priegel reported that the agreement would provide for a Minimum Revenue Guarantee to be capped at \$2 million per fiscal year with the following structure:

- Up to \$1 million from Jan 1-Jun 30, 2022
- Up to \$2 million from Jul 1, 2022-Jun 30, 2023
- Up to \$1 million from Jul 1-Dec 31, 2023

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE THE AIR SERVICE AGREEMENT WITH AMERICAN AIRLINES AND THE ASSOCIATED BUDGET AMENDMENT APPROPRIATING \$1 MILLION FOR REVENUE SHORTFALL FOR THE FIRST PERIOD ENDING JUNE 30, 2022.

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

c. Consider approval of the conceptual Husband Street Bike Corridor

Director of City Engineering Monty Karns reported that on October 1, 2018, Council approved a project known as the Husband Street Bike Corridor to create an active transportation corridor along Husband Street from 7th Avenue north to the Kameoka Trail with the initial phase terminating at the north side of Boomer Road. Council created a Citizen's Task Force to work with the consultant in selecting appropriate types of improvements to minimize impact to businesses and residents along the corridor. Mr. Karns introduced Russell Beatty, Olsson and Associates.

Mr. Beatty presented the study and alternatives for the Conceptual Husband Street Bike Corridor route between south of McElroy to Boomer Road. Discussion was held regarding various options for the bike corridor. Mr. Karns and Mr. Beatty addressed and answered Council's questions.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE THE LOW STRESS BIKE CORRIDOR ON HUSBAND STREET WITH THE CANTWELL BYPASS.

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

d. Authorize deferred maintenance projects to include the following: drainage, channel and dam maintenance, sidewalks and minor street improvements, and erosion revetment at Boomer Lake; and approve budget amendments appropriating funds not to exceed \$1,125,000 for the projects

Director of City Engineering Monty Karns reported that Public Works has been hit hard by the pandemic and lack of manpower that has resulted to some extent in the inability to complete projects. The projects include drainage, channel and dam maintenance, sidewalks and minor street improvements. Most of these projects are relatively small and bidding them as individual capital construction projects is not cost effective. Mr. Karns stated that City Engineering is requesting authorization to create construction projects for deferred maintenance items and the Boomer Lake revetment and establish priority for completion of projects and use of funds. Total project costs are not to exceed \$1,125,000 without Council authorization.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE DEFERRED MAINTENANCE PROJECTS TO INCLUDE THE FOLLOWING: DRAINAGE, CHANNEL AND DAM MAINTENANCE, SIDEWALKS AND MINOR STREET IMPROVEMENTS, AND EROSION REVETMENT AT BOOMER LAKE; AND APPROVE BUDGET AMENDMENTS APPROPRIATING FUNDS NOT TO EXCEED \$1,125,000 FOR THE PROJECTS.

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

- e. Approve retaining Gose & Associates under the Master Services Agreement to provide a Traffic Engineering Study of Duck Street between 6th Avenue and Hall of Fame Avenue and allocate \$25,000 from FY20 Pavement Management funds for the completion of the study

Director of City Engineering Monty Karns reported that staff have received several requests from the public to calm traffic along Duck Street with a road diet similar to Duck Street between 12th and 6th Avenues. Due to the amount of traffic north of 6th Avenue on Duck Street and the nature of the traffic, numerous drives-traffic signals, and the volume of traffic, engineering staff's concern is a road diet is not an appropriate treatment at this location without a detailed study. Mr. Karns stated that a traffic engineering study of the section of Duck Street between 6th and Hall of Fame Avenues would be beneficial in determining:

- traffic calming measures for the existing conditions;
- possible improvements at selected intersections to reduce conflicts and improve safety;
- whether improvements made now will be compatible with the concept to make Duck Street a boulevard.

Mr. Karns stated that the engineering staff proposes to utilize Gose & Associates through the Master Services Agreement to provide administrative and other services while working with Traffic Engineering Consultants' Tulsa office to perform the traffic engineering study. He reported that the City Engineering staff requests approval of \$25,000 for the project, which includes contingency.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE RETAINING GOSE & ASSOCIATES UNDER THE MASTER SERVICES AGREEMENT TO PROVIDE A TRAFFIC ENGINEERING STUDY OF DUCK STREET BETWEEN 6TH AVENUE AND HALL OF FAME AVENUE AND ALLOCATE \$25,000 FROM FY20 PAVEMENT MANAGEMENT FUNDS FOR THE COMPLETION OF THE STUDY.

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

8. RESOLUTIONS

- a. Resolution No. CC-21-38: A resolution of the Stillwater City Code declaring the structure located at 2420 E 12th Avenue, Stillwater, OK dilapidated and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. Section 22-112

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO TABLE RESOLUTION NO. CC-2021-38 TO THE APRIL 18, 2022 CITY COUNCIL MEETING.

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

- b. Resolution No. CC-22-02: A resolution authorizing the calling and holding of an election in the City of Stillwater, State of Oklahoma, for the purpose of submitting to the registered

qualified electors of said City the question of the issuance of the bonds of said City in the sum of nine million dollars (\$9,000,000) to provide funds for the purpose of constructing, furnishing and equipping a new fire station and levying and collecting an annual tax, in addition to all other taxes, upon all the taxable property in said City for the payment of principal and interest on said bonds; and levying and collecting an annual tax, in addition to all other taxes, upon all the taxable property in said City for the payment of principal and interest on said bonds.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2022-02 AS PRESENTED.

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

- c. Resolution No. CC-22-03: A resolution authorizing the calling and holding of an election in the City of Stillwater, State of Oklahoma, for the purpose of submitting to the registered qualified electors of said City the questions of the issuance of the bonds of said City in the sum of three million four hundred thousand dollars (\$3,400,000) to provide funds for the purpose of constructing, furnishing and equipping a new animal welfare facility, to be owned exclusively by said City, and levying and collecting an annual tax, in addition to all other taxes, upon all the taxable property in said city for the payment of principal and interest on said bonds.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HAWKINS TO TAKE NO ACTION ON RESOLUTION NO. CC-2022-03.

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

- d. Resolution No. CC-22-04: A resolution declaring the intent to consider approval of an amendment to project plan and creation of a Tax Increment District under the Local Development Act; directing preparation of an amended project plan; convening a meeting of the Stillwater Downtown/Campus Link Project Plan Review Committee; directing the review committee to make findings as to eligibility and financial impact, if any, on taxing jurisdictions and business activities within the district; and directing the review committee to make a recommendation with respect to the proposed amended project plan

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2022-04 AS PRESENTED.

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

9. ORDINANCES

a. First Reading

Ordinance No. 3489: An ordinance of the City of Stillwater, Oklahoma granting a non-exclusive permit to Clarity Telecom, LLC for the construction and operation of a cable system

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADVANCE ORDINANCE NO. 3489 TO SECOND READING AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, DZIALOWSKI-YEA, HAWKINS-YEA.

NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

b. Second Reading

Ordinance No. 3487: An ordinance rezoning a tract of land located 1223 S Husband Place from CG, Commercial General District, To RSS, Small Lot Single Family Residential District.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3487 AS PRESENTED.

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

Ordinance No. 3488: An ordinance closing a general utility easement located in the Northeast Quarter (NE/4) of Section Fourteen (14), Township Nineteen (19) North, Range Two (2) East of the Indian Meridian, City of Stillwater, Payne County, Oklahoma, on property addressed as 711 N Main Street

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3488 AS PRESENTED.

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

10. 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 communications and discussions regarding the employment, appointment, promotion, demotion, discipline or resignation of Kimberly Carnley who is currently serving as the Interim City Attorney.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle stated that the City of Stillwater received a generous donation of \$86,000 from the Brown Foundation to replace the gymnasium floor in the Stillwater Armory Recreation Center. The Armory building is the home of the Stillwater Area Sports Association, also known as SASA. Mr. McNickle stated that thanks to the Brown Foundation, the City is able to continue preserving the Armory and utilizing it as a multipurpose recreation center that benefits our entire community.
- c. Miscellaneous items from the City Council:
 - Councilor Hawkins reminded residents that the burn ban in Payne County has been extended through February 7th. There is an extreme fire danger and it is unlawful for any person to build a campfire or to burn trash or other material that may cause a forest, grass, range, crop or other wildlands fire.
 - Councilor Dzialowski reminded residents that Stillwater Mayor is not the only thing that is on the February 8th ballot. There are also propositions for the Transportation Sales Tax and Visitor Tax on the ballot. She encouraged every registered voter to learn about these propositions and make their voice heard by voting.
 - Vice Mayor Zannotti stated that the League of Women Voters will be holding a Mayoral Forum in the City Council Hearing Room on Thursday, January 27th from 7:00 to 8:00 p.m. Residents can watch the meeting live on AT&T U-verse channel 99, Suddenlink channel 14 or on the City of Stillwater's YouTube channel. Election Day is February 8th, with early voting on February 3rd and 4th.

- Mayor Joyce stated that the annual Dancing with Daddy and Mummy and Son dances have been adapted into one event for 2022. Stillwater Community Center staff is planning an outdoor dance party that will allow attendees to have an evening of dancing under the stars while still taking precautions to reduce the spread of COVID-19. Mayor stated the dance is expected to take place this summer, but the official date and location are still to be determined.
- i. Discussion about scheduling items for future meetings.

11. QUESTIONS & INQUIRIES

None.

12. APPOINTMENTS

- a. Appointment to fill vacant City Council seat #3

Mayor Joyce thanked all who applied for the City Council vacancy and said there were many well qualified applicants.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO APPOINT KEVIN CLARK TO CITY COUNCIL SEAT #3.

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

13. EXECUTIVE SESSION

- a. Confidential communications and discussions regarding the employment, appointment, promotion, demotion, discipline or resignation of Kimberly Carnley who is currently serving as Interim City Attorney.

Stillwater City Council meeting recessed at 7:26 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 7:41 p.m.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE ZANNOTTI TO ENTER INTO EXECUTIVE SESSION AT 7:41 P.M.

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

14. RETURN FROM EXECUTIVE SESSION

- a. Possible reasonable action regarding the employment and appointment of Kimberly Carnley.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO TABLE ANY ACTION TO THE NEXT MEETING.

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

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE REGULAR MEETING OF THE STILLWATER CITY COUNCIL AT 8:19 P.M.

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

15. ADJOURN

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO AJOURN THE
JANUARY 24, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The January 24, 2022 regular meeting of the Stillwater City Council adjourned at 8:20 p.m.

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

**TERESA KADAVY
CITY CLERK**

DRAFT