

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED FEBRUARY 2, 2023 AT 11:25 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
FEBRUARY 6, 2023**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR AMY DZIALOWSKI AND
COUNCILORS CHRISTIE HAWKINS AND KEVIN CLARK**
ABSENT: NONE

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Boy Scout Troop 802 led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS/PRESENTATIONS

Presentation recognizing Black History Month—A video was shown highlighting Booker T. Washington School as the cornerstone of the Black community before integration. Several alumni were featured in the video and Mayor Joyce spoke to the donation of the property to the City of Stillwater by an anonymous donor and about the intentions for future use of the facility.

4. CONSENT DOCKET

- a. Approve regular meeting minutes of January 23 and January 30, 2023
- b. Approve budget amendment reflecting \$17,432 from the Oklahoma Department of Libraries to Stillwater Public Library

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

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-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 CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- a. Receive public comments regarding a request for a Specific Use Permit to allow a medical marijuana grow facility at 1198 E Airport Road

City Planner Jacquelyn Porter reported that the applicant is requesting a review and approval of a Specific Use Permit to allow a medical marijuana growing facility at the property addressed as 1198 E. Airport Road. She said that the building was previously used for medical marijuana growing and a new Specific Use Permit is required due to a change in ownership.

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

Planning Commission recommended approval of this SUP request 4-0.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 1198 EAST AIRPORT ROAD.

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

- b. Receive public comments regarding a request for a Specific Use Permit to allow a medical marijuana dispensary at 1023 E 6th Avenue

City Planner Jacquelyn Porter reported that the applicant is requesting review and approval of a Specific Use Permit to allow a medical marijuana dispensary at the property addressed as 1023 East 6th Avenue. She stated that property was previously under the same use and requires a new Specific Use Permit due to a change in ownership.

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

The Planning Commission recommended approval of this SUP request 4-0.

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 1023 EAST 6TH AVENUE.

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

8. GENERAL ORDERS

- a. Annual report from Western Payne County Ambulance Trust Authority

Western Payne County Ambulance Trust Authority Chairman Jerry Moeller presented the Authority's annual report and answered Council's questions.

No action was taken on this item.

- b. Consider authorizing the General Manager to sign State of Oklahoma Department of Transportation (ODOT) Project Agreement No. 31012(04) (6th Avenue Widening Project) and approving budget amendment appropriating \$2,000,000 for rights-of-way and easements not associated strictly with water and sewer utilities

Director of Engineering Candy Staring reported that On January 11, 2021, the City entered into an agreement with Confluence and partnered with ODOT to perform a Corridor Study for the 6th Avenue Widening Project (Project). A professional services agreement amendment with Kimley Horn was executed for the corridor's west half for needed water and sewer line relocations and a second agreement with Plummer for the east half of water and sewer relocations will be recommended to SUA on tonight's agenda. She stated that ODOT has advanced the design for the Project to a 60% completion level. Ms. Staring reported that the City's responsibilities under the agreement include clearing all utilities and encroachments to make room for the new 6th Avenue alignment and acquiring and purchasing all rights-of-way, permanent easements and temporary construction easements necessary for the work. ODOT's responsibilities include environmental clearances, engineering, plans and specifications, bidding, construction and inspection. She reported that ODOT's estimate for the work is \$25 million.

Discussion was held amongst Council and City staff regarding the contract with ODOT. The decision was made to bring this contract back to a future Council meeting after clarification can be received from ODOT that the City's recommendations and interests are included in this contract.

No action was taken on this item.

c. Public Safety 2022 update

Communications Director Dawn Jones gave an overview of the response calls for 2022 by the Police Department, Fire Department, Emergency Management and Animal Welfare. She thanked all the Public Safety professionals for their continued hard work and dedication.

No action was taken on this item.

d. Announcement from Water Utilities regarding a temporary free chlorine conversion in the water distribution system beginning April 3, 2023

Water Utilities Director James Driskel reported that in order to provide the most effective disinfection process, the Water Utilities department will make a temporary change in the type of disinfectant used in drinking water. It is typical for water systems that use chloramines to temporarily change to free chlorine in order to clean water pipes and provide a reliable disinfectant residual throughout all points of the distribution system. He stated that both chlorine and chloramines are common disinfectants used by water systems to kill bacteria in drinking water. Mr. Driskel reported that the Water Utilities staff monitor the disinfectant residual and other parameters in the distribution system on a daily basis. This temporary conversion (flushing) process is common and utilized as needed to ensure healthy drinking water is continuously provided to consumers.

Mr. Driskel reported that to ensure water quality and continued regulatory compliance, the Water Utilities department will perform a temporary free chlorine conversion in the distribution system beginning April 3, 2023, with a 30-day duration. The system will resume use of chloramines on May 3, 2023. He stated that customers may notice a slight change in odor and taste during this temporary process.

City Manager Norman McNickle assured citizens that this is a routine matter and there are no violations with Oklahoma Department of Environmental Quality.

No action was taken on this item.

9. RESOLUTIONS

a. Resolution No. CC-2023-3: A resolution authorizing execution of a project agreement with the Oklahoma Department of Transportation to widen and realign SH-51 from Western Road

extending east two (2) miles to the junction of US-177 within the city limits of Stillwater, Oklahoma

No action was taken on this item. This resolution will be brought to Council at a future meeting.

10. APPOINTMENTS

a. Audit Committee

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO REAPPOINT BOTH KELLY COX AND RANDY MURRAY TO THE AUDIT COMMITTEE.

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

b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle reminded residents that Election Day is Tuesday, February 14th with polls open 7 a.m. to 7 p.m. Registered voters will need to go to their normal polling location to vote. Early voting is also an option on February 9th and 10th from 8 a.m. to 6 p.m. at the Payne County Election Board. Included on the ballot will be City Councilor, Stillwater Public Schools Bond Election and the Payne County 3/8 cent sales tax. We encourage every registered voter to learn about these propositions that affect infrastructure and quality of life within Payne County and vote in the direction they believe is best.

c. Miscellaneous items from the City Council:

- Councilor Clark announced that City offices will be closed for Presidents Day on Monday, February 20th. Trash and recycling will still be collected, but not yard waste. Make sure to set your carts out by 6 a.m. because collection routes can vary.
- Councilor Hawkins announced that tax filing season is here so the Stillwater Library is offering assistance. Community members can schedule appointments for free tax preparation assistance from the American Association of Retired Persons by visiting library.stillwater.org/taxes.php, calling the library's Help Desk at (405) 372-3633 x8106, or stopping by the library in person during regular hours. There are a limited number of appointments available, so anyone with the ability to prepare their taxes by alternative methods should consider doing so to ensure enough appointments for those in the community who rely on this service the most.
- Vice Mayor Dzialowski announced that The City's annual Household Hazardous Waste Collection Event will be Saturday, April 22nd from 8 a.m. to 1 p.m. at the Convenience Collection Center located at 807 S. Perkins Rd. Any household pollutant will be collected. Bring oil-based paints, pesticides, herbicides, household cleaning products, mixed fuels, fertilizer, pool chemicals, craft and hobby supplies rechargeable batteries, etc. We will also be collecting unwanted pharmaceuticals again this event, though those can be dropped off year round at the Stillwater Police Department.

- Mayor Joyce stated that if anyone is looking for an environmentally-friendly way to save money on their water bill, they may want to purchase a rain barrel through the City of Stillwater. These barrels capture water from your roof and store it for future use. Using rain barrels also helps to reduce stormwater pollution by minimizing the amount of stormwater runoff that leaves a site. Mail in order forms are due by April 27 and online orders are due by April 30.
- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

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

Stillwater City Council meeting recessed at 6:54 p.m. to convene Stillwater Economic Development Authority meeting.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR CLARK TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:54 P.M.

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

Stillwater City Council reconvened at 7:21 p.m.

MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ENTER INTO EXECUTIVE SESSION AT 7:21 P.M.

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

City Manager Norman McNickle discussed with Council in executive session regarding his plans to retire in the next few months.

14. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR CLARK, SECOND BY VICE MAYOR DZIALOWSKI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:44 P.M.

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

- a. Possible action regarding the employment, appointment, promotion, demotion, disciplining or resignation of Stillwater City Manager Norman McNickle.

City Manager Norman McNickle announced his intention to retire once the budget process is complete in May or June.

15. ADJOURN

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE FEBRUARY 6, 2023 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The February 6, 2023 regular meeting of the Stillwater City Council adjourned at 7:47 p.m.



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



**TERESA KADAVY
CITY CLERK**