

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AMENDED AGENDA  
WAS POSTED MARCH 29, 2019 AT 8:10 A.M. AT THE MUNICIPAL BUILDING,  
723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES  
STILLWATER CITY COUNCIL  
REGULAR MEETING  
COUNCIL HEARING ROOM  
723 S. LEWIS  
APRIL 1, 2019

**PRESENT:** MAYOR WILLIAM H. JOYCE, VICE MAYOR PAT DARLINGTON  
COUNCILORS ALANE ZANNOTTI AND AMY DZIALOWSKI  
**ABSENT:** COUNCILOR JOHN WEDLAKE

**1. CALL MEETING TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

Stillwater City Council led the audience in the Pledge of Allegiance.

**3. PROCLAMATIONS & PRESENTATIONS**

a. Fair Housing Month

Mayor Joyce declared April 2019 as "Fair Housing Month" in the City of Stillwater, Oklahoma, and urged all citizens to support fair housing throughout the year.

b. Update on Our Daily Bread – Director Becky Taylor

Our Daily Bread Director Becky Taylor shared information regarding the impact the organization has made in the community and thanked the City of Stillwater for its collaboration. Ms. Taylor said that citizens can support Our Daily Bread by volunteering, donating and advocating.

**4. CONSENT DOCKET**

- a. Memo to set a public hearing date of May 6, 2019 for a closure of existing five foot street light easement at property addressed as 423 S Gray Street in the RTM, Residential Two and Multi-Family, zoning district
- b. Approval of minutes:
- |                |                   |
|----------------|-------------------|
| March 4, 2019  | Regular Meeting   |
| March 11, 2019 | Regular Meeting   |
| March 11, 2019 | Executive Session |
| March 25, 2019 | Regular Meeting   |

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

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

## 5. PUBLIC COMMENT ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

The following individuals spoke in favor of Ordinance No. 3367:

Maryanna Kaitlin Lansford, 7 Preston Circle, Stillwater  
Dan Yost, 1101 S. Chester Street, Stillwater  
Teresa Duston, 106 Crestwood Court, Stillwater

## 6. ITEMS REMOVED FROM THE CONSENT DOCKET

None.

## 7. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Specific Use Permit at property addressed as 2319 E 6<sup>th</sup> Avenue to allow a medical marijuana dispensary in the CG, Commercial General zoning district (CC-19-38)

Assistant City Manager Paula Dennison reported that the request is for a Specific Use Permit (SUP) at property addressed as 2319 East Sixth Avenue to allow a medical marijuana dispensary. The property is a multi-bay facility, with one of the bays having a dispensary located in it. Signage will be compliant, as well as the parking located onsite.

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

The Planning Commission recommended approval of the Specific Use Permit by a vote of 3-0.

Vice Mayor Darlington stated she would be voting no on this SUP, since Councilor Wedlake was not at the meeting to do so.

**MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE PLANNING COMMISSION'S RECOMMENDATION FOR A SPECIFIC USE PERMIT AT PROPERTY ADDRESSED AS 2319 EAST SIXTH AVENUE TO ALLOW A MEDICAL MARIJUANA DISPENSARY IN THE CG, COMMERCIAL GENERAL, ZONING DISTRICT.**

**ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-NAY, ZANNOTTI-YEA, DZIALOWSKI-YEA. MOTION CARRIED WITH THREE YEA VOTES.**

- b. Receive public comment regarding a request for a Specific Use Permit at property addressed as 2020 N Jardot Road to allow a medical marijuana indoor commercial grow facility in the IL, Light Industrial, zoning district (CC-19-37)

Assistant City Manager Paula Dennison stated that the request is for a Specific Use Permit (SUP) at property addressed as 2020 North Jardot Road to allow a medical marijuana indoor commercial grow facility. The property on the other side of Jardot Road is not within City limits. It will be located in a multi-bay facility.

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

The Planning Commission recommended approval of the Specific Use Permit by a vote of 3-0.

**MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE PLANNING COMMISSION'S RECOMMENDATION FOR A SPECIFIC USE PERMIT AT PROPERTY**

ADDRESSED AS 2020 NORTH JARDOT ROAD TO ALLOW A MEDICAL MARIJUANA INDOOR COMMERCIAL GROW FACILITY IN THE IL, LIGHT INDUSTRIAL, ZONING DISTRICT.

ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-NAY, ZANNOTTI-YEA, DZIALOWSKI-YEA. MOTION CARRIED WITH THREE YEA VOTES.

## 8. GENERAL ORDERS

### a. Form Based Code Standards outline and moratorium extension (CC-19-39)

Assistant City Manager Paula Dennison stated that staff is requesting direction from City Council. In December 2018, City Council placed a moratorium on public realm requirements in order to reevaluate the adopted Form Based Codes (FBC). Ms. Dennison attended the most recent Builder Relations Committee meeting and the group gave a positive response to the opportunity to work with staff to build the FBC. An overview of each option was shown:

#### Option 1

The proposed framework consisted of the FBC area map, indicating the Street Typology and the Land Use Typology. From these two typologies, encompassing the public realm and the private realm, a matrix was developed as a comprehensive summary of the two typologies that identifies the specific public realm and private realm vision for each combination.

By using the matrix, expectations and requirements are immediately known from the appropriate Street Typology detailed page and the appropriate Land Use Typology detailed page. From these pages, the designer has the design parameters and the developer knows what is expected from both the public and private realm.

#### Option 2

The FBC area map is utilized indicating Street Typology. The Land Use Typology would be removed and the existing use information applied. The Street Typology map identifies the expected and required public realm based on appropriate detailed summary pages. Instead of a matrix as in Option 1, the existing summary tables for each Transect are used to set the expectation and requirement for the private realm. The Transect pages would be adjusted to reflect the purpose of being more simple and clear. Also used to accompany the Transect summary tables are the existing "Specific Function and Use" matrix.

With the use of Option 1 or Option 2 the FBC steps for development projects would be reduced from seven to three.

Staff contacted two local designers to gather input regarding Option 1. The outcome was that the summary Transect pages in the adopted FBC are a good identification of what is expected in the private realm.

Financing options are of the most concern to the designers that staff consulted. The options identified for financing the public realm include:

- Pavement Improvement District
- Business Improvement District
- Tax Increment Financing

The financing options will be one of the pieces that staff will be working on with the designers and developers.

Staff recommended City Council direct the amendment to the adopted FBC from Option 2 and recommended the extension of the moratorium on public realm to July 1, 2019.

In response to questions from City Councilors, Ms. Dennison described the financing options that were identified, said the Builders Relation Committee would approve as long as they know what all the expectations are, explained why FBC was adopted and why staff prefers Option 2.

Ms. Dennison stated that there is a resolution on the agenda that requests an extension of the moratorium that expires April 5, 2019. Staff would like the moratorium to be extended to July 1, 2019. The moratorium is curb to curb and the developers must still install sidewalks.

## **9. RESOLUTIONS**

- a. RESOLUTION 2019-3: A RESOLUTION ESTABLISHING A TEMPORARY MORIATORIUM ON THE APPLICATION OF "PUBLIC REALM" REQUIREMENTS ON CERTAIN NEW AND RE-DEVELOPMENT PROJECTS LOCATED WITHIN THE "FORM BASED CODE" DISTRICT AS DEFINED BY CHAPTER 23 STILLWATER CITY CODE

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO ADOPT RESOLUTION NO. CC-2019-3 AS PRESENTED.

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

- b. RESOLUTION 2019-4: A RESOLUTION APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE STILLWATER MEDICAL CENTER AUTHORITY IN THE PRINCIPAL AMOUNT OF \$12,000,000 FOR PURPOSES OF FINANCING CAPITAL IMPROVEMENTS TO THE STILLWATER MEDICAL CENTER; APPROVING THE WAIVER OF COMPETITIVE BIDDING ON SUCH INDEBTEDNESS AND CONTAINING OTHER PROVISIONS RELATING THERETO

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2019-4 AS PRESENTED.

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

## **10. ORDINANCES**

First Reading

- a. ORDINANCE NO. 3367: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 6, ANIMALS, TO CREATE ARTICLE V, BACKYARD CHICKENS, SECTION 6-81, DEFINITIONS; SECTION 6-82, KEEPING OF BACKYARD CHICKENS PERMITTED, REQUIREMENTS; AND SECTION 6-83, VIOLATION; PROVIDING FOR REPEALER AND SEVERABILITY

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3367 AS PRESENTED.

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

- b. ORDINANCE 3433: AN ORDINANCE AMENDING CHAPTER 18 OF THE STILLWATER CITY CODE TITLED "ENVIRONMENT," ARTICLE VI, "DILAPIDATED BUILDINGS," BY REVISING SECTION 18-152, "DEFINITIONS"; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADVANCE ORDINANCE NO. 3433 AS PRESENTED.

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

Second Reading

- a. ORDINANCE NO. 3432: AN ORDINANCE AMENDING CHAPTER 33, PARKS, EVENTS, AND RECREATION, BY ADDING NEW SECTION 33-15, CAMPING PROHIBITED; EXCEPTIONS, AND PROVIDING FOR SEVERABILITY

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3432 AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-YEA, ZANNOTTI-YEA, DZIALOWSKI-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 City Manager Norman McNickle.
  - ii) 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 City Attorney John Dorman.
  - iii) 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 Municipal Judge Tanya Raun.
- b. Miscellaneous items from the City Manager: Mr. McNickle gave an update on the Electric Utility Department's Substation Transformer Replacement Project. Mr. McNickle also congratulated four new police officer recruits who were sworn into office this past week: Rachel Bruce, Byron Goree, Brayley Running and Justin Sappington. Mr. McNickle congratulated three officers on their promotions: Cody Manuel, promoted to Lieutenant; Shawn Millermon, promoted to Sergeant; and Todd Parry, promoted to Sergeant.
- c. Miscellaneous items from the City Council: Councilor Zannotti welcomed new employees Chelsey Jones, John Frost, Brooke Guyot, Jonathan Conn, Mick Littlefield, Wyatt Denton, Cameron Moore and Jennifer Kline. Vice Mayor Darlington shared that the latest episodes of the F-Y-I Stillwater Podcast are now live. Councilor Dzialowski announced that Census Day 2020 is one year away and encouraged everyone to learn more about the work Stillwater and other county cities are doing now to ensure everyone gets counted. Mayor Joyce gave an update on the Central Zone and 44<sup>th</sup> Avenue Water Towers, a Water 2040 project.
  - i) Discussion about scheduling items for upcoming meetings

## 12. QUESTIONS & INQUIRIES

None.

## 13. EXECUTIVE SESSION

- a. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining, or resignation of City Manager Norman McNickle.
- b. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining, or resignation of City Attorney John Dorman.
- c. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining, or resignation of Municipal Judge Tanya Raun.

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

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

The Stillwater City Council entered into Executive Session at 6:28 p.m. and returned to open session at 8:21 p.m.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO RECONVENE THE REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

## 14. RETURN FROM EXECUTIVE SESSION

- a. Possible action on the employment, appointment, promotion, demotion, disciplining, or resignation of City Manager Norman McNickle.
- b. Possible action on the employment, appointment, promotion, demotion, disciplining, or resignation of City Attorney John Dorman.
- c. Possible action on the employment, appointment, promotion, demotion, disciplining, or resignation of Municipal Judge Tanya Raun.

No action was taken on Items a., b. or c.

## 15. ADJOURN

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI, TO ADJOURN THE APRIL 1, 2019 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The April 1, 2019 regular meeting of the Stillwater City Council adjourned at 8:22 p.m.

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

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**ELIZABETH CHRZ**  
**CITY CLERK**