

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW  
THE AGENDA WAS POSTED JULY 29, 2020 AT 3:50 P.M.  
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES  
STILLWATER CITY COUNCIL  
REGULAR MEETING  
COUNCIL HEARING ROOM  
723 S. LEWIS  
AUGUST 3, 2020

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

**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. PROCLAMATIONS/PRESENTATIONS**

- a. Emily Alexander with the Chamber of Commerce accepted the Lemonade Day proclamation read by Mayor Joyce. Ms. Alexander encouraged citizens to participate in the drive-thru version of Lemonade Day on August 22, 2020.

**4. CONSENT DOCKET**

- a. Regular meeting minutes of July 20, 2020 and July 27, 2020
- b. Approve budget amendments reflecting receipt of \$9,090 in revenue from Stillwater Trailriders and expenditure of \$9,090 for lease payment to Oklahoma State University for a motorcycle and all-terrain vehicle recreational area

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

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-YEA, DZIALOWSKI-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 comment regarding a request for a Specific Use Permit to allow a medical marijuana dispensary in the Commercial General district at property addressed as 116 N Main Street

Planning Manager Lanc Gross explained that the request met all requirements for the requested Specific Use Permit.

Mayor Joyce opened the public hearing. Jim McCollum, 712 S Kings Street, Stillwater, OK was present on behalf of the applicant. No questions were asked of Mr. McCollum

Mayor Joyce closed the public hearing and asked for the Planning Commission recommendation. Mr. Gross said Planning Commission recommends approval of the Specific Use Permit for the property located at 116 N Main Street.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 116 N MAIN STREET.

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

- b. Receive public comment regarding a request from Stillwater Springs Residential Development to consider an annexation petition request with recommended zoning classification for property located east of the intersection of E 19<sup>th</sup> Avenue and S Jardot Road (Continued from July 20, 2020) (Request to postpone to September 14, 2020)

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO POSTPONE THIS ITEM TO SEPTEMBER 14, 2020.

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

## **8. GENERAL ORDERS**

- a. Approve budget amendments reflecting donations to Stillwater Public Library

Library Director Stacy DeLano presented a budget amendment reflecting donations made to the library.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE BUDGET AMENDMENT REFLECTING DONATIONS TO STILLWATER PUBLIC LIBRARY.

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

- b. Approve budget amendments for Stillwater Public Library reflecting the receipt of grants from National Endowment for the Arts and OK Historical Society

Library Director Stacy DeLano presented a budget amendment reflecting the receipt of grant funds.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE BUDGET AMENDMENT REFLECTING RECEIPT OF GRANT FUNDS FROM NATIONAL ENDOWMENT FOR THE ARTS AND OK HISTORICAL SOCIETY.

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

- c. Approve the proposed FY20 Pavement Management projects not to exceed \$4.6 million, authorize utilization of the Master Service Agreements as needed in the design of the projects, and approve the associated budget amendment

Director of City Engineering Monty Karns reviewed the projects selected as FY20 Pavement Management projects.

- Crack Sealing
  - Various Locations
- Diamond Grind
  - McElroy Ave. - Perkins Rd. to Jardot Rd.
  - Hall of Fame Ave – Washington St. to Knoblock St.
- Micro-surfacing
  - N. Boomer Rd.- McElroy Ave. to Washington St.
  - Hall of Fame Ave. – Knoblock St. to Duck St.
- 2" Mill & Overlay
  - Duck St. - 6<sup>th</sup> Ave. to Eskridge Ave.
  - Husband- Elm Ave. to Hall of Fame Ave.
- Full Depth Repair
  - Various Locations
- Full reconstruction
  - Park St & Harned Ave. – Industrial area SW of Perkins Rd. and Airport Rd.
  - 7<sup>th</sup> Ave. - Main St. to Lewis St.
  - Monticello Dr. – University Ave. to Walnut St.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE FY20 PAVEMENT MANAGEMENT PROJECTS NOT TO EXCEED \$4.6 MILLION, AUTHORIZE UTILIZATION OF THE MASTER SERVICE AGREEMENTS AS NEEDED IN THE DESIGN OF THE PROJECTS, AND APPROVE THE ASSOCIATED BUDGET AMENDMENT.

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

- d. Approve the five year Transportation Plan and funding allocation

Director of City Engineering Monty Karns explained that on an annual basis, City transportation staff prepare a rolling five year pavement management (PM) plan. The plan serves as a guide for staff and the public and no projects are actually selected for design or construction until City Council approves the projects and appropriates the necessary funding. In the five year plan, the FY21 budget has been reduced to \$3.5 million in anticipation of a decline in sales tax revenue.

Mr. Karns reviewed a list of street types to be improved, type of treatment, and proposed fiscal year of the improvement as well as the proposed allocation of funds by treatment type and street classifications for FY21 through FY24. FY25 is a place holder and used to help allocation of costs for previous FY projects. Historically, it takes six to twelve months for design completion,

development of bid documents, and relocation of utilities. Engineering costs identified in one fiscal year are for the design of construction projects for the following fiscal year.

Mr. Karns stated no action was required on this item.

- e. Approve bid recommendation for the 4<sup>th</sup> Avenue and Hester Road Project to Lopp Construction in the amount of \$1,682,705.82, authorize the City Manager to execute the contract documents, and authorize total project expenditures of \$1,850,980, which includes a 10% contingency

Director of City Engineering Monty Karns stated that on March 5, 2018, Council approved the FY18 Pavement Management program of \$4.7 million, of which \$1.6 million was identified for pavement reconstruction projects. The reconstruction projects selected were:

- Sangre Road – north of 6<sup>th</sup> Avenue,
- Richmond Road Culvert Replacement, and
- 4<sup>th</sup> Avenue and Hester Road.

The Sangre Road and Richmond Road culvert projects are both completed. The bid phase for the 4<sup>th</sup> Avenue and Hester Road Project (project) has recently been completed. The project bid package includes pavement reconstruction and water and sewer line relocations. Additional utility relocations by others are in progress. The project was advertised on June 25 and July 2, 2020. Bids were received from five (5) companies and opened on July 22, 2020.

Staff recommends Council award the bid to Lopp Construction in the amount of \$1,682,705.82, authorize the City Manager to execute the contract documents, authorize total project expenditures of \$1,850,980, which includes a 10% contingency, and approve the associated budget amendments.

MOTION BY COUNCILOR DZIALOWSKI AND SECOND BY COUNCILOR ZANNOTTI TO AWARD THE BID TO LOPP CONSTRUCTION IN THE AMOUNT OF \$1,682,705.82, AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT DOCUMENTS, AUTHORIZE TOTAL PROJECT EXPENDITURES OF \$1,850,980, WHICH INCLUDES A 10% CONTINGENCY, AND APPROVE THE ASSOCIATED BUDGET AMENDMENTS.

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

- f. Approve budget amendment appropriating \$45,000 from the Capital Fund fund balance as grant match for the US Department of Commerce Economic Development Administration Public Works and Economic Adjustment Assistance Program Funding Opportunity Grant

Deputy City Manager Melissa Reames reported that this budget amendment is for appropriation of funds to be used as a match should Stillwater Regional Airport be awarded the US Department of Commerce Economic Development Administration Public Works and Economic Adjustment Assistance Program Funding Opportunity grant. If not awarded, the funds will be returned to the Capital Fund.

MOTION BY COUNCILOR WEDLAKE AND SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE BUDGET AMENDMENT APPROPRIATING \$45,000 FROM THE CAPITAL FUND FUND BALANCE AS GRANT MATCH FOR THE US DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION PUBLIC WORKS AND ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM FUNDING OPPORTUNITY GRANT.

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

- g. Approve Memorandum of Understanding with Oklahoma Office of Homeland Security requesting the City of Stillwater to be the federally required municipal sponsor of the Fiscal Year 2020 Homeland Security Grant Program

City Manager Norman McNickle reported that Director Kim Carter of the Oklahoma Office of Homeland Security (OKOHS) has requested the City of Stillwater be the federally required municipal sponsor of the Fiscal Year 2020 Homeland Security Grant Program.

Although there is no direct monetary funding to the city in sponsoring the grant, our first responders are beneficiaries of the information from the Fusion Center. Throughout the Fusion Center's existence, various Stillwater staff members have served on its governing board. In addition, the Stillwater Fire Department has been provided a hazardous materials response truck, trailer, and equipment valued at \$580,000. Other various response equipment has also been provided throughout the last ten years. In addition, Stillwater Public Schools has received funding from this grant for school security equipment.

MOTION BY COUNCILOR DZIALOWSKI AND SECOND BY COUNCILOR WEDLAKE TO APPROVE MEMORANDUM OF UNDERSTANDING WITH OKLAHOMA OFFICE OF HOMELAND SECURITY REQUESTING THE CITY OF STILLWATER TO BE THE FEDERALLY REQUIRED MUNICIPAL SPONSOR OF THE FISCAL YEAR 2020 HOMELAND SECURITY GRANT PROGRAM.

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

- h. COVID-19 UPDATE

Mayor Joyce reminded everyone that OSU students will be returning over the next few weeks and, due to mandatory testing for all students living in campus housing and the Greek community, an increase in positive cases can be expected. He encouraged all citizens to continue to wear face coverings and abide by CDC guidelines.

## 9. RESOLUTIONS

- a. Resolution No. 2020-14: A resolution acknowledging City Council authorization and approval for the submission of an application for federal grant funding to reconstruct the apron, Phase 3 center portion, and complete a master plan update at Stillwater Regional Airport through the FAA AIP grant 3-40-0090-032-2021

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. 2020-14 AS PRESENTED.

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

- b. Resolution No. 2020-15: A resolution acknowledging City Council authorization and approval for the submission of an application for federal grant funding to upgrade airport security, purchase airside equipment and complete an airport rates and charges study at Stillwater Regional Airport through the US Department of Commerce Economic Development Administration Public Works and Economic Adjustment Assistance Program Funding Opportunity #PWEAA2020

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. 2020-15 AS PRESENTED.

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

## 10. ORDINANCES

### a. First Reading

Ordinance No. 3455: An ordinance amending the Stillwater City Code by amending Chapter 41, Utilities, Article IV, Water Service, Division 4, Rates and Charges, Section 41-208, Established

MOTION BY COUNCILOR ZANNOTTI AND SECOND BY COUNCILOR DZIALOWSKI TO ADVANCE ORDINANCE NO. 3455 TO SECOND READING.

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

### b. Second Reading

Ordinance No. 3454: An ordinance closing the south 2 feet of an existing 20 foot utility easement located on lot five, replat of lot six, Eastridge Second Section, on property addressed as 1112 E Swim Avenue

MOTION BY COUNCILOR WEDLAKE AND SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3454 ON SECOND READING.

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

## 11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager: None
- c. Miscellaneous items from the City Council:
  - i. Discussion about scheduling items for future meetings.  
None

## 12. QUESTIONS & INQUIRIES

None.

## 13. ADJOURN

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR WEDLAKE TO ADJOURN THE AUGUST 3, 2020 SPECIAL MEETING OF THE STILLWATER CITY COUNCIL.

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

The August 3, 2020 special meeting of the Stillwater City Council adjourned at 6:40p.m.

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

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**TERESA KADAVY  
CITY CLERK**

**DRAFT**