

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AGENDA
WAS POSTED MARCH 1, 2017 AT 4:20 P.M. AT THE MUNICIPAL BUILDING,
723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MARCH 6, 2017**

**PRESENT: VICE MAYOR PAT DARLINGTON,
COUNCILORS ALANE ZANNOTTI, WILLIAM JOYCE AND JOHN WEDLAKE**
ABSENT: MAYOR GINA J. NOBLE

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Rylan Bacon, daughter of Customer Service Department employee Tanya Bacon, led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS & PRESENTATIONS

- a. Sunshine Week (League of Women Voters)

Members of the League of Women Voters explained the meaning and purpose of "Sunshine Week". Vice Mayor Darlington proclaimed the week of March 12-18, 2017 in the City of Stillwater as "Sunshine Week: Open Government".

- b. Recognition of Diane & Richard Buchanan for donation to welcome sign fund and Judy Ringwall for donation to Ingham Park

Vice Mayor Darlington and City Manager McNickle thanked Diane and Richard Buchanan for their donation for the welcome sign to be located on the southeast corner of Western and Highway 51; and expressed appreciation to Judy Ringwall for her donation to Ingham Park.

- c. Recognition of Stillwater Regional Airport's American Airline team for receipt of the Customer Cup for outstanding customer service

Stillwater Regional Airport Director Gary Johnson recognized Envoy General Manager Karen Strawder and her team for receiving the American Airlines Customer Cup Award for outstanding customer service for the fourth quarter of 2016.

4. CONSENT DOCKET

- a. Approval of minutes: Regular Meeting February 13, 2017
b. Authorize Mayor to sign quit claim deed for 1.4 acre tract located at or near 4099 N. Land Run Drive

- c. Memo to set April 17, 2017 as the date for public hearing for a request from the Church of Christ to close the entirety of the right-of-way of Duncan Street adjacent to properties addressed as 821 N. Duck Street, 821 N. Husband, and 823 N. Duncan
- d. Memo to set April 17, 2017 as the date for public hearing to close a portion of general utility easement at 1201 W. 6th Avenue at Stillwater Medical Center
- e. Budget amendment to ½ cent transportation fund in order to implement the full revised FY17 pavement management program as approved by the Council (CC-17-30)
- f. Budget amendment reflecting donations for Ingham Park and Western & 6th welcome sign
- g. Acceptance of easements for Western Road Project, Western to McElroy (CC-17-31)
- h. Acceptance of Water 2040 real estate easements (CC-17-29)
- i. Authorize Mayor to sign documents related to maintain eligibility for the State of Oklahoma Federal Property Donation Program
- j. Acceptance as pre-requisite for annual grant funding from federal and state agencies of annual grant plans for the following: (CC-17-26)
 - i) Affirmative Action
 - ii) Anti-displacement & Relocation
 - iii) Citizen Participation
 - iv) Fair Housing
 - v) Minority / Women Based Enterprises

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE CONSENT DOCKET AS PRESENTED.

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

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

Kyle Kelty, 1907 W. McMurtry Road, representing B & L Heating & Air Conditioning, stated that he did not oppose the discontinuance of contractor billing services, but suggested an escrow system be implemented.

Ron Walker, 2218 Walking Trail Drive, stated that the discontinuance of contractor billing services is a topic that normally would be discussed with the Builder Relations Committee prior to a City Council meeting and expressed his concern regarding the additional time that may be required with a change in the permitting process.

Dale Sorrell, 1301 N. Payne, expressed concern regarding the additional time that may be required if contractor billing services are discontinued and said some municipalities allow escrow accounts for contractors.

6. ITEMS REMOVED FROM THE CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Map Amendment for 707 E. Airport Road from IG, Industrial General District, to CG, Commercial General District (CC-17-27)

Development Review Manager Mike Beaty reported that the proposed Map Amendment is to rezone property addressed as 707 East Airport Road from IG, Industrial General district, to CG, Commercial

General district. Prior to acquisition by the Stillwater Chamber of Commerce, the property was part of the Mercruiser Campus, which has been subdivided to promote economic development in the area.

Vice Mayor Darlington opened the public hearing.

Kelly Harris, Keystone Engineering, 923 S. Lowry, representing the Stillwater Chamber of Commerce, expressed that the proposed rezoning would create new interest in the area. Ms. Harris said the preliminary earthwork, required stormwater detention areas and utilities will be completed.

Vice Mayor Darlington closed the public hearing.

The Planning Commission recommended approval of the Map Amendment to rezone 707 East Airport Road from IG, Industrial General district, to CG, Commercial General district, with a vote of 7-0.

MOTION BY COUNCILOR JOYCE SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE REQUEST FOR A MAP AMENDMENT TO REZONE PROPERTY ADDRESSED AS 707 EAST AIRPORT ROAD FROM IG, INDUSTRIAL GENERAL DISTRICT, TO CG, COMMERCIAL GENERAL DISTRICT.

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

- b. Receive public comment regarding a request for a Map Amendment for 823 W. 11th Avenue from RSS, Residential Small-lot Single-family district to the O, Office district (CC-17-28)

Development Review Manager Mike Beaty reported that the proposed Map Amendment is to rezone property addressed as 823 West 11th Avenue from RSS, Residential Small-lot Single-family district, to O, Office district. The location is surrounded by Public zoned property and Office zoned property across the street. The applicant wishes to sell food from the site, which would be allowed in the Office zoning with a Special Use Permit (SUP).

Vice Mayor Darlington opened the public hearing.

Gerry Auel, 910 S. Stanley, suggested that action on this request for rezoning be tabled, since this parcel is part of an upcoming land-use study scheduled for March 9, 2017.

Shirley Weeks, 71 University Circle, stated this request is an inappropriate use for the property and should be tabled or denied.

Stephen Gose, Gose & Associates, 113 E. 8th Avenue, representing applicant, stated that the applicant is attempting to reestablish the food service use previously permitted on the property.

Vice Mayor Darlington closed the public hearing.

The Planning Commission recommended approval of the Map Amendment to rezone 823 West 11th Avenue from RSS, Residential Small-lot Single-family district to the O, Office district, with a 5-0 vote.

Councilor Joyce expressed his desire to table the action until after the land-use study is completed and, due to the Office zoning abutting the parcel, he does not have any objection to the rezoning request. Mr. McNickle stated that the public hearing notices for 823 West 11th Avenue had already been distributed prior to the scheduling of the upcoming Comprehensive Plan study.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO TABLE THE REQUEST FOR A MAP AMENDMENT FOR 823 WEST 11TH AVENUE FROM RSS, RESIDENTIAL SMALL-LOT SINGLE-FAMILY DISTRICT TO O, OFFICE DISTRICT, UNTIL MAY 15, 2017.

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

8. GENERAL ORDERS

- a. Bicycle & Pedestrian Advisory Committee report

BPAC Chairman Mike Buchert stated that the committee's recommendations include:

- Bicycle Pedestrian Coordinator
- Safety Education
 - Work with Marketing staff to create an educational map
 - Updated signage and wayfinding
 - Information and training
- Connectivity
 - Connect trails and sidewalks
 - Update City planning documents

Action requested of City Council by BPAC:

- Approval of inclusion of bicycle/pedestrian/accessibility coordinator duties in existing Transportation Department staff job description for 10-25% of time.
- Development Services, Transportation Department and City Attorney staff time to provide education and advice.
- BPAC involvement in bond issue development and support to fund multi-modal transportation needs.
- Commitment to include multimodal public education and safety in the City's marketing and public education programming.

- b. Smart Communities presentation by David Swank

Mr. Swank explained that the Smart Communities initiative is a way to evaluate and address the many challenges facing our communities. Megatrends highlighted were exponential technology, increased job competition, increased stress on infrastructure, and urbanization. Mr. Swank said to address these challenges we need to develop a leadership pool, develop key partnerships, have smart urban planning and focus on quality of life. The five-step process includes civic collaboration, goal setting, setting priorities, community alignment and creation of a community plan.

In response to Councilor Joyce's inquiry as to where we are now in the process, Mr. Swank stated that a leadership council has been established, cluster meetings have been scheduled and additional analysis will be forthcoming.

- c. Report on reuse alternatives for Boomer Lake Station

Special Projects Director John McClenny shared adaptive reuses of municipal power plants such as:

- Art Gallery
- Museum
- Hotel and Spa

- Hard Rock Café
- Residential/Commercial Development

Mr. McClenny said the one item all these projects had in common was a private developer was involved in all of them. Some of the challenges that may occur with repurposing Boomer Lake Station (BLS) would be asbestos and lead paint. Electric Utility staff has suggested using BLS as a secondary warehouse.

d. Discontinuance of contractor billing services (CC-17-32)

Development Services Director Paula Dennison reported that current staff members in Development Services and Finance have not been able to determine when contractor billing began with the City of Stillwater. Contractor billing is not an industry standard or business practice for most municipalities. Current software does not support contractor billing. New software is being developed and contractor billing could be added to the software for an additional fee, plus an annual maintenance fee. The new web portal will allow for users to sign in to make payments online. Ms. Dennison stated that as of December 31, 2016 there was over \$18,000.00 in unpaid billing that could have been utilized through the General Fund. There are no penalties, no administrative costs, the permit is still valid, inspections continue to be performed and there is no mechanism to not issue a certificate of occupancy if a contractor has a past due bill. The current process is labor intensive for Development Services and Finance staff.

The Land Development Committee and staff recommend that City Council discontinue the contractor billing service and all amounts under the current service become due in full no later than July 1, 2017.

Discussion occurred regarding the new software being purchased by the City, how the current billing system works, how an escrow account would function, effect of an online payment system, the current permitting process, the financial role of City government in the permitting process, and communication with the Building Relations Committee regarding the most efficient way to operate the permitting process.

Chief Financial Officer Melissa Reames expressed that staff would be working with individuals to see that all accounts are paid in full prior to June 30, 2017, preferably before this time, so that Finance can close out the fiscal year with no outstanding account balances. Ms. Reames said that from July 1, 2017 until the time the new software is functional, staff will work with the Building Relations Committee to create a smooth payment process.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR WEDLAKE TO DIRECT STAFF TO DISCONTINUE CONTRACTOR BILLING SERVICES AND WORK WITH THE BUILDING RELATIONS COMMITTEE TO DETERMINE A SMOOTH TRANSITION TO THE NEW SYSTEM.

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

9. ORDINANCES

First Reading

None.

Second Reading

- a. ORDINANCE NO. 3359: An ordinance closing a general utility easement at property addressed as 420 And 502 South Blakely Street

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADOPT ORDINANCE NO. 3359 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
 - i) Request for an Executive Session pursuant to 25 O.S. §307 (C) (10) for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to locate within the City of Stillwater because public disclosure of the matter to be discussed would interfere with the development of products and services and would violate the confidentiality of the business.
 - ii) Request for an Executive Session pursuant to 25 O.S. §307 (B)(3) for the purpose of confidential communication regarding the purchase or appraisal of real property.
- b. Miscellaneous items from the City Manager: Mr. McNickle announced that the State of Oklahoma Department of Health named the City of Stillwater a certified healthy business and commended the City's public safety employees for their efforts in recent wildfires and a fatality shooting in Stillwater last Saturday evening.
- c. Miscellaneous items from the City Council: Councilor Zannotti announced that the Land Run 100 Race would be held March 4 and that activities would begin downtown on March 3. Councilor Joyce shared that "Business Insider" recognized Stillwater as the best place in Oklahoma to buy a house. Councilor Joyce attended the SMAC Week Gala on February 24, coordinated by Stillwater High School students, to benefit the local MPower organization; and praised the students for the excellent work they performed in organizing this event. Councilor Wedlake reminded citizens that Stillwater Customer Service employees will not contact them via telephone to collect utility payments and that bills may be paid online. Vice Mayor Darlington said that citizen input is needed to develop the 12th Avenue Land Use Plan and information will be shared on March 9 at the Community Center.
 - i) Discussion about scheduling items for upcoming meetings

11. APPOINTMENTS

- a. Appointment of ad hoc committee to review third party service agreements

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO APPOINT MAYOR NOBLE AND COUNCILOR JOYCE TO THE AD HOC COMMITTEE TO REVIEW THIRD PARTY SERVICE CONTRACTS.

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

12. QUESTIONS & INQUIRIES

None.

13. EXECUTIVE SESSION

- a. Confidential communication on matters pertaining to economic development.
- b. Confidential communication regarding the purchase or appraisal of real property.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO ENTER INTO EXECUTIVE SESSION.

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

MOTION BY COUNCILOR JOYCE, SECOND BY VICE MAYOR DARLINGTON TO RECONVENE THE MARCH 6, 2017 MEETING OF THE STILLWATER CITY COUNCIL.

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

The Stillwater City Council entered into Executive Session at 7:26 p.m. and returned to open session at 8:34 p.m.

14. RETURN FROM EXECUTIVE SESSION

- a. No action will be taken on this item.

No action was taken regarding Item a.

- b. No action will be taken on this item.

No action was taken regarding Item b.

15. ADJOURN

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADJOURN THE MARCH 6, 2017 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The March 6, 2017 meeting of the Stillwater City Council adjourned at 8:35 p.m.

GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL

ELIZABETH CHRZ
CITY CLERK