

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW  
THE AGENDA WAS POSTED DECEMBER 2, 2020 AT 3:20 P.M.  
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES  
STILLWATER CITY COUNCIL  
SPECIAL MEETING  
STILLWATER COMMUNITY CENTER  
WINFREY HOUSTON THEATRE  
315 W. 8th AVENUE  
STILLWATER, OK 74074  
DECEMBER 7, 2020**

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

- a. Wreaths Across America

Mayor Joyce read the proclamation on behalf of Wreaths Across America and reminded residents about the ceremony at Fairlawn Cemetery on December 19, 2020.

**4. CONSENT DOCKET**

- a. Approve special meeting minutes November 30, 2020
- b. Approve budget amendment reflecting receipt and expenditure of \$240,000 of funds awarded to Lake McMurtry Friends through a recreational trails grant
- c. Approve amendment to the Fifty One East Water, Inc. 2005 Water Purchase Agreement

Vice Mayor Darlington requested item B. be removed from the Consent Docket.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE CONSENT DOCKET MINUS ITEM B.

ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-YEA, ZANNOTTI-YEA, WEDLAKE-YEA, DZIALOWSKI-YEA. NAY-NONE. MOTION CARRIED WITH FIVE 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**

- b. Approve budget amendment reflecting receipt and expenditure of \$240,000 of funds awarded to Lake McMurtry Friends through a recreational trails grant

Vice Mayor Darlington stated she wanted to recognize Lake McMurtry Friends for the great job they do researching and applying for grant opportunities. She stated this is a great public private partnership that works very well.

Councilor Zannotti reminded citizens that Lake McMurtry will have Lights on the Lake at the east recreation area on December 17<sup>th</sup> and 18<sup>th</sup> from 5:00 p.m. to 9:00 p.m.

**MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR WEDLAKE TO APPROVE ITEM B. FROM THE CONSENT DOCKET.**

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

## **7. PUBLIC HEARINGS**

- a. Receive public comment regarding a request for a Map Amendment to rezone property addressed as 815, 817, 823 N Jefferson and 924 W McElroy from RT, Two-Family Residential district to RTM, Two-Family & Multi-Family Residential district

Planning Manager Lanc Gross reported this request is for a Map Amendment to rezone properties addressed as 815, 817 & 823 N. Jefferson Street and 924 W. McElroy Road from RT, Two-Family Residential district to RTM, Two-Family & Multi-Family Residential district. The developer wishes to create a "Pocket Neighborhood" consisting of a clustered group of neighboring houses or apartments gathered around a shared open space. The open space has a clear sense of territory and shared stewardship between neighbors.

Mayor Joyce opened the public hearing.

Kelly Harris, Keystone Engineering, spoke on behalf of the applicant.

Mayor Joyce closed the public hearing.

Planning Commission recommends approval 4-0

**MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTIES LOCATED AT 815, 817 & 823 N. JEFFERSON AND 924 W. MCELROY ROAD.**

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

- b. Receive public comment regarding a request for a Map Amendment to rezone property addressed as 908 E 12<sup>th</sup> from RSS to RMU

Item b. was deferred to the January 11, 2021 city council meeting. No action was taken on this item.

## **8. GENERAL ORDERS**

- a. Discussion regarding use of CARES funds for utility and rent assistance, and possible reinstatement of utility cutoff moratorium

City Manager Norman McNickle reported CARES funding is available for citizens in need of assistance to help with utility and rent payments. The City is looking to partner with a 501-C3 organization to review applications and administer the funds. Mr. McNickle stated a dollar amount and guidelines for the assistance program needs to be specified and the program also needs to be completed by January 25, 2020 to allow the City to apply for a grant through a CDBG program.

Discussion was held regarding a moratorium on disconnects but no guideline was finalized.

Mayor Joyce appointed Vice Mayor Darlington and Councilor Zannotti to work with staff to form a proposal to bring back to the council at the December 14, 2020 meeting.

## 9. RESOLUTIONS

### a. Overview of utility rates and communication plan

Special Projects Director John McClenny reported that City Council/SUA Trustees were presented information from Avant Energy on electric, water and wastewater rates in February 2020 and NewGen Strategies and Solutions presented information on solid waste rates in July 2020. No decisions were made to implement rate changes at these presentations. Mr. McClenny stated that based on the discussion from the October 26, 2020 study session, staff addressed the following issues:

- Percentages of increase/decrease on total customer bills
- Historic rate increases in all areas
- Rate comparison to other communities
- Community Outreach Plan
- Rural Water and Wholesale Water Rate Study
- OSU Sewer discharge review
- Develop Rate Resolution for Waste Management for adoption
- Develop Rate Resolutions for Water, Wastewater and Electric for additional consideration and/or adoption

Mr. McClenny stated that in addition to covering the basic operations and maintenance of the utilities the recommended rate structure for Waste Management is needed to move forward with the recycling staging facility and the recommended rate structure for Water/Wastewater is needed to support the capital improvement program.

Chief Communications Officer Sherry Fletcher reviewed the preliminary communication plan for the proposed utility rates. Councilors requested that the plan include an explanation of the proposed resolutions in layman's terms, a historical big picture of utility rates before the new rate studies and an explanation of steps leading up to the proposed rate changes.

- ### b. Resolution No. CC-2020-24: A resolution adopting the revised rate structure for solid waste collection services, including street sweeping service; roll-off container service; residential waste collection, multi-family residential waste collection, and commercial waste collection; providing for subsequent rate increases; and providing an effective date

Waste Management Director Chris Knight reported that all fees in the waste management structure will be increased by 11.5% on January 1, 2021 and another 4% increase in 2023.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR DARLINGTON TO ADOPT RESOLUTION NO. CC-2020-24 AS PRESENTED.

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

- c. Resolution No. CC-2020-25: A resolution adopting the revised rate structure for electric sales; providing for subsequent rate increases; and providing an effective date

Resolution No. CC-2020-25 was deferred to a January 2021 city council meeting. No action was taken on this item.

- d. Resolution No. CC-2020-26: A resolution adopting the revised rate structure for water and wastewater utility services; providing for subsequent rate increases; and providing an effective date

Resolution No. CC-2020-26 was deferred to a January 2021 city council meeting. No action was taken on this item.

## 10. ORDINANCES

### a. First Reading

Ordinance No. 3466: An Ordinance amending the Stillwater City Code by amending Chapter 14, Civil Emergencies, Article II, Emergency Management, Division 3, State of Emergency, to amend by deleting in its entirety Section 14-66, Offenses – Generally, and Section 14-67, Same – Destroying or Damaging Property; Injuring Another Person; and Declaring an Emergency

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR DARLINGTON TO ADVANCE ORDINANCE NO. 3466 TO SECOND READING AS PRESENTED

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

## 11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
  - i. Request for an Executive Session pursuant to 25 O.S. 307 (B)(4) for the purpose of confidential communication with the City Attorney regarding a pending tort claim filed by Sandra Groshong. It is the opinion of the City Attorney that public disclosure of this matter will seriously impair the ability of the City Council to process this claim and/or conduct an investigation and/or to prosecute/defend any resulting litigation or proceeding in the public interest.
- b. Miscellaneous items from the City Manager:
  - City Manager Norman McNickle thanked everyone who helped with absentee voting at the Community Center. Stillwater Community Center Manager Stephanie Kinder was specifically recognized for going above and beyond to help voters and assist Payne County volunteers. Stephanie represented the City's respectful, responsive and proud standards.
- c. Miscellaneous items from the City Council:
  - Vice Mayor Darlington reported there is a new Welcome to Stillwater sign on west Highway 51. She thanked Kristine Waits, a Stillwater resident, for her work on the new sign.
  - Councilor Zannotti reported there is a Utility Assistance Program that is a voluntary donation program for utility customers who wish to contribute funds to assist neighbors who may need help with their utility bills because of financial hardships. To donate, check the appropriate box on the return portion of your City of Stillwater utility bill and remit your payment. If you are on a bank draft program, call Utility and Billing Services at 405.742.8245 to make arrangements.

- Councilor Wedlake stated Council seat number four is up for election for a four-year term. Residents interested in running for Stillwater City Council have until December 9<sup>th</sup> to file for the election at the Payne County Election Board between 8:00 a.m. and 5:00 p.m. The spring municipal general election is February 9, 2021 and a run-off election is scheduled for April 6, 2021 if needed.
- Councilor Dzialowski reminded citizens that City Council meetings have been moved to the Community Center to accommodate for social distancing. Face coverings are required to enter the Community Center and will be provided to residents upon entry.
- Mayor Joyce gave a warm welcome to the City of Stillwater's new Innovation Team: Becky Taylor is Chief Civic Innovation Officer and Brady Moore is Chief Performance Innovation Officer. Mayor stated we are pleased to fill both these positions with hometown talent.
- i. Discussion about scheduling items for future meetings.

Stillwater City Council meeting recessed at 6:31 p.m. to convene Stillwater Utilities Authority meeting.  
 Stillwater City Council reconvened at 6:44 p.m.

## **12. EXECUTIVE SESSION**

- a. Confidential communication regarding a tort claim filed by Sandra Groshong.

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

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

The Stillwater City Council entered into Executive Session at 6:44 p.m. and returned to open session at 7:05 p.m.

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

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

## **13. RETURN FROM EXECUTIVE SESSION**

- a. Possible action regarding a tort claim filed by Sandra Groshong.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO DENY CLAIM AND ATTACHED OFFER.

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

## **14. QUESTIONS & INQUIRIES**

None.

**15. ADJOURN**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO ADJOURN THE DECEMBER 7, 2020 SPECIAL MEETING OF THE STILLWATER CITY COUNCIL.

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

The December 7, 2020 special meeting of the Stillwater City Council adjourned at 7:06 p.m.

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

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**TERESA KADAVY  
CITY CLERK**

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