IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AMENDED AGENDA WAS POSTED OCTOBER 13, 2016 AT 10:30 A.M. AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
OCTOBER 17, 2016

PRESENT: **MAYOR GINA J. NOBLE, VICE MAYOR PAT DARLINGTON, COUNCILORS MIGUEL NAJERA AND ALANE ZANNOTTI**

ABSENT: **COUNCILOR WILLIAM JOYCE**

1. CALL MEETING TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Ronnie and Josephine Shirley, children of Electric Utilities employee Sara Shirley, led the audience in the Pledge of Allegiance.

3. PROCLAMATIONS & PRESENTATIONS

a. Friends of the Library

Councilor Zannotti proclaimed October 16-22, 2016 as "Friends of Libraries Week". Stillwater Public Library Director Lynda Reynolds accepted the proclamation on behalf of the Friends of the Library.

b. *Welcome Buffalo Soldiers to Stillwater, Oklahoma

Councilor Najera welcomed the Buffalo Soldiers Motorcycle Club to Stillwater, Oklahoma, to participate in the Oklahoma State University Homecoming Parade on October 29, 2016.

4. CONSENT DOCKET

a. Approval of minutes: Regular Meeting October 3, 2016
b. Authorize payment for the emergency full depth repair of Airport Road (CC-16-129)
c. Sheerar Museum quarterly report
d. Authorize the Mayor to sign documents related to the Emergency Shelter Grant for the Mission of Hope in the Oklahoma Department of Commerce approved reduced amount of $37,125 (CC-16-128)

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

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

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

The following individuals spoke regarding the proposal to change the permitting and inspection process for residential (1- and 2-family) dwellings:

Craig Higley, 3519 W. Willow Park Circle, expressed the need for adequate oversight of the proposed program, the potential for sub-standard construction and safety concerns for homeowners.

Roger Gose, 113 E. 8th Avenue, stated that he is not for or against the proposed program, but it will drive up housing costs. Mr. Gose encouraged City Council to be thorough in their approach to the program.

Charles Snyder, 203 West 12th Avenue, stated the need for oversight in the proposed program, if it moves forward.

Rusty Kraybill, 424 S. Westpark Court, expressed concern regarding the cost of the proposed program.

Dan Siebert, 4110 N. Fairgrounds Road, on behalf of Stillwater Homebuilders Association, said he was not against the current proposal and expressed concern about what private inspectors might require.

Dale Sorrell, 1521 E. 6th, said he was undecided regarding the proposed program and that more work needed to be completed before the program is ready to be launched.

Paul Minasian, 1006 S. Union Road, expressed concern regarding the expenses of the proposed program.

6. ITEMS REMOVED FROM THE CONSENT DOCKET

None.

7. GENERAL ORDERS

a. Proposal to change the permitting and inspection process for residential (1- and 2-family) dwellings (CC-16-130)

Development Services Director Paula Dennison displayed flow charts of the current and proposed certificate of occupancy processes; and shared the history of building regulations in Stillwater. Ms. Dennison said the evaluation of the established permitting and inspection process was prompted by a variety of reasons, including the State of Oklahoma's adoption of minimum building codes that are applicable to all jurisdictions across the State. The proposal is to establish a third party inspection and certification system for building inspections of one and two-family dwellings to be performed by individuals that are certified through the International Codes Council (ICC) and licensed by the OUBCC. One and two-family building permits and certificates of occupancy would continue to be issued by the City, but the inspections and code compliance certifications will be performed by third party individuals.

Discussion occurred regarding application of State standards within Payne County and the corporate limits of Stillwater; number of homes built and permits issued in 2015; the number of inspections performed for each building project; permit fees charged; availability of private inspectors; reasons for considering the change in the inspection process; the need for consistency in all aspects of the program; further development of forms to be used; training coordination with Meridian Technology Center; and program costs. Staff was directed to move forward with the development of this program for presentation to City Council at a later date.

b. 6th Avenue & Perkins Road Design Contract Amendment No. 7 in the amount of $24,603.80 for changes to the construction documents including: $10,935.24 for pedestrian improvements, $2,991.68 to modify hardscaping aesthetic improvements, and $10,676.88 to meet conditions of landowner agreements (CC-16-127)

Interim Transportation Director Sharla Lovern shared the history of the 6th Avenue and Perkins Road design contract with Leidos Engineering LLC, now Benham Design LLC, which was approved on May 24, 2011. Amendment No. 7 in the amount of $24,603.80 is for changes to the construction documents, including $10,935.24 for pedestrian improvements, $2,991.68 to modify hardscaping aesthetic improvements and $10,676.88 to meet conditions of landowner agreements.

The Transportation Department recommended that the City Council authorize staff to execute Amendment No. 7 to the 6th Avenue and Perkins Road Project professional services agreement with Benham Design LLC, a successor in interest to Leidos Engineering LLC, and authorize expenditures up to $582,926.25 for the professional services, which includes $24,603.80 for Amendment No. 7.

MOTION BY COUNCILOR NAJERA, SECOND BY VICE MAYOR DARLINGTON TO AUTHORIZE STAFF TO EXECUTE AMENDMENT NO. 7 TO THE 6TH AVENUE AND PERKINS ROAD PROJECT PROFESSIONAL SERVICES AGREEMENT WITH BENHAM DESIGN LLC, A SUCCESSOR IN INTEREST TO LEIDOS ENGINEERING LLC, AND AUTHORIZE EXPENDITURES UP TO $582,926.25 FOR THE PROFESSIONAL SERVICES, WHICH INCLUDES $24,603.80 FOR AMENDMENT NO. 7.

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

8. RESOLUTIONS

a. **RESOLUTION NO. CC-2016-29: A RESOLUTION OF THE STILLWATER CITY COUNCIL PROHIBITING THE FLYING OF UNMANNED AIRCRAFT SYSTEMS (UAS) DURING CERTAIN PUBLIC EVENTS ON OCTOBER 28 AND 29, 2016**

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR ZANNOTTI TO APPROVE RESOLUTION NO. CC-2016-29 AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES AT 6:30 P.M.

9. ORDINANCES

First Reading

a. **ORDINANCE NO. 3353: AN ORDINANCE CLOSING A PORTION OF THE PLATTED ALLEYWAY BETWEEN STANLEY STREET AND BLAKELY STREET AND BETWEEN 4TH AVENUE AND 6TH AVENUE ADJACENT TO PROPERTIES ADDRESSED AS 409-519 SOUTH STANLEY STREET; 1316 WEST 6TH AVENUE; 410–524 SOUTH BLAKELY STREET; AND 1303–1305 WEST 4TH AVENUE**

MOTION BY COUNCILOR NAJERA, SECOND BY VICE MAYOR DARLINGTON TO ADVANCE ORDINANCE NO. 3353 AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES AT 6:27 P.M.

Second Reading

a. **ORDINANCE NO. 3351: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 16, CRIMES, MISCELLANEOUS OFFENSES AND PROVISIONS, ARTICLE V, OFFENSES AGAINST PUBLIC AUTHORITY, TO CREATE SECTION 16-110, UNMANNED AIRCRAFT SYSTEM DEFINED; PROHIBITIONS; EXEMPTIONS; VIOLATION, AND DECLARING AN EMERGENCY**

MOTION BY COUNCILOR NAJERA, SECOND BY VICE MAYOR DARLINGTON TO ADOPT ORDINANCE NO. 3351 AS PRESENTED.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES AT 6:28 P.M.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR NAJERA TO DECLARE ORDINANCE NO. 3351 AN EMERGENCY.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES AT 6:29 P.M.

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney
   i) Request for an Executive Session for the purpose of confidential communication regarding the purchase or appraisal of real property pursuant to 25 O.S. §307 (B)(3).
   ii) Request for an Executive Session pursuant to 25 0.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.

b. Miscellaneous items from the City Manager: Mr. McNickle announced the implementation of zero-based budgeting for Fiscal Year 2018 in response to sales tax collection trending down and said that the Fiscal Year 2017 budget was being revised. Mr. McNickle encouraged everyone to buy local, as your sales tax dollars fund your City government and support local businesses.

c. Miscellaneous items from the City Council: Vice Mayor Darlington said that the last 2016 Pavement Management project will begin the week of October 17. Councilor Zannotti invited everyone to attend the 26th Annual Halloween Festival on October 25 in Downtown Stillwater. Councilor Najera shared that a city councilor and city manager office hours session will be held on October 18 at the OSU Student Union. Mayor Noble reminded everyone what temporary signs are and where they cannot be placed within city limits.
   i) Discussion about scheduling items for upcoming meetings

11. QUESTIONS & INQUIRIES

None.

Stillwater City Council recessed at 6:36 p.m. and reconvened at 6:38 p.m.

12. EXECUTIVE SESSION

a. Confidential communication regarding the purchase or appraisal of real property.
b. Confidential communication 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

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

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

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO RECONVENE THE OCTOBER 17, 2016 MEETING OF THE STILLWATER CITY COUNCIL.

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

The Stillwater City Council entered into Executive Session at 6:38 p.m. and returned to open session at 7:43 p.m.

13. RETURN FROM EXECUTIVE SESSION

a. No action will be taken on this item.

No action was taken on Item a. following Executive Session.

b. No action will be taken on this item.

No action was taken on Item b. following Executive Session.

14. ADJOURN

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR NAJERA TO ADJOURN THE OCTOBER 17, 2016 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The October 17, 2016 meeting of the Stillwater City Council adjourned at 7:44 p.m.

GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL

ELIZABETH CHRZ
CITY CLERK