IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE AMENDED AGENDA WAS POSTED APRIL 29, 2016 AT 1:15 P.M. AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
MAY 2, 2016

PRESENT: MAYOR GINA J. NOBLE, VICE MAYOR PAT DARLINGTON, COUNCILORS MIGUEL NAJERA, ALANE ZANNOTTI AND WILLIAM JOYCE
ABSENT: NONE

1. CALL MEETING TO ORDER

Mayor Noble 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. May is Bike Month

Councilor Zannotti proclaimed the month of May 2016 in the City of Stillwater as "*National Bike Month and Bicycle Safety Month*" and the week of May 16-20, 2016 as "*Bike to Work Week*" with the annual *Bike to Work Day* being held on May 20, as well as a *Ride of Silence* on May 18. Mary Cash, representing the Red Dirt Pedalers, accepted the proclamation and shared activities that would be occurring during the month of May.

4. CONSENT DOCKET

a. Approval of minutes: Regular Meeting April 18, 2016
b. Authorization for City Manager to sign contracts related to health benefits administration for FY 2016-17: (CC-16-50)
   i) BlueCross BlueShield (third-party administrator) increase of 2.2%, annualized $7,223;
   ii) Delta Dental no increase from previous year's funding;
   iii) Nationwide (re-insurance carrier) increase of 8.7%, annualized $36,924;
   iv) Aetna (life insurance carrier) no increase from previous year's funding;
   v) Gallagher Benefit Services (health benefits broker) no increase from previous year's funding
c. Bid recommendation for contractor for the Leigh & Hall Phase II project, 16467 CDBG 15 (CC-16-51)
d. Accept general utility easement at 519 S. Perkins Road (CC-16-58)
e. Memo setting June 6, 2016 as hearing date for closing of a portion of right-of-way at 710 W. 9th Avenue (See staff memo)
f. Bid recommendation for construction contractor for Pavement Reconstruction project, Airport Industrial Access Road (CC-16-57)
g. Approve contract with Dr. Charles Olson for services as City of Stillwater Fire Department Medical Director effective July 1, 2016 (CC-16-52)
h. Water 2040 Purchase Agreement for real estate acquisition for the proposed 44th Avenue Water Tower (CC-16-54)
i. Accept Water 2040 easements: (CC-16-55)
   Ortho Oklahoma adjacent lot:
   i) Future Drainage Easement
   ii) Existing Drainage Easement
   iii) Water Line Easement

iv) Electrical Easement
v) Access Easement
vi) Temporary Construction Easement
Nottingham Subdivision Lot 56E & Lot 56 W
vii) Permanent Water Line Easement
viii) Temporary Construction Easement

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, JOYCE-YEA. NAY-NONE. MOTION CARRIED WITH FIVE YEA VOTES.

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

There were no public comments on agenda items not scheduled for public hearing.

6. ITEMS REMOVED FROM THE CONSENT DOCKET

None.

7. GENERAL ORDERS

a. Consider possible City financial participation in upgrade/enhancement of public infrastructure improvements for projects located at: (CC-16-56)
   i. Trittenbach – The east half of the 800 block of 4th Avenue extending south approximately 502 feet and the 700 block between Hester and Ramsey approximately south of 5th Avenue and extending south approximately 206 feet
   ii. Inscore – 4th Avenue between Hester & Ramsey Streets extending south to approximately 5th Avenue

City Manager McNickle stated that staff would like to have a policy developed, but it would be very difficult with so many different components to the developments in Form Based Codes. Mr. McNickle explained that the above referenced developments are ready to begin.

Development Services Director Paula Dennison reported that the topic would be the relationship between the private property and the public realm of Form-Based Codes (FBC). Two developments are currently being proposed for the area on the south side of 4th and between Hester and Washington Streets. Ms. Dennison explained that the responsibility of constructing the public realm, the area immediately adjacent to their development, to FBC standards lies with the developers; however, staff has looked at the benefits to participating with these developers to complete the public realm.

Ms. Dennison presented staff's short-term recommendations regarding the two active developments proposals, with staff recommending fee waivers for the Trittenbach and Inscore Developments with the following criteria:

- Developer constructs full width right-of-way public realm improvements for 4th from Washington through Hester, Hester from 4th to 6th, and Ramsey from 4th to 6th;
- Developer constructs full block length public realm improvements of 4th from Washington through Hester, Hester from 4th to 6th, and Ramsey from 4th to 6th; and
- Developer signs an agreement to not protest any future assessment district.

Ms. Dennison presented a cost matrix showing the estimated values for each level of participation in the development of the public realm:

	FBC Cost: Adjacent Property Only	FBC Cost: Full Width/Full Block	Difference: Full Width/ Full Block to Adjacent Property	City of Stillwater Fees	Return on Investments
Trittenbach	$444,581	$1,159,171	$714,590	$429,324	66%
TR Inscore	$616,554	$966,033	$349,479	$227,905	53%

Ms. Dennison reported that participation by the City, in the waiving of fees, demonstrates the desire for high-density student housing to locate in this area of Stillwater and the return on the investment by the City is approximately 35% as the developers will be constructing valuable public infrastructure. Chief Financial Officer Melissa Reames explained how the "Return on Investment" (ROI) percentages were attained.

Discussion occurred regarding:

- Extent of the fees to be waived
- Value of the portion of Ramsey Street shared by both developers
- Applicability of City zoning on Oklahoma State University
- Scope of public realm work by the developers
- Possible expectations by the developers for reimbursement once the project is complete
- Value of full width/full block improvements for the City
- Value of partnerships with the developers
- Methods the City could use to recoup its costs, if fees are waived
- Status of the two developments
- Formation of development agreements with the developers
- Types of fees collected by Development Services
- Policy for the City's financial participation in upgrade/enhancement of public infrastructure improvements in the FBC area

John Bartley, 623 S. Lewis, representing Trittenbach, in response to Mayor Noble's question, stated Trittenbach was not giving the City of Stillwater the money and the fee waiver is not an incentive, but a financing method for the City to get the extra work completed.

Kelly Harris, Keystone Engineering, engineer for Trittenbach and TR Inscore, stated that this is similar to how upsizing water lines are currently handled between the City and developers.

Staff recommended the waiver of fees for TR Inscore development and for Trittenbach development subject to full width, full block public realm construction and agreement to non-protest of future assessment district; and to direct staff to prepare long-term action items with recommendation to City Council.

Ms. Dennison stated that alternatives are to accept recommendation; do not waive fees and direct staff to bring back long-term financial participation options for the area; and choose to not participate financially by any means.

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR JOYCE TO NOT WAIVE FEES FOR TR INSCORE DEVELOPMENT OR FOR TRITTENBACH DEVELOPMENT AND DIRECT STAFF TO BRING BACK LONG-TERM FINANCIAL PARTICIPATION OPTIONS FOR THE FORMED-BASED CODES AREA.

ROLL CALL VOTE: NOBLE-YEA, DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-NAY, JOYCE-YEA. MOTION CARRIED WITH FOUR YEA VOTES.

b. Water 2040 Package B Resolution of Reimbursement (CC-16-53)

Water Resources Director Bill Millis presented a summary of the status of Packages A, B and C of Water 2040. Mr. Millis stated that the first Package B project bid is scheduled for March 2017; and the loan application for Package B will be prepared and submitted later this year. In order to be reimbursed for certain project costs that are incurred prior to the Package B loan closing, a Resolution of Reimbursement must be passed by the Trustees. The Resolution provides for reimbursement of certain hard costs related to physical items. Soft costs are also reimbursable through the loan, but are not required to be listed in the Resolution.

No action was required at this point and staff recommended that Trustees approve the Resolution of Reimbursement for Water 2040 Package B under the Resolutions portion of the agenda.

8. RESOLUTIONS

a. **RESOLUTION NO. CC-2016-15: A RESOLUTION STATING STILLWATER UTILITY AUTHORITY INTENT TO REIMBURSE CAPITAL EXPENDITURES**

MOTION BY COUNCILOR NAJERA, SECOND BY VICE MAYOR DARLINGTON TO APPROVE RESOLUTION NO. CC-2016-15 AS PRESENTED.

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

b. **RESOLUTION NO. CC-2016-16: A RESOLUTION OF THE STILLWATER CITY COUNCIL ADOPTING AN OPERATING BUDGET FOR THE FISCAL YEAR 2016-17**

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR ZANNOTTI TO APPROVE RESOLUTION NO. CC-2016-16 AS PRESENTED.

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

9. ORDINANCES

First Reading

a. **ORDINANCE NO. 3340: AN ORDINANCE REZONING TRACTS OF LAND LOCATED AT 506, 510, 514 AND 524 SOUTH LINCOLN STREET FROM RTM, TWO-FAMILY AND MULTI-FAMILY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR NAJERA TO ADVANCE ORDINANCE NO. 3340 AS PRESENTED.

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

Second Reading

None.

10. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney
   i) Request for Executive Session pursuant to 25 O.S. 307 (B)(2) to discuss labor negotiations with International Association of Firefighters Local #2095.
b. Miscellaneous items from the City Manager: Mr. McNickle stated that the annual water quality report for 2015 is posted on the City's website.
c. Miscellaneous items from the City Council: Vice Mayor Darlington reminded citizens to register their storm shelters with the City. Councilor Zannotti shared that Parks & Recreation swim and tennis lessons are open for enrollment. Councilor Najera announced that the City's "Youtube" page features two car seat demonstration videos. Councilor Joyce shared that the splash pads at Boomer Lake and Southern Woods Parks are on track to be open by Memorial Day weekend; and the Stillwater High School soccer team is playing its first ever home playoff game on May 3. Mayor Noble reminded everyone of the grass clipping pickup schedule. Councilor Najera thanked Mr. McNickle for allowing him to ride along to observe the ENDUI checkpoints Saturday evening and expressed his appreciation to all first responders.
   i) Discussion about scheduling items for upcoming meetings

11. QUESTIONS & INQUIRIES

None.

12. APPOINTMENTS

a. Public Library Board

MOTION BY MAYOR NOBLE, SECOND BY COUNCILOR NAJERA TO APPOINT CARA ADNEY TO THE PUBLIC LIBRARY BOARD FOR A TERM TO EXPIRE MAY 2019.

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

b. Stillwater Housing Authority

MOTION BY MAYOR NOBLE, SECOND BY COUNCILOR JOYCE TO REAPPOINT DAVID SPIVEY AND APPOINT KAY STEWART TO THE STILLWATER HOUSING AUTHORITY FOR A TERM TO EXPIRE FEBRUARY 2019.

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

c. Kaw Reservoir Authority

MOTION BY MAYOR NOBLE, SECOND BY COUNCILOR JOYCE TO APPOINT DEPUTY CITY MANAGER DAN BLANKENSHIP TO THE KAW RESERVOIR AUTHORITY.

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

Stillwater City Council recessed at 7:02 p.m. and reconvened at 7:19 p.m.

13. EXECUTIVE SESSION

a. Confidential communication regarding labor negotiations with International Firefighters Local #2095.

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

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

The Stillwater City Council entered into Executive Session at 7:19 p.m. and returned to open session at 7:40 p.m.

14. RETURN FROM EXECUTIVE SESSION

a. Possible action regarding labor negotiations with International Firefighters Local #2095.

No action taken.

15. ADJOURN

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADJOURN THE MAY 2, 2016 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The May 2, 2016 meeting of the Stillwater City Council adjourned at 7:40 p.m.

GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL

ELIZABETH CHRZ
CITY CLERK