IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW, THE *AMENDED AGENDA WAS POSTED JUNE 2, 2016 AT 3:25 P.M. AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JUNE 6, 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

Johnathan, Joshua and Gracie McClenny, children of Special Projects Director John McClenny, led the audience in the Pledge of Allegiance.

3. CONSENT DOCKET

a. Approval of minutes:

Regular Meeting	May 16, 2016
Regular Meeting	May 23, 2016
Executive Session	May 23, 2016

b. Accept improvements & easements for The Canyons, Section 4 (CC-16-75)
c. 2017 labor contract between the City of Stillwater and International Association of Firefighters Local #2095
d. One year lease renewal with OSU Flight Center for property located at 1818 W. Wright Drive (CC-16-70)
e. Extension of temporary lease agreement with OSU for the MD-80 Learning Laboratory site (CC-16-71)
f. Additional expenditure authorization - 2015/2016 Pavement Markings for City Streets (CC-16-68)
g. FY17 City of Stillwater – Premises Aviation Insurance Renewal for Stillwater Regional Airport (CC-16-67)
h. Water 2040 real estate easement acceptance and authorization for Mayor to sign easement documents: (CC-16-69)
   i) 15WC02 – 44th Water Tower: Staff has completed negotiations with Wanda June and Gary Martin (Parcel B-029) and have received a water line, access, and temporary construction easement to construct, own, and operate the tower.
   ii) 15WC03 – Range BPS and Transmission Water Line to 44th Tower: Staff has completed negotiations with Kimberly Gillum (Parcel B-016) and Mooremaker Homes (Parcels B-012 & B-013) for permanent water line and temporary construction easements to install the transmission line across the frontage of their properties.

City Attorney John Dorman requested that Items b. and g. be removed from the Consent Docket.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE CONSENT DOCKET EXCLUDING ITEMS B. AND G.

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

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

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

5. ITEMS REMOVED FROM THE CONSENT DOCKET

b. Accept improvements & easements for The Canyons, Section 4 (CC-16-75)
g. FY17 City of Stillwater – Premises Aviation Insurance Renewal for Stillwater Regional Airport (CC-16-67)

No action was taken on Items b. and g.

6. PUBLIC HEARINGS

a. Receive public comment regarding the 2016 State Small Cities Program Community Development Block Grant project selection and request for City Council approval to submit application (CC-16-66)

Grants Coordinator Valerie Silvers reported on the four projects that were deemed eligible for the grant. Ms. Silvers explained the reasons for recommending the ADA sidewalk project that would connect the Stillwater Domestic Violence Center, also known as Wings of Hope, to public transportation. If the grant is awarded, the City of Stillwater would receive funding from the Oklahoma Department of Commerce in the amount of $139,267, which would require a 1:1 match of funds, with a total project amount of $278,534.

Mayor Noble opened and closed the public hearing as no one was present for or against.

The CDBG Ad Hoc Committee and staff recommended that City Council approve the ADA sidewalk project connecting Wings of Hope to public transportation, approve a resolution of leverage under the Resolutions agenda item and authorize the Mayor to sign all application documents.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE ADA SIDEWALK PROJECT CONNECTING WINGS OF HOPE TO PUBLIC TRANSPORTATION AND AUTHORIZE THE MAYOR TO SIGN ALL 2016 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION DOCUMENTS.

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

b. Receive public comment regarding a request for approval of a Specific Use Permit to allow a conventional single-family use on property zoned CB (Commercial Business) within the BID (Business Improvement District #1) at property addressed as 511 and 511 ½ S Lewis Street (CC-16-74)

Development Review Manager Mike Beaty reported that applicant requests approval of a Specific Use Permit to allow a conventional single-family use on property zoned CB (Commercial Business) within the BID (Business Improvement District #1) at property addressed as 511 and 511-1/2 South Lewis Street. The subject property has a single-family house and an abandoned duplex structure. The applicant seeks to remodel the duplex to convert it into a single-family house.

The Planning Commission made the following findings:

- A Specific Use Permit is required to permit the conversion of the abandoned duplex structure into a single-family house in the BID.
- A single-family house is located on the property in front of the duplex structure.
- The duplex has been abandoned for more than one year. The legal non-conforming (grandfathered) status is no longer valid.
- Restoration and reuse of the abandoned structure will be an improvement to the property and neighborhood.

Mayor Noble opened and closed the public hearing as no one was present for or against.

The Planning Commission recommends approval of the proposed Specific Use Permit to allow conventional single-family use in the CB zoning district and BID.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR JOYCE TO APPROVE A SPECIFIC USE PERMIT TO ALLOW A CONVENTIONAL SINGLE-FAMILY USE ON PROPERTY ZONED CB (COMMERCIAL BUSINESS) WITHIN THE BID (BUSINESS IMPROVEMENT DISTRICT #1) AT PROPERTY ADDRESSED AS 511 AND 511-1/2 SOUTH LEWIS STREET.

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

c. Receive public comment regarding a request for a Map Amendment to rezone property addressed as 5150 W 6th Avenue, zoned CG (Commercial General) and 6200 W 19th Avenue, zoned RSL (Residential Single-family Large-lot) to P (Public) (CC-16-73)

Development Review Manager Mike Beaty stated that the applicant requests review and approval of a Map Amendment to rezone property addressed as 5150 W 6th Avenue, zoned CG (Commercial General) and 6200 W 19th Avenue, zoned RSL (Residential Single-family Large-lot) to P (Public). The City of Stillwater has acquired the subject properties for the construction of public water infrastructure as part of the Water 2040 improvement program.

The Planning Commission made the following findings:

- The subject properties are owned by the City of Stillwater for long-term public use (water infrastructure).
- The C^3 Plan recommends that public properties be zoned Public to reflect the use.

Mayor Noble opened and closed the public hearing as no one was present for or against.

The Planning Commission recommends approval of the proposed Map Amendment to rezone the subject property from CG (Commercial General) and RSL (Residential Single-family Large-lot) to P (Public) to align the City use of the property with the zoning and direct staff to prepare an ordinance.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE PROPOSED MAP AMENDMENT TO REZONE PROPERTY ADDRESSED AS 5150 W 6TH AVENUE FROM CG (COMMERCIAL GENERAL) AND PROPERTY ADDRESSED AS 6200 W. 19TH AVENUE FROM RSL (RESIDENTIAL SINGLE-FAMILY LARGE-LOT) TO P (PUBLIC) TO ALIGN THE CITY USE OF THE PROPERTY WITH THE ZONING AND DIRECT STAFF TO PREPARE ORDINANCES.

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

d. Receive public comment regarding a request to close a portion of the right-of-way adjacent to 710 and 712 W. 9th Avenue (CC-16-72)

Development Review Manager Mike Beaty reported that applicant has requested to close a portion of the right-of-way adjacent to 710 and 712 W. 9th Avenue. Mr. Beaty further explained that the applicant constructed a six-foot tall privacy fence that extends through the front yard and into the public right-of-way of 9th Avenue.

Staff made the following findings:

- 9th Avenue is classified as a major collector per the functional classification map approved by City Council on August 5, 2013. City Code Section 23-80(b) establishes a minimum 70-foot right-of-way for streets classified as collectors.
- 9th Avenue has a continuous 100-foot right-of-way from Perkins Road to Washington Street.
- The distance requested to be closed is approximately 50 feet or one/sixth of the length of the block and is located on the north side of 9th Avenue, mid-block between Ramsey and Hester.
- The full width of the existing right-of-way may be needed for future street widening, utilities and/or transportation or other infrastructure related amenities.
- The closing request is not in the public's best interest.

Mayor Noble opened the public hearing.

Randy and Donna Wilson, 408 Wildwood Acres Drive, shared information regarding ongoing issues in the neighborhood, explained they did not know they needed a City permit to construct the privacy fence, and stated they installed the fence to improve the neighborhood and keep their tenants safe.

Amanda M. Hill, 712 W. Ninth Avenue, shared her experiences while living in the rental duplex and requested that the Mr. and Mrs. Wilson be permitted to keep the fence in place.

Development Services Director Paula Dennison said a possible solution to the matter would be for the applicants to request a variance for the fence height through the Board of Adjustment and enter into a right-of-way agreement with the City, with City Council approval, to use the public property for the fence.

Mayor Noble closed the public hearing.

Staff recommended denial of the request to close a portion of the right-of-way. Ms. Dennison suggested that City Council table the item until August 1, 2016, if they wished the applicant to pursue other remedies to the situation. Deputy City Manager Blankenship stated that the City would waive the fee for the variance request through the Board of Adjustment, as a good will gesture.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO TABLE THIS REQUEST UNTIL AUGUST 1, 2016.

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

7. GENERAL ORDERS

a. Stillwater Public Housing Authority annual report by Executive Director Glen Redding

Mr. Redding reported that the financial audit performed was clean and had no findings; described the public housing programs available in Stillwater; thanked the City for the pilot waiver over the years; expressed his appreciation for the repairs on Ninth Street adjacent to Roxie Weber Plaza; reported that all is going well since taking over Mission of Hope; and shared the needs of Stillwater Public Housing Authority.

8. RESOLUTIONS

a. **RESOLUTION CC-2016-18: A RESOLUTION REGARDING COMMITMENT OF LEVERAGE FOR THE OKLAHOMA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG 16), 2016 STATE SMALL CITIES PROGRAM**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR JOYCE TO APPROVE RESOLUTION NO. CC-2016-18 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

None.

Second Reading

a. **ORDINANCE NO. 3341: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, ARTICLE XXV, CORRIDOR REDEVELOPMENT AREA PLANNING DISTRICT, BY CREATING SECTION 23-452, PETITION TO ANNEX INTO CORRIDOR REDEVELOPMENT AREA PLANNING DISTRICT**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADOPT ORDINANCE NO. 3341 AS PRESENTED.

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

b. **ORDINANCE NO. 3342: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, APPENDIX I, FORM BASED CODES, ARTICLE IV, GENERAL PROVISIONS, SECTION 4.4, VEHICLE PARKING PROVISIONS, BY AMENDING SECTION 4.4.2, DESIGN STANDARDS; BY DELETING IN ITS ENTIRETY SECTION 4.4.4, HOW TO CALCULATE SHARED PARKING; BY CREATING NEW SECTION 4.4.4, PARKING REDUCTION FOR SHARED/MIXED USES, AND PROVIDING FOR EXCEPTION**

MOTION BY COUNCILOR JOYCE, SECOND BY VICE MAYOR DARLINGTON TO ADOPT ORDINANCE NO. 3342 AS PRESENTED.

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

c. **ORDINANCE NO. 3343: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, APPENDIX I, FORM BASED CODES, ARTICLE IV, GENERAL PROVISIONS, BY AMENDING AND REPLACING TABLE 13, SUMMARY OF REQUIREMENTS FOR TRANSECT ZONES, BY AMENDING AND REPLACING TABLE 18, PUBLIC FRONTAGES, BY DELETING IN ITS ENTIRETY TABLE 23, THRUWAY STREETS; TABLE 24, MIXED USE STREETS; TABLE 25, VILLAGE STREETS; TABLE 26, CONNECTOR STREETS; TABLE 27, NEIGHBORHOOD STREETS; TABLE 28, WOONERF; AND TABLE 29, LANE; AND BY CREATING NEW TABLE 23, DUCK STREET; TABLE 24, MIXED USE- 100' ROW; TABLE 25, MIXED USE – 80' ROW; TABLE 26, MIXED USE – 75' ROW; TABLE 27, MIXED USE – 66' ROW; TABLE 28, NEIGHBORHOOD – 60' ROW; TABLE 29, NEIGHBORHOOD – 50' ROW; TABLE 30, NEIGHBORHOOD – 45' ROW; TABLE 31, NEIGHBORHOOD – 40' ROW; TABLE 32, NEIGHBORHOOD – 30' ROW; AND TABLE 33, NEIGHBORHOOD – 20' ROW; BY DELETING IN ITS ENTIRETY MAP 3, THOROUGHFARES**

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADOPT ORDINANCE NO. 3343 AS PRESENTED.

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

10. REPORTS FROM OFFICERS & BOARDS

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

b. Miscellaneous items from the City Manager: Deputy City Manager Blankenship announced the Finance Department was recognized by the Government Finance Officers Association of the United States and Canada for its excellence in financial reporting for the 34th consecutive year.

c. Miscellaneous items from the City Council: Councilor Najera shared that auditions for the Missoula Children's Theatre will be held on June 25. Councilor Zannotti invited everyone to the Chickasaw Boomer Blast Fireworks Show to be held on July 4. Vice Mayor Darlington announced the League of Women Voters State Senate & State House of Representatives Forum to be held on June 23. Mayor Noble shared that the Boomer Lake splash pad is open and thanked everyone who made it possible.

i) Discussion about scheduling items for upcoming meetings: None.

11. QUESTIONS & INQUIRIES

None.

The Stillwater City Council recessed to Stillwater Utilities Authority at 6:41 p.m. and reconvened at 6:55 p.m.

12. EXECUTIVE SESSION

a. ***Confidential communication 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**
b. ***Confidential communication pertaining to the purchase or appraisal of real property.**

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI 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 6:55 p.m. and returned to open session at 8:26 p.m.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO RECONVENE THE JUNE 6, 2016 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.

13. RETURN FROM EXECUTIVE SESSION

a. ***No action will be taken on this item.**
b. ***No action will be taken on this item.**

No action was taken.

14. ADJOURN

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR JOYCE TO ADJOURN THE JUNE 6, 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 June 6, 2016 meeting of the Stillwater City Council adjourned at 8:27 p.m.

GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL

ELIZABETH CHRZ
CITY CLERK