

6. PUBLIC HEARINGS

- a. Receive public input regarding a request for a Map Amendment to rezone 421 E. Thomas Avenue from IL, Light Industrial to CG, Commercial General (CC-16-107)

Development Review Manager Mike Beaty reported that the applicant is proposing to use the existing building as an outpatient clinic for various counselling services and programs. The proposed use is permitted in the CG, Commercial General. The lots along Thomas Avenue are zoned IL, Light Industrial, with the exception of the corner lot across from the subject parcel, which is zoned CG, Commercial General.

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

Planning Commission recommended approval of the Map Amendment 5-0.

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE MAP AMENDMENT TO REZONE 421 E. THOMAS AVENUE FROM IL, LIGHT INDUSTRIAL TO CG, COMMERCIAL GENERAL.

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

7. GENERAL ORDERS

- a. Right-of-way agreement with the Islamic Society of Stillwater (CC-16-108)

Development Services Director Paula Dennison said the Islamic Society of Stillwater had redeveloped the site where their mosque is located and raised the elevation, resulting in the need for a taller retaining wall. The retaining wall was constructed in the public right-of-way without the City's approval. Analysis did not reveal any issues with the intersection sight distance. Stillwater Electric Utility has a primary extension behind the wall that would be impacted by the removal or relocation of the wall. If repairs or maintenance to the existing electric utilities become necessary and portions of the wall be removed, it would be the responsibility of the property owner. If the right-of-way agreement is approved, the ownership and responsibility for maintenance and repair of the retaining wall would remain the property owner's responsibility.

Staff recommended approval of the right-of-way agreement and requested authorization for the City Manager to sign the proposed right-of-way agreement.

Discussion was held regarding maintenance responsibility for the retaining wall, the difference in this and previous requests for a right-of-way agreement, the length of time the previous retaining wall had been in existence and results of sight studies performed.

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE RIGHT-OF-WAY AGREEMENT WITH THE ISLAMIC SOCIETY OF STILLWATER FOR PROPERTY LOCATED AT 616 N. WASHINGTON STREET.

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

8. RESOLUTIONS

- a. **RESOLUTION NO. CC-2016-26: A RESOLUTION OF THE STILLWATER CITY COUNCIL OPPOSING THE ADOPTION OF STATE QUESTION 779**

Councilor Zannotti requested that the words "state vocational technical educational system" be revised to read "statewide career and technical education system". City Councilors expressed their support for public education, concern for the impact the passage of State Question 779 would have on local communities and the need to find a different method to fund public education.

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR JOYCE TO APPROVE RESOLUTION NO. CC-2016-26 AS AMENDED.

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

9. ORDINANCES

First Reading

- a. **ORDINANCE NO. 3348: AN ORDINANCE REZONING A TRACT OF LAND LOCATED AT 2306 N. WASHINGTON STREET FROM CS, COMMUNITY SHOPPING DISTRICT, AND O, OFFICE DISTRICT, TO CG, COMMERCIAL GENERAL DISTRICT**

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR NAJERA TO ADVANCE ORDINANCE NO. 3348 AS PRESENTED.

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

- b. **ORDINANCE NO. 3349: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 12, BUSINESSES, BY REPEALING IN ITS ENTIRETY ARTICLE VI, MASSAGE THERAPY, DELETING SECTIONS 12-234 THROUGH 12-300**

MOTION BY COUNCILOR NAJERA, SECOND BY COUNCILOR ZANNOTTI TO ADVANCE ORDINANCE NO. 3349 AS PRESENTED.

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

Second Reading

- a. **ORDINANCE NO. 3347: AN ORDINANCE AMENDING THE STILLWATER CITY CODE, BY AMENDING CHAPTER 43, VEHICLES FOR HIRE, SECTION 43-3, REGISTRATION REQUIRED AND DECLARING AN EMERGENCY**

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO ADOPT ORDINANCE NO. 3347 AS PRESENTED.

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

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI DECLARING ORDINANCE NO. 3347 AN EMERGENCY.

ROLL CALL VOTE: DARLINGTON-YEA, NAJERA-NAY, ZANNOTTI-YEA, JOYCE-YEA. MOTION CARRIED WITH THREE 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 (B)(4) to engage in confidential communications with the City Attorney regarding the pending claim filed by Saulsbury Industries. 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.
 - ii) Request for an Executive Session pursuant to 25 O.S. §307 (B)(3) to engage in confidential communications with the City Attorney regarding the purchase or appraisal of real property.

- iii) 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.
- b. Miscellaneous items from the City Manager: Mr. McNickle stated there had been a spike in bicycle thefts and asked citizens to record specific information regarding their bicycles and purchase a quality locking system.
- c. Miscellaneous items from the City Council: Councilor Zannotti shared that Fire Department Intern Ashley Evans received a scholarship from the International Association of Fire Chiefs. Councilor Joyce announced that Stillwater was named a Bronze Level Bicycle Friendly Business by the League of American Bicyclists. Councilor Najera reminded everyone of the upcoming Friday Food Trucks & Tunes event. Vice Mayor Darlington expressed that the Boomer Blast held in September was a success.
 - i) Discussion about scheduling items for upcoming meetings

11. QUESTIONS & INQUIRIES

None.

12. APPOINTMENTS

- a. Rural Water Advisory Board

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE APPOINTMENT OF BILLY CLAY TO THE PAYNE COUNTY RURAL WATER CORPORATION #3 ADVISORY BOARD.

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

- b. Planning Commission

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR NAJERA TO APPOINT ZELTE WILKINS TO THE STILLWATER PLANNING COMMISSION FOR A TERM TO EXPIRE JULY 2017.

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

Stillwater City Council recessed at 6:11 p.m. and reconvened at 6:37 p.m.

13. EXECUTIVE SESSION

- a. Confidential communication regarding the pending claim filed by Saulsbury Industries.
- b. Confidential communication regarding the purchase or appraisal of real property.
- c. 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

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

ROLL CALL VOTE: DARLINGTON-YEA, NAJERA-YEA, ZANNOTTI-YEA, JOYCE-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 8:16 p.m.

14. RETURN FROM EXECUTIVE SESSION

- a. Possible action regarding the pending claim filed by Saulsbury Industries.
- b. Possible action regarding the purchase or appraisal of real property.
- c. Possible action 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

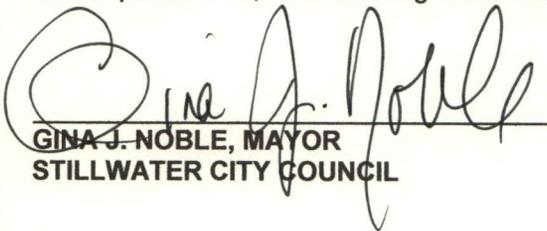
No action was taken following Executive Session.

15. ADJOURN

MOTION BY COUNCILOR JOYCE, SECOND BY COUNCILOR ZANNOTTI TO ADJOURN THE SEPTEMBER 12, 2016 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The September 12, 2016 meeting of the Stillwater City Council adjourned at 8:17 p.m.



GINA J. NOBLE, MAYOR
STILLWATER CITY COUNCIL



ELIZABETH CHRZ
CITY CLERK