

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED FEBRUARY 20, 2020 AT 12:25 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
FEBRUARY 24, 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. CONSENT DOCKET

- a. Approve regular meeting minutes of February 3, 2020
- b. Approve executive session minutes of February 3, 2020
- c. Approve regular meeting minutes of February 10, 2020
- d. Approve budget amendment appropriating \$50,000 previously allocated for the purchase of a mower to the capital fund as explained in the quarterly financial report on February 10, 2020 (CC-20-27)
- e. Approve budget amendment appropriating \$125,000 previously allocated for improvements to the Council hearing room to the capital fund as explained in the quarterly financial report on February 10, 2020 (CC-20-27)
- f. Approve budget amendment appropriating \$65,000 previously allocated for the purchase of a fire department truck to the capital fund as explained in the quarterly financial report on February 10, 2020 (CC-20-27)

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

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

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

Brian Kahn, 59 Yellow Brick Drive, stated yard waste disposal should not be banned and would like to more discussion on a yard waste/composting facility.

Bryan Langford Loftis, 1009 E. Krayler Avenue, spoke in favor of Ready for 100 and asked the council to view Robin Cornwell's presentation favorably.

Roger Gose, 1120 E. Connell Avenue, expressed concerns about how increasing recycling rates would adversely affect the citizens at and below the poverty level.

Joyce Taylor, 1512 Surrey Drive, stated an increase in recycling rates would be difficult for citizens on a fixed income and "opting out" should be offered as an option.

4. ITEMS REMOVED FROM CONSENT DOCKET

None.

5. GENERAL ORDERS

- a. Presentation by Ready for 100

Robin Cornwell, representative for the Ready for 100 citizen group, presented the group's ideas on Planning for Renewable Energy and urged the Council to appoint a citizen task force to develop a plan for moving forward with renewable energy throughout the city.

- b. Citizens Recycling Task Force recommendation on the City of Stillwater recycling program

Waste Management Director Chris Knight reported the City Council appointed a Citizens Recycling Task Force whose primary purpose was to understand the issues and options for recycling in the City and to make a recommendation to the City Council regarding recycling in Stillwater.

Task force members Anthony Briggs, Tim Hardin, and Frank Blum presented a summary of the meetings and the recommendation of the task force, which is to construct a recycling staging facility with a convenience collection center and purchase an adequate amount of land to build a transfer station or City-owned MRF in the future.

Task force member Riley Flack, presented his opposing view and dissenting opinion on recommendations of the task force. Mr. Flack supports a subscription based recycling program.

Dave Yanke, New Gen Strategies, verified numbers presented during the presentations.

Damien Davis thanked the council for the opportunity to serve on the citizens recycling task force.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR DARLINGTON TO ACCEPT THE CITIZENS RECYCLING TASK FORCE'S RECOMMENDATION TO CONSTRUCT A RECYCLING STAGING FACILITY WITH A CONVENIENCE COLLECTION CENTER AND PURCHASE ADEQUATE AMOUNT OF LAND TO BUILD A TRANSFER STATION OR CITY-OWNED MRF IN THE FUTURE AND DIRECT STAFF TO MOVE FORWARD WITH THIS OPTION AND TO REPORT BACK TO THE CITY COUNCIL.

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

- 6. Hearing to determine whether the following structures are dilapidated and/or abandoned and subject to abatement under 11 O.S.22-112 and 11 O.S. 22-112.4. The City Council will vote and may take any other action authorized by said statutes at this meeting with regard to these properties.

City Attorney John Dorman introduced Attorney Beth Ann Childs of the Childs Law Firm, who will be presenting these properties for demolition.

Property Address	Property Owner
116 S Main Street	North Main Properties, LLC Omid & Angela Badiyan
722 E 12 th Avenue	McClenathan Depew T-1, LLC Steven McClenathan
723 W Highpoint	Melissa Sorrentino, Matthew McCollom

	& Richard McCollom
808 E 17 th	Cindy Keig and Richard Cervantes
1205 S Duck	Allen L. Lamb
3314 E 4 th Avenue	Ricky Lynn Cole

7. RESOLUTIONS

- a. Resolution No. CC-2020-2: A resolution of the Stillwater City Council declaring the structure located at 116 South Main Street dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Omid Badiyan requested an extension of six to nine months to deal with pending legal issues. Upon resolution of the legal issues, he would demolish the property at his own expense.

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR DARLINGTON TO ADOPT RESOLUTION NO. CC-2020-2 AS PRESENTED.

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

- b. Resolution No. CC-2020-3: A resolution of the Stillwater City Council declaring the structure located at 722 East 12th Avenue dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Steven McClenathan requested an extension to be able to install a new roof and to make other needed improvements.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ADOPT RESOLUTION NO. CC-2020-3 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-2020-4: A resolution of the Stillwater City Council declaring the structure located at 723 West Highpoint Drive dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Melissa Sorrentino stated she is obtaining the needed permits to have the property demolished.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADOPT RESOLUTION NO. CC-2020-4 AS PRESENTED.

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

- d. Resolution No. CC-2020-5: A resolution of the Stillwater City Council declaring the structure located at 808 East 17th Avenue dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Beth Ann Childs reported that Ms. Keig is in the process of moving forward with demolition of the property. Ms. Keig is trying to find a plumber to cap off the sanitary sewer connection.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-2020-5 AS PRESENTED.

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

- e. Resolution No. CC-2020-6: A resolution of the Stillwater City Council declaring the structure located at 1205 South Duck Street dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Beth Ann Childs reported she was not able to make contact with property owner Allen Lamb. Ms. Childs stated all statutory requirements were followed; therefore, she recommends approval of the resolution.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO ADOPT RESOLUTION NO. CC-2020-6 AS PRESENTED.

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

- f. Resolution No. CC-2020-7: A resolution of the Stillwater City Council declaring the structure located at 3314 East 4th Avenue dilapidated and abandoned, and a public nuisance detrimental to the health, safety, and welfare of the general public and the community, and ordering the dilapidated structure to be torn down and removed pursuant to 11 O.S. §22-122

Ricky Lynn Cole requested an extension so he can continue to make improvements to the property. He stated he purchased this property at a tax sale after the fire. He reported he is working with Roger Gose to get a structural inspection and develop a plan for improvements.

City Attorney John Dorman suggested to council that the city could send the city building code inspector out to inspect the property. Mayor Joyce stated Mr. Cole needs to have the house structurally inspected to find out what improvements need to be made to bring the structure up to code and report back to Council at the April 6, 2020 meeting.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR DZIALOWSKI TO TABLE THE HEARING ON 3314 EAST 4TH AVENUE AND TO TABLE RESOLUTION NO. CC-2020-7 TO APRIL 6, 2020 COUNCIL MEETING.

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

- g. Resolution No. CC-2020-8: A resolution adopting a plan for 100 percent renewable energy and clean energy goals for the City of Stillwater

City Manager McNickle reminded the Council of the natural gas powered state-of-the art energy center the City built and that it is the cleanest fossil fuel plant that can be built today.

Vice Mayor Darlington stated she supports Ready for 100 but hesitates to commit to 100 percent renewable energy by the dates in the resolution. She suggested changing the wording in the

resolution to commit to transition to clean renewable energy to the best extent possible and to appoint a citizen task force.

City Attorney John Dorman stated he would incorporate the suggested changes and have the revised resolution ready for the March 2nd agenda. Resolution No. CC-2020-8 was tabled to the March 2, 2020 council meeting.

8. ORDINANCES

a. First Reading

Ordinance No. 3449: An ordinance closing the east 330 feet of a platted ten (10) foot utility easement in Block Four (4) of the Watson Heights Addition on property addressed as 821 North Main Street

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR DARLINGTON TO ADVANCE ORDINANCE NO. 3449 AS PRESENTED.

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

b. Second Reading

Ordinance No. 3445: An ordinance amending Chapter 23, Land Development Code, Article XIII Overlay Districts, Division 3, Westwood Neighborhood Conservation Overlay District, to amend Section 23-275.13, Off-Street Parking

MOTION BY VICE MAYOR DARLINGTON, SECOND BY VICE COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3445

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

9. REPORTS FROM OFFICERS & BOARDS

a. Miscellaneous items from the City Attorney:

- i. Request for executive session pursuant to 25 O.S. §307(B)(4) involving confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving LW Development LLC. It is the opinion of the City Attorney that disclosure of this matter will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.
CITY ATTORNEY JOHN DORMAN REMOVED ITEM "I" FROM THE EXECUTIVE SESSION
- ii. Request for executive session pursuant to 25 O.S. §307(B)(4) involving confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action Williams v. City of Stillwater v. Block South 40 LLC, Case No. DF 118653, Supreme Court of Oklahoma. It is the opinion of the City Attorney that disclosure of this matter will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.
- iii. Request for an Executive Session pursuant to 25 O.S. §307 (C) (11) 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.
- iv. *Request for Executive Session pursuant to 25 O.S. §307 (B)(2) to discuss labor negotiations with Fraternal Order of Police Lodge #102.
 - v. *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 reported a representative from the State Department of Commerce reached out to the City to say how helpful and accommodating the Stillwater Public Library and Community Center were during his visit. Mr. McNickle thanked the employees who helped this state official for their representation of the City's Standards of Excellence.
 - Mr. McNickle reminded citizens to look for their U.S. Census post card in the mail in mid-March. Completing the 2020 Census will aid in bringing tax dollars back to Stillwater.
- c. Miscellaneous items from the City Council:
- Councilor Zannotti stated rain barrels are now on sale for pickup through the City of Stillwater. Go to Stillwater.org/news for details on how to order your barrel.
 - Councilor Dzialowski reminded citizens that with spring approaching, it's time to register storm shelters and to sign up for the emergency alert system, Be Informed Stillwater. Go to Stillwater.org/E-M to learn more.
 - Councilor Wedlake reported that in 2019 Stillwater Regional Airport had 58,000 passengers fly through the airport, which is an 8% increase from last year. Go to Stillwater.org/news to learn more.
 - Vice Mayor Darlington stated that in fiscal year 2019, the City striped 12,364 feet of Stillwater roads. Learn more about public works at Stillwater.org.
 - Mayor Joyce reminded citizens looking to buy a home for the first time in Stillwater to sign up for the free Homebuyer Education course to learn everything you need to know before owning your first home. Learn more at Stillwater.org under the Development Services tab.
- i. Discussion about scheduling items for future meetings.

10. QUESTIONS & INQUIRIES

None.

11. EXECUTIVE SESSION

- a. Confidential communication between the City Council and the City Attorney concerning a pending investigation, claim, or action involving LW Development LLC. CITY ATTORNEY JOHN DORMAN REMOVED ITEM A FROM THE EXECUTIVE SESSION.
- b. Confidential communication between the City Council and City Attorney concerning a pending investigation, claim, or action involving *Williams v. City of Stillwater v. Block South 40 LLC*, Case No. DF 118653, Supreme Court of Oklahoma.
- c. 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.
- d. Confidential communication to discuss labor negotiations with Fraternal Order of Police Lodge #102.
- e. Confidential communication to discuss labor negotiations with International Association of Firefighters Local #2095.

MOTION BY VICE MAYOR DARLINGTON, 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 8:40 p.m. and returned to open session at 9:15 p.m.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI 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.

12. RETURN FROM EXECUTIVE SESSION

- a. No action will be taken on this item.
Removed from Executive Session
- b. No action will be taken on this item.
- c. No action will be taken on this item.
- d. No action will be taken on this item.
- e. No action will be taken on this item.

13. ADJOURN


MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON TO ADJOURN THE FEBRUARY 24, 2020 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.

The February 24, 2020 regular meeting of the Stillwater City Council adjourned at 9:16 p.m.



WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL



TERESA KADAVY
CITY CLERK