

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED MAY 27, 2020 AT 4:30 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
SPECIAL MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JUNE 1, 2020**

IMPORTANT NOTICE This meeting will be conducted via videoconferencing. The meeting will be available to watch live on the City's Facebook Page (@CityOfStillwater), AT&T U-verse channel 99, Suddenlink channel 14 and the City of Stillwater's YouTube Live link at youtube.com/c/CityofStillwaterTV/live.

Notice regarding Public Comment Stillwater City Code, Section 2-53(a) & (b), provides that taxpayers or residents of the city, or their authorized legal representatives, may address the Council at a regularly scheduled meeting on any item of business listed on the meeting agenda provided they have submitted a written request prior to the meeting either online at stillwater.org/requesttospeak or via the form found in the lobby outside Council chambers prior to meetings.

For meetings conducted via videoconferencing, the same request to speak procedure shall be followed; however, **City Hall is closed to the public**. Login information to participate via videoconference will be provided prior to the meeting to those who have requested to speak. For those wishing to speak via teleconferencing, please provide a phone number and someone will call you before the public comments portion of the agenda to place you in a queue. If you do not have computer access to complete the form, please call 405.742.8209 for assistance. **Forms are due by 3:00 p.m. the day of the meeting.**

NOTE: Should a connection with any one of the City Councilors present for the videoconference be lost, the meeting will be recessed up to a maximum of 30 minutes to re-establish the connection. If reconnection is not possible, the meeting will be reconvened on June 2, 2020 at 5:30 p.m.

City Council Members

Mayor Will Joyce
Vice Mayor Pat Darlington
Councilor Alane Zannotti
Councilor John Wedlake
Councilor Amy Dzialowski

Method of Participation

Remotely - Videoconference
Remotely - Videoconference
Remotely - Videoconference
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**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 special meeting minutes of May 18, 2020
- b. Accept water, sewer, and street improvements for N Tower Park, re-plat Section 5
- c. Accept electric easement at 3415 N Park Drive
- d. Accept electric easement and utility easements for a multi-family residential development at 410 S Lincoln Street
- e. Approval of contract renewal with Florian Protective Services, LLC for fire plan review services

MOTION BY COUNCILOR ZANNOTTI, SECOND BY VICE MAYOR DARLINGTON 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

There were no requests to speak on agenda items not scheduled for public hearing.

4. ITEMS REMOVED FROM CONSENT DOCKET

None.

5. GENERAL ORDERS

- a. Prairie Arts Center annual report

Dr. Rebecca Brienen, volunteer director of Prairie Arts Center, discussed the variety of programs and services offered and gave an overview of the different populations served. She reported that the Prairie Arts Center continues to expand services to the community through relationships with various organizations in Stillwater.

Council thanked Dr. Brienen, OSU, and the staff at Prairie Arts for their dedication and work in making the Center and its partnership with the City successful.

- b. Extend demolition deadline for property at 723 Highpoint because of inability to get demolition bids due to COVID-19

Beth Anne Childs, Childs Law Firm, reported the city manager had a conversation with the property owner Melissa Sorrentino who requested an extension of 60 to 90 days. Ms. Childs stated it has been difficult for the property owner to obtain the needed permits for demolition due to the COVID-19 pandemic. Ms. Childs stated staff's recommendation is to grant a 60 to 90 day extension to allow the property owner to obtain demolition bids and permits. Discussion was held by Council and it was decided to extend the permit deadline to September 14, 2020 at which time an update will be brought to Council.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO EXTEND THE DEADLINE ON THIS DEMOLITION ORDER UNTIL SEPTEMBER 14, 2020.

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

- c. Update on dilapidated property at 116 S. Main, owner Omid Badiyan, North Point Properties, and request for extension of time for demolition

Beth Ann Childs, Childs Law Firm, reported she has been in contact with Mr. Badiyan regarding this property and he advised her that there is a lis pendens attached to numerous properties he owns. Ms. Childs stated she has contacted the individual interested in buying this property. She reported the buyer's plan is to handle acquisition of the property and work out an agreement with the gentleman that holds the lis pendens so that at closing that particular debt would be satisfied thus alleviating some concerns of Mr. Badiyan. The new property owner plans to demolish both structures on the property and consider development of a new two story building with retail on the bottom and residential on the second floor. No action was taken on this item.

d. Approve the following service agreement extensions:

- I. Stillwater Museum of History at the Sheerar
- II. Friends of Lake McMurtry
- III. Stillwater Area Sports Association
- IV. Prairie Arts Center V. Payne County Youth Services
- VI. Tiny Paws

Special Projects Director John McClenny stated the City contracts on an annual basis for a variety of services provided by outside organizations. Mr. McClenny gave a brief update on each organization.

The Prairie Arts Center contract will be brought back to Council on June 15, 2020 for consideration.

Mayor Joyce stated the reason Friends of Lake McMurtry and Stillwater Area Sports Association are only being extended to September 1, 2020 is because of the unknown financial impact COVID-19 has had on the City's budget. He reported by September staff should have a better understanding of the financial situation and then be able to move forward with annual contracts.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO RENEW SERVICE AGREEMENTS MINUS ITEM IV., PRAIRIE ARTS CENTER, FOR FY21 AS LISTED ABOVE AND AUTHORIZE THE MAYOR TO SIGN DOCUMENTS

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

e. Bid recommendation for upgrade to the Aviation Gas (AV Gas) system at Stillwater Regional Airport

Airport Director Paul Priegel reported that in June 2019, Stillwater Regional Airport Authority and City Council approved the acceptance of a \$200,000 grant from Phillips 66 to cover an upgrade to the aviation gas system at the airport. After completing the competitive bid process, one bid was received. On March 2, 2020, City Council voted to reject the bid and rebid the project. Staff revised the bid specifications and the project was rebid with a total of four bids received. Mr. Priegel stated Innovative Fueling Solutions was the low qualified bidder at \$250,608.48 and it is staff's recommendation to award this bid to Innovative Fueling Solutions.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR ZANNOTTI TO AWARD THE BID TO UPGRADE THE AVIATION GAS SYSTEM AT THE AIRPORT TO INNOVATION FUELING SOLUTIONS.

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

f. Bid recommendation for south apron reconstruction at Stillwater Regional Airport

Airport Director Paul Priegel reported as part of a multi-year apron reconstruction and expansion plan, staff held a competitive bid process for the construction of the south apron at Stillwater Regional Airport. Mr. Priegel stated five bids were received with Duit Construction being the lowest bidder with a bid of \$5,590,708.50 for the base bid. This will construct approximately 36,826 square yards of the south apron. He reported this project will be 100% reimbursable through the FAA Airport Improvement Program FY20 funding as well as the CARES Act. Mr. Priegel stated staff recommends awarding this bid to Duit Construction.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO AWARD BID #15-19/20 FOR THE CONSTRUCTION OF THE SOUTH APRON AT STILLWATER REGIONAL AIRPORT TO DUIT CONSTRUCTION.

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

g. Bid recommendation for purchase of primary Airport Rescue & Firefighting apparatus

Airport Director Paul Priegel reported Stillwater Regional Airport's primary Aircraft Rescue and Firefighting Apparatus is 20 years old and in need of replacement. He stated the FAA authorized the use of a portion of SRA's passenger entitlement for FY20 to be put towards the purchase of a new apparatus. Mr. Priegel reported the competitive bid process was followed with the base bid including the basic Index B ARFF apparatus plus two alternates. Alternate 1 included vehicle-mounted/manufacturer options, and alternate 2 included a list of ancillary equipment and tools. He stated two bids were received but with alternate 2 both bids were over budget. Rosenbauer Minnesota, LLC had the lowest base bid with the total bid amount including alternate 1 being \$773,675. He reported the amount of \$555,555 will be 100% reimbursable through the FAA Airport Improvement Program FY20 funding as well as the CARES Act. Mr. Priegel stated staff's recommendation is to award the bid to Rosenbauer Minnesota, LLC.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR ZANNOTTI TO AWARD BID #23-19/20 FOR THE BASE BID OF A PRIMARY ARFF APPARATUS PLUS ALTERNATE 1 FOR STILLWATER REGIONAL AIRPORT TO ROSENBAUER MINNESOTA, LLC

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

h. Approval of budget amendment reflecting advanced payment from OSU on its ground lease and authorize use of the funds for the primary Airport Rescue & Firefighting Apparatus and ancillary equipment acquisition

Airport Director Paul Priegel reported Oklahoma State University has agreed to pay in advance \$235,000 of the OSU Flight Center ground lease for the SRA/City to use towards capital projects or other airport uses. The City will credit OSU \$235,000 toward the future ground lease annual rent rate. Mr. Priegel stated OSU's advanced rent payment will allow SRA to use that revenue to fund the Primary ARFF Apparatus and ancillary equipment acquisition.

MOTION BY COUNCILOR WEDLAKE, SECOND BY VICE MAYOR DARLINGTON TO APPROVE THE ATTACHED BUDGET AMENDMENT ACCEPTING ADVANCED PAYMENT FROM OSU ON ITS GROUND LEASE AND AUTHORIZE THOSE FUNDS TO BE USED TO FUND THE PRIMARY ARFF APPARATUS AND ANCILLARY EQUIPMENT ACQUISITION

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

i. Approval of Stillwater Flight Center's renewal application for fuel dispensing permit at Stillwater Regional Airport

Airport Director Paul Priegel reported sellers of retail fuel at Stillwater Regional Airport must apply for a fuel dispensing permit as required by the City of Stillwater/Stillwater Regional Airport fueling ordinance. He stated Stillwater Flight Center Inc.'s current fuel permit expires June 30, 2020. Mr. Priegel reported airport staff has received a request for renewal for the fuel dispensing permit for the upcoming year beginning July 1, 2020 through June 30, 2021. He reported all required documentation has been submitted to the airport administrative office and the applicant meets the requirements of the ordinance.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE RENEWAL APPLICATION AND ISSUANCE OF A RETAIL FUEL DISPENSING PERMIT TO SFCI, INC.

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

- j. Approval of budget amendment reflecting receipt of \$1,112,414 in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Airport Relief Funding

Airport Director Paul Priegel stated that on April 20, 2020, City Council authorized the Stillwater Regional Airport to make application through the Department of Transportation to access the Coronavirus Aid, Relief, and Economic Security Act Airport Relief Funding. Mr. Priegel reported that on May 13, 2020, Stillwater Regional Airport received the final grant acceptance packet signifying the award of \$1,112,414. He said this award is funded 100% by the Federal Government and does not require a sponsor match. These funds will be used to support the airport's operational needs for FY21.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE A BUDGET AMENDMENT REFLECTING RECEIPT OF \$1,112,414 IN FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT AIRPORT RELIEF FUNDING

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

- k. Approve budget amendment reflecting additional \$1,975 in funding from the Oklahoma Department of Libraries for Stillwater Public Library

Special Projects Director John McClenny reported that the Stillwater Public Library received \$19,752 in State Aid Grant from the Oklahoma Department of Libraries in January 2020. He stated \$17,777 was dispersed in January with the remaining 10% of the grant to be held until ODL was certain of full funding. The additional 10% is now being dispersed. Mr. McClenny reported these funds will be used for materials and supplies needed to safely reopen the library.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE BUDGET AMENDMENT REFLECTING \$1,975 IN FUNDING FROM THE OKLAHOMA DEPARTMENT OF LIBRARIES

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

- l. Approve budget amendment reflecting additional \$20,000 in funding from Oklahoma Humanities and the National Endowment for the Humanities for Stillwater Public Library

Special Projects Director John McClenny reported the Stillwater Public Library received a \$20,000 H.O.P.E. grant from Oklahoma Humanities and the National Endowment for the Humanities. He stated the grant was provided as emergency funding for libraries and museums with no matching requirements. Mr. McClenny stated staff proposes to use the funding for staff wages.

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO APPROVE THE BUDGET AMENDMENT REFLECTING \$20,000 IN FUNDING RECEIVED FROM OKLAHOMA HUMANITIES AND THE NATIONAL ENDOWMENT FOR THE HUMANITIES.

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

m. COVID-19 update

I. Payne County Health Department – contact tracing, testing

Mayor Joyce reported there was not a lot to update as there have been no new cases in several weeks. He stated he signed an amendment to the proclamation declaring a state of emergency that officially moved Stillwater in to Phase 3. Mayor said this amendment will expire on June 30, 2020. He stated this amendment removed a couple restrictions including the gathering limit and the vulnerable population from the sheltering in place requirement to a recommendation. He reported Stillwater has now moved to following the State's guidelines to coincide with the various professional organizations' recommendations. Mayor stated City Facilities such as City Hall, Stillwater Community Center, Armory and city park facilities will open with restrictions. The Stillwater Public Library will open on June 8, 2020 with restrictions. Mayor Joyce encouraged citizens to continue wearing face coverings.

Emergency Management Director Rob Hill stated the phasing process has worked well since the positive cases have remained steady at 22. He felt the community responded positively and that has helped make the phasing process successful.

Regional Director for the State Health Department Kelli Rader, RN reported that testing is available at health department sites, there has not been an issue with providing testing and testing can be expanded as needed in the future. In regards to contact tracing, Ms. Rader stated there are 10 National Guard unit members that are assisting with case contact tracing in our area. She also reported there are 600 people trained state wide to assist with contact tracing as needed.

Councilor Dzialowski suggested that a process be established to educate the public about the term "contact tracing." She stated she felt it would be beneficial if the public knew the protocol of contact tracing to reduce the fear and make people more comfortable with that terminology.

Councilor Wedlake mentioned that John Hopkins University has a free six hour online course to learn to be a contact tracer. Deputy City Manager Melissa Reames stated both Special Projects Director John McClenny and Assistant City Manager Paula Dennison have taken and completed the course.

Vice Mayor Darlington asked what happens after a positive case of COVID-19 is identified. Ms. Rader stated the people that were exposed to the sick person are told to quarantine for 14 days and if they will not voluntarily quarantine an order can be issued for mandatory quarantine and the health department will provide options to quarantine safely. Vice Mayor Darlington asked what determines a significant increase in cases of COVID-19. Ms. Rader stated that would be determined by the percentage of positive test results and the medical system's ability to care for the sick.

II. Joint communication plan between City, OSU, and Payne County Health Department

Kelli Rader, RN reported the health department is planning and communicating weekly with OSU. Ms. Rader stated she is part of a public health task force that is looking at what target testing will look like when the students return as well as testing capacity and planning. Ms. Rader reported that she and Rob Hill have worked together for many years on a mass vaccination plan and will be ready to proceed when a vaccine for COVID-19 is available.

III. Discontinuation of videoconference meetings and return to adopted meeting schedule

Discussion was held regarding returning to in-person meetings versus videoconference meetings. Mayor Joyce expressed concern that videoconference meetings make it challenging for the public to comment in the meetings. Vice Mayor Darlington and Councilor Dzialowski expressed concerns about meeting in person. City Attorney John Dorman reported meetings can be held in a blended format with some councilors in person and some remote and still meet the requirements of the Open Meetings Act.

Councilor Zannotti suggested continuing videoconference meetings through the month of June and aim for July 6, 2020 to be in person for those who feel comfortable doing so. Councilor Wedlake asked if there is a legal aspect that states councilors must be seen or if they could call in to the meetings. City Attorney John Dorman said that calling in is an option but that roll would need to be called every 15 minutes to verify councilors are still present. Mayor Joyce stated no decision had to be made immediately but requested over the next month for staff to look at the different options such as having councilors call in to the meetings or spreading the council and staff apart in the council meeting room to allow for social distancing.

6. RESOLUTIONS

- a. Resolution CC-20-11: A resolution authorizing longer term payment plans for utility services; approving reinstatement of cut-off notifications and resuming disconnections beginning June 2, 2020 and reinstating the 10% penalty on delinquent accounts effective July 6, 2020

City Attorney John Dorman stated this resolution reinstates disconnections and the 10% penalty charge on delinquent accounts and allows the City Manager to provide payment options on utility bills.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT RESOLUTION NO. CC-20-11 AS PRESENTED.

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

7. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager: None.
- c. Miscellaneous items from the City Council:
 - Councilor Dzialowski mentioned the Governor is asking for donations to food pantries across the state and that local food pantry Our Daily Bread is always in need of donations.
 - Mayor Joyce stated Stillwater Community Foundation in conjunction with the hospital foundation are also accepting donations. Mayor Joyce recognized the racial tensions and protests going on in the nation and complimented the Stillwater Police Department for its efforts in dealing with the situation. He mentioned the peaceful protest scheduled for Wednesday morning at 10:00 a.m. at City Hall.
- i. Discussion about scheduling items for future meetings.

8. QUESTIONS & INQUIRIES

None.

9. ADJOURN

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR WEDLAKE TO ADJOURN THE JUNE 1, 2020 SPECIAL 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 June 1, 2020 special meeting of the Stillwater City Council adjourned at 7:38 p.m.

**WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL**

**TERESA KADAVY
CITY CLERK**

DRAFT