

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED AUGUST 13, 2020 AT 3:15 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA

MINUTES
STILLWATER CITY COUNCIL
SPECIAL MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
AUGUST 17, 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. PLEDGE OF ALLEGIANCE

The Stillwater City Council led the audience in the Pledge of Allegiance.

3. CONSENT DOCKET

- a. Approve special meeting minutes of August 3, 2020
- b. Accept water line easement for property located adjacent to the OSU Animal Physiology building at 5398 W 6th Avenue
- c. Authorize amendments to service agreement extensions with Stillwater Area Sports Association and Lake McMurtry Friends for an additional 30 days ending September 30, 2020.

MOTION BY COUNCILOR WEDLAKE, 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.

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

Shawn Walls, 412 S. Washington Street, owner of The Union spoke on behalf of his bar and his efforts in trying to keep and enforce the guidelines of the COVID-19 emergency orders. Mr. Walls expressed his concerns if the city council voted to shut down bars.

Cheryl Cummings, 2308 Tanglewood Circle, co-owner of Willie's on Washington Street, addressed the community concerns regarding the crowds on Washington Street. She said there are lines because they are following the guidelines on bar capacity so this is leading to lines on the sidewalk. Ms. Cummings expressed her concerns for the bars if the city council voted to again shut them down.

Chris Peters, 1116 W. Thomas Avenue, Director of Downtown Stillwater Association, spoke in favor of Ordinance 3456.

Bryan Langford-Loftis, 1009 E. Krayler Avenue, spoke in favor of Ordinance 3456.

5. ITEMS REMOVED FROM CONSENT DOCKET

None.

6. PUBLIC HEARINGS

- a. Receive public comment regarding a request for a Map Amendment to rezone property addressed as 503 South Pine Street from RTM Two-Family and Multi-Family Residential to RMI Multi-Family Intermediate Residential for use as a parking lot

Planning Manager Lanc Gross reported the property owners are requesting a map amendment to rezone the property at 503 S. Pine Street, from RTM, Two-Family and Multi-Family Residential to RMI, Multi-Family Intermediate Residential for a parking lot. The Beta Psi sorority is looking to purchase this property and will remove the structure and convert the site into a surface parking lot. Mr. Gross stated the current zoning of RTM does not allow for a surface parking lot by right.

Mayor Joyce opened the public hearing.

Current property owner Scott Petty spoke on his intentions of selling this property to a sorority for a parking lot if the property is rezoned.

Mayor Joyce closed the public hearing.

Planning Commission recommends approval 5-0.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE MAP AMENDMENT FOR THE PROPERTY LOCATED AT 503 S. PINE STREET.

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

- b. Receive public comment regarding a request from Oklahoma Green Stop, LLC. – Dennis Adams, for a Specific Use Permit to allow for a medical marijuana dispensary at 207 S Main Street

Planning Manager Lanc Gross reported this request is for a Specific Use Permit to allow for a medical marijuana dispensary at 207 S. Main Street. He reported the property is located in the CG Commercial General zoning district. Mr. Gross stated the site is located along a commercial corridor with retail and service commercial uses to the north and south.

Mayor Joyce opened the public hearing.

Owner of Oklahoma Green Stop, LLC, Dennis Adams spoke on behalf of his dispensary.

Mayor Joyce closed the public hearing.

Planning Commission recommends approval 5-0.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR ZANNOTTI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 207 S. MAIN STREET.

ROLL CALL VOTE: JOYCE-YEA, DARLINGTON-NAY, ZANNOTTI-YEA, WEDLAKE-NAY, DZIALOWSKI-YEA. MOTION CARRIED WITH THREE YEA VOTES TO TWO NAY VOTES.

7. GENERAL ORDERS

- a. Accept fourth quarter financial report

Finance Director Christy Cluck reviewed the quarterly financial report for the fourth quarter of fiscal year 2019-2020 and answered council's questions.

- b. Approve submittal of an application to Firehouse subs for a grant with no matching funds required in the amount of \$45,620.64 for the purchase of two ATV's for the Stillwater Police Department

Police Chief Jeff Watts reported the department is seeking a grant from Firehouse Subs to cover the purchase of two larger and more robust ATV's. These ATV's will be outfitted with emergency lights, roofs, windshields, and winches making them capable of carrying officers in any environment. Chief Watts stated that he is asking approval for the submittal of an application for a grant from Firehouse Subs in the amount of \$45,620.64, which covers the full cost of the ATV's and shipping. This grant requires no matching funds from the City.

MOTION BY COUNCILOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE SUBMITTAL OF AN APPLICATION TO FIREHOUSE SUBS FOR A GRANT WITH NO MATCHING FUNDS REQUIRED IN THE AMOUNT OF \$45,620.64 FOR THE PURCHASE OF TWO ATV'S FOR THE STILLWATER POLICE DEPARTMENT.

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

- c. Approve budget amendment appropriating \$10,000 from Fund 851 fund balance for landscape maintenance in Business Improvement District #1

This item was pulled from the agenda and will be on the Stillwater Economic Development Authority agenda for September 14, 2020.

- d. City projects update

Special Projects Director John McClenny provided Council with an update on active capital projects in the last quarter. Active projects are those on which construction is underway, equipment was purchased, design is in progress or the project was completed during the current reporting period.

- e. COVID-19 update

Mayor Joyce reported that there has not been a pronounced increase in the positive numbers. He stated he was aware of the sorority that had a number of positive cases but the antigen test used by the sorority is not recognized by the State so those numbers are not included in the State's positive numbers. Mayor said the Payne County Health Department is doing contact tracing on positive test results no matter the type of COVID test used. Mayor reminded citizens that the City, public schools, Meridian Technology Center and OSU are separate entities and each one makes their own decisions regarding COVID. He stated he appreciated meeting with the bars and thanked them for their cooperation and precautions they are taking to help slow the spread of the virus. Mayor reported there is an emergency order being worked on that would require patrons to be seated at a table to be served at a bar in hopes of helping to keep people distanced. Mayor stated minimizing the spread is essential to keep schools in sessions.

Councilor Zannotti wanted to thank the OSU students, bars and businesses that are following the ordinance guidelines. She stated this effort does make a difference in slowing the spread of COVID.

Councilor Wedlake stated he did see the videos going around over the weekend and feels like they represented a small minority of the student body as a whole. He stated the people that have the most power going forward over regulations and bar closures are the owners themselves making sure that their patrons are maintaining social distancing, following the rules and wearing masks. Councilor Wedlake stated he is not personally a fan of any government entity ruling anybody's private business, but as the Council we have to consider the health and well-being of our citizenry as a whole. He asked business owners to continue what they are doing as far as their diligence in mitigating the spread of COVID-19.

Vice Mayor Darlington told Mayor she appreciated his comment about clarifying what the City actually can and cannot do and that we are only responsible for what is inside the city limits. The other entity we do not have control over is the county. She stated all the questions about Weedstock and why the City doesn't do something about that is because it is out of the city's purview. Mayor Joyce stated Weedstock is still being discussed to see what can be done about that event.

Vice Mayor Darlington asked how the City can manage tailgating since OSU is not allowing tailgating on campus. She said tailgating will get moved to other parking lots around the city. Mayor Joyce stated when games are closer to being played in Stillwater there are options that can address this issue.

Vice Mayor Darlington asked what citizens are supposed to do when parties are held in their neighborhoods and cars are parked all over the streets. City Manager Norman McNickle stated they should call the police as they are trained to handle these situations. Mr. McNickle stated that is why he is hesitant to shut down bars because then the parties are moved to private neighborhoods and it is harder for the police to handle.

Mayor Joyce stated at the end of the day people have to make good decisions and they have to recognize the danger of the situation we are in. This is a novel virus that we still do not have a good understanding of how it affects people for the long term and more evidence of young people being affected in serious ways. Mayor stated the spread of this virus has a huge bearing on whether public schools and the university are able to have classes. Mayor stated for the most part we are seeing good compliance but it only takes a small group of people doing the wrong thing and making poor choices to have a tremendous impact on the rest of the community. He said if people choose to put their health and the health of their community at risk then there will be a negative impact. He asked everyone for the benefit of the community to please take the precautions that have been recommended because it does matter to a lot of people.

8. ORDINANCES

a. First Reading

ORDINANCE NO. 3456: AN ORDINANCE AMENDING THE STILLWATER CITY CODE BY AMENDING CHAPTER 23, LAND DEVELOPMENT CODE, ARTICLE XIII, OVERLAY DISTRICTS, DIVISION 2, SPECIAL PURPOSE OVERLAY DISTRICT, TO AMEND SECTION 23-270, REQUIREMENTS; SECTION 23-273 DEVELOPMENT STANDARDS; AND SECTION 23-274 DURATION OF DESIGNATION; AND DECLARING AN EMERGENCY

City Attorney John Dorman reported Ordinance 3456 would allow businesses and bars to extend their services outdoors to help with social distancing. He stated an emergency order can be done instead of an ordinance and that would give more time to formulate an ordinance. There was no action on this item.

b. Second Reading

ORDINANCE NO. 3455: AN ORDINANCE AMENDING THE STILLWATER CITY CODE BY AMENDING CHAPTER 41, UTILITIES, ARTICLE IV, WATER SERVICE, DIVISION 4, RATES AND CHARGES, SECTION 41-208, ESTABLISHED

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR ZANNOTTI TO ADOPT ORDINANCE NO. 3455.

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

9. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle reminded citizens the Census is still ongoing so please complete your form. He reported Census workers will be going around door to door so please respond to them in a positive manner. Mr. McNickle stated 100 years ago the 19th Amendment was passed giving women the right to vote.
- c. Miscellaneous items from the City Council:
 - Mayor Joyce reminded citizens the library is still “Census Central.” He asked citizens to please complete the Census and to also vote.
 - i. Discussion about scheduling items for future meetings.

10. QUESTIONS & INQUIRIES

None.

11. ADJOURN

MOTION BY VICE MAYOR DARLINGTON, SECOND BY COUNCILOR WEDLAKE TO ADJOURN THE AUGUST 17, 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 August 17, 2020 special meeting of the Stillwater City Council adjourned at 7:22 p.m.

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

**TERESA KADAVY
CITY CLERK**