

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED AUGUST 12, 2021 AT 2:55 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
AUGUST 16, 2021**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI
COUNCILORS, JOHN WEDLAKE, AMY DZIALOWSKI AND CHRISTIE HAWKINS**
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. PROCLAMATIONS/PRESENTATIONS

- a. Healthcare Professional Appreciation Week

Mayor Joyce read the proclamation designating September 27-October 1, 2021 as Healthcare Professional Appreciation Week. Shyla Eggers, Stillwater Medical Center, accepted the proclamation.

4. CONSENT DOCKET

- a. Approve regular meeting minutes of August 2, 2021
- b. Approve budget amendments reflecting a \$3,991.60 grant from OK Dept. of Libraries to supplement purchase of networking equipment for Stillwater Public Library
- c. Accept electrical easement for property addressed as 3111 S Sangre Road
- d. Approve setting date of October 4, 2021 for public hearing for request to close a utility easement at 5200 W 6th Avenue
- e. Approve lease agreement between Oklahoma State University and City of Stillwater for motorcycle and ATV recreational area
- f. Approve lease agreement between City of Stillwater and Stillwater Trailriders, Inc. for operation and maintenance of motorcycle and ATV recreational area

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE CONSENT DOCKET AS PRESENTED.

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

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

- Mendy Howerton, 2221 W. 6th Avenue, spoke against a mask mandate and vaccinations.

- Brian Shook, 1607 E. Will Rogers, spoke against a mask mandate.
- Brice Chaffin, 9423 E. Canyon Pass, spoke against a mask mandate and vaccinations.
- Kristopher Keyes, 516 W. 10th Avenue, spoke against a mask mandate and giving incentives for vaccinations.
- Amanda Wilson, 320 E. McElroy Rd., Apt. 801, Riley Flack read Ms. Wilson's letter to the Council. Ms. Wilson opposes a mask mandate.
- Chawndra Eschman, 1015 S. Duncan Street, spoke against a mask mandate and expressed her concern to protect human rights.
- Riley Flack, 3420 S. Sawgrass, spoke against a mask mandate and vaccinations.
- Joseph Behm, 519 S. Jardot, expressed his concerns regarding the appointments to Planning Commission and statements made by a member of the Planning Commission.
- Todd Smith, 1116 S. Walnut Street, spoke against a mask mandate and vaccinations and also expressed his concerns about Planning Commission appointments.
- Marc Trotter, 1411 S. Fern Street, spoke against a mask mandate.
- Gerald Hammond, 1024 Greystone Street, spoke against a mask mandate and expressed concern about the depression and suicide rates during this pandemic.
- Cody Scott, 902 W. Liberty Avenue, spoke in support of a mask mandate and thanked the Council for their leadership.
- Greg Kail, 1424 S. Jardot Road, spoke against a mask mandate.
- Kathleen Willingham, 1117 E. Dell Avenue, spoke against a mask mandate and how the vaccine raffle is a waste of money.

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- Receive public comment regarding a proposed Text Amendment to the Land Development Code Chapter 23, Land Development Code, Article XVI, Subdivision Preparation and Requirements, Section 23-325 Preliminary Plat requirements within the Land Development Code

Planning Manager Lanc Gross reported the proposed text amendment has been suggested at the preliminary plat stage to clarify when the traffic impact analysis is required to be submitted. Currently, City of Stillwater engineering standards note that the traffic impact analysis is to be submitted for review but such an analysis is not mentioned in the Land Development Code. Mr. Gross stated that this has led to confusion about when a traffic impact study should be conducted and submitted to the City for review. After discussion amongst members of the development community, a written request was submitted to the City to include the traffic impact analysis as part of the application submittal for a preliminary plat.

Director of City Engineering Monty Karns explained the process of a traffic impact analysis and when the analysis is done.

Mayor Joyce opened the public hearing.

Roger Gose, 1120 E. Connell, spoke in support of the proposed text amendment.

Mayor Joyce closed the public hearing.

Planning Commission recommended approval of the text amendment 5-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE LAND DEVELOPMENT CODE TEXT AMENDMENT.

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

- b. Receive public comment regarding a request for a Specific Use Permit to allow a medical marijuana dispensary use at property addressed as 416 S Washington Street, zoned T5 Form Based Code transect

Planning Manager Lanc Gross reported the applicant requests a review and approval of a Specific Use Permit to allow a medical marijuana dispensary use at property addressed as 416 S. Washington Street, zoned T6 Form Based Code transect. After Oklahoma law allowed for medical marijuana facilities, Stillwater approved a text amendment to allow a medical marijuana dispensary in the T6 Form Based Code transect with a Specific Use Permit.

Mayor Joyce opened and closed the public hearing as no one was present to speak.

Planning Commission recommended approval of this SUP 4-0.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION AND APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 416 S. WASHINGTON STREET.

ROLL CALL VOTE: JOYCE-YEA, ZANNOTTI-YEA, WEDLAKE-NAY, DZIALOWSKI-YEA, HAWKINS-YEA. NAY-ONE MOTION CARRIED WITH FOUR YEA VOTES.

- c. Receive public comment regarding a request for a Specific Use Permit for property addressed as 522 N Perkins Road. (See memo to postpone to September 13, 2021 at the request of the applicant)

Planning Manager Lanc Gross reported that the applicant requests additional time to address concerns that have been identified.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR HAWKINS TO POSTPONE THIS PUBLIC HEARING FOR THE SPECIFIC USE PERMIT AT 522 N. PERKINS ROAD TO SEPTEMBER 13, 2021.

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

8. GENERAL ORDERS

- a. Approve increase to the contract with EST to a not to exceed amount of \$330,000 for inspection and testing fees for the reconstruction of the North Apron project at Stillwater Regional Airport

Director of City Engineering Monty Karns reported that City Council entered into a grant agreement with the Federal Aviation Administration for Project AIP-3-40-0090-028-2019, the reconstruction of the North Apron. In December 2019, Council awarded an inspection and testing unit price contract to EST to perform the required inspection and testing services at a cost of \$201,261. Mr. Karns stated that due to weather and unforeseen construction issues, the costs exceed the authorized funds. City engineering staff estimates the total costs for inspection and testing to be \$330,000. Staff recommends to increase funding and not to exceed amount of the contract with EST for the services outlined about to \$330,000.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE INCREASE TO THE CONTRACT WITH EST FOR INSPECTION AND TESTING FEES FOR THE RECONSTRUCTION OF THE NORTH APRON PROJECT TO A NOT TO EXCEED AMOUNT OF \$330,000.

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

- b. Approve allocation of unused Federal Emergency Management Agency (FEMA) funds for restoration of various structures damaged in the Spring 2019 flood event from the Lakeside Golf Course repair project contingency to fund the additional costs incurred on the Lake McMurtry West Access Road project and authorize total expenditures of \$57,730 for the project

Director of City Engineering Monty Karns reported that in October 2020, City Council authorized Emergency Management to apply for funds through Federal Emergency Management Agency (FEMA) to restore various structures that were damaged due to the spring 2019 flood event. The three locations for repair included:

- Gun Range Road Culvert
- Culvert on Lake McMurtry West Access Road (LM-WAR)
- Slope restoration at Lakeside Memorial Golf Course

Mr. Karns reported that FEMA supplied the design by which the projects were constructed; however, after construction started, the design and cost estimate for LM-WAR were discovered to be inadequate—notably the length of the culvert pipe and the unsuitability of the in-situ fill dirt. Therefore, additional funds are needed for Lake McMurtry West Access Road project to be completed. Mr. Karns stated that the overall program of FEMA projects has sufficient funds to complete the projects. However, in order to complete the LM-WAR project, unused funds from the Lakeside Golf Course project will be needed.

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO AUTHORIZE THE ALLOCATION OF UNUSED FEMA FUNDS FROM THE GOLF COURSE PROJECT CONTINGENCY TO FUND THE ADDITIONAL COSTS INCURRED ON THE LAKE MCMURTRY WEST ACCESS ROAD PROJECT AND AUTHORIZE TOTAL EXPENDITURES OF \$57,730.

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

- c. Presentation of COVID-19 Vaccination Incentive Program for Stillwater residents

Communications Director Dawn Jones reported that the City of Stillwater (COS) in collaboration with the Stillwater Chamber of Commerce and Visit Stillwater, have organized a vaccination campaign and incentive contest to encourage citizens to become fully vaccinated in an effort to safeguard our

healthcare professionals and help save lives. Stillwater and Payne County citizens are asked to become fully vaccinated against COVID-19 to confirm that we value the lives of our healthcare professionals and greatly appreciate their sacrifices. Ms. Jones stated to further encourage vaccination participation, a contest has been added to the campaign as an incentive. She gave details of the vaccination campaign and incentive program which begins Tuesday, August 17 and ends on Thursday, September 30, 2021. The drawing will be held on Friday, October 1, 2021. The City will work with the Stillwater Chamber of Commerce and Visit Stillwater to administer the contest.

d. COVID-19 update

Mayor Joyce stated he did not have a lot to say right now but that Stillwater Medical Center has no available beds and two patients are waiting in the Emergency Room for a room. 90-95% of the hospitalizations are unvaccinated people and the doctors and nurses are tired and worn out so somehow vaccination rates need to be increased.

Councilor Wedlake thanked everyone that spoke tonight for coming to the meeting. He stated the vaccine is extremely effective. As a medical doctor, he has done countless hours of research on mitigating this disease and the best thing is the vaccine.

Councilor Dzialowski thanked everyone for their participation in tonight's meeting. She encouraged citizens to "pitch in" and help Stillwater Medical Center, healthcare workers and their neighbor by getting vaccinated. She said this would also help the Stillwater Public Schools to be able to have a normal year.

Vice Mayor Zannotti stated we all need to do what we can to stop the spread of this disease and she feels passing the vaccine resolution tonight is the best start. She stated she is in support of using the CARES funding to promote vaccines.

Councilor Hawkins stated she did not have a lot to add but that she is also in support of using the CARES funding to promote vaccinations.

Mayor Joyce stated that masks do work in mitigation against COVID-19 but that a mask mandate was not on the agenda tonight and councilors did not push for that to be placed on the agenda. He encouraged citizens to listen to our public health officials. Mayor stated there needs to be a unified, cohesive front to achieve widespread efficacy in mitigating COVID-19 and its variants.

9. RESOLUTIONS

- a. Resolution No. 2021-25: A resolution authorizing the creation of a COVID-19 vaccination incentive program for Stillwater residents

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT RESOLUTION NO. CC-2021-15 AS PRESENTED.

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

10. ORDINANCES

- a. Second Reading

Ordinance No. 3477: An ordinance rezoning a tract of land located at 701 Boomer Lake Station Drive from P, Public, to RMI, Multi-Family Intermediate, for Tract A1, and CG, Commercial General District, for Tract A2.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR WEDLAKE TO ADOPT ORDINANCE NO. 3477 AS PRESENTED.

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

Ordinance No. 3478: An Ordinance rezoning a tract of land located at 2817 E. 6th Avenue from CG, Commercial General District, To IL, Light Industrial District

MOTION BY COUNCILOR WEDLAKE, SECOND BY COUNCILOR DZIALOWSKI TO ADOPT ORDINANCE NO. 3478 AS PRESENTED.

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

Ordinance No. 3479: An ordinance rezoning a tract of land located at 2811 E. 6th Avenue from CG, Commercial General District, to IL, Light Industrial District

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR ZANNOTTI TO ADOPT ORDINANCE NO. 3479 AS PRESENTED.

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

Ordinance No. 3480: An ordinance rezoning a tract of land located at 2723 E. 6th Avenue from CG, Commercial General District, to IL, Light Industrial District

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADOPT ORDINANCE NO. 3480 AS PRESENTED.

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

11. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney: None.
- b. Miscellaneous items from the City Manager:
 - City Manager Norman McNickle announced that the last piece of the City's "Water 2040" project is complete. These upgrades will provide immediate and longer term benefits to the city by improving current water service, providing more uniform water pressure across neighborhoods and better preparing for future growth.
 - City Manager McNickle reported that the August 23 City Council study session is cancelled because the Form Base Code consultants cannot travel due to COVID-19 restrictions.
- c. Miscellaneous items from the City Council:
 - Councilor Hawkins announced that if anyone is looking for a job the City of Stillwater is hiring. From Airport Operations Specialist to Firefighter, there are openings in a variety of positions. Visit Stillwater.org/employment to view all the listings and to apply.
 - Councilor Dzialowski announced that the Stillwater Public Library holds a "masked hour" from 9:00 a.m. to 10:00 a.m. on Saturdays to provide safer visits for high-risk and unvaccinated visitors. Masked hour is scheduled outside of the

library's current operating hours and anyone is welcome to visit during this time, but a mask is required.

- Councilor Wedlake stated that to better prepare for emergencies, the Oklahoma National Guard's 63rd Civil Support Team will be conducting joint hazmat and law enforcement exercises August 17 and 18 in Stillwater and Cushing. The training will be at O'Brate Stadium on OSU's campus and at a rural residence near Hwy 33 in Cushing. Residents should not enter areas marked "Exercise in Progress" or "Training" to ensure their personal safety and prevent training interruptions.
 - Vice Mayor Zannotti reminded citizens that if they have suffered an economic loss or financial impact due to COVID-19, assistance is still available through the Stillwater Resident COVID Impact Assistance Program. To qualify for assistance, applicants must be residents of Stillwater within the city limits and be considered low or moderate income based on income limits set by the U.S. Department of Housing and Urban Development. Visit OurDailyBreadStillwater.org to apply.
 - Mayor Joyce announced that the second public input meeting for the 6th Avenue Corridor Study will be held on August 25th at the Stillwater Community Center from 5:30 p.m. to 7:00 p.m. Join City staff as the proposed bike and pedestrian corridors are discussed and how they will connect various parts of the community.
- i. Discussion about scheduling items for future meetings.

12. QUESTIONS & INQUIRIES

None.

13. ADJOURN

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE AUGUST 16, 2021 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The August 16, 2021 regular meeting of the Stillwater City Council adjourned at 7:01 p.m.

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

**TERESA KADAVY
CITY CLERK**