



Together, Investing in Municipal Excellence

CITY COUNCIL MEETING AGENDA

APRIL 3, 2023

723 S Lewis Street

Room 1122B

Stillwater, OK 74074

5:30 P.M.

Mayor Will Joyce, Vice Mayor Amy Dzialowski, Councilors Christie Hawkins, Kevin Clark, & Tim Hardin

1. Call Meeting to Order
2. Pledge of Allegiance
3. Presentations and Proclamations
 - a. No Hit Zones – Resilient Payne County - Sheri Carter
 - b. Sexual Assault Awareness Month – Wings of Hope Family Crisis Center – Brandi White
 - c. Fair Housing –Stillwater Housing Authority Executive Director Toni Broyles, Roger Gose, Stillwater Housing Authority Board, Jeff Mathews, Development Services Director
 - d. Presentation by OSU art students for a temporary mural at Chris Salmon Plaza

4. Consent Docket

Items listed on the consent docket are routine administrative matters that may be approved without discussion. The Council will take action on these items collectively with a single vote. The requested City Council action is indicated for each item listed. Should a Councilor elect to discuss, amend, revise, or table any item listed on the consent docket, the item will be moved to the section of the agenda titled "Items Removed from the Consent Docket" for possible action. Additionally, a Councilor or the City Manager may simply ask the Mayor to remove an item from the consent docket prior to action by the City Council and no action will be taken on the removed item at this meeting.

a.	Approval of March 20, 2023 regular meeting minutes and March 27, 2023 special meeting minutes		
b.	Approve waiver of Payment in Lieu of Taxes (PILOT) of \$8,681.32 as requested by Stillwater Housing Authority		Norman McNickle

5. Public Comment on Items not Schedules for Public Hearings

*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 [Request to speak form](#) or via the form found in the lobby outside Council chambers prior to meetings.*

6. Items Removed from Consent Docket

Items removed from the consent docket are placed on this section of the agenda for discussion, revision, amendment and/or tabling prior to action by the City Council. The City Council may take action, including a vote or series of votes, on items removed to this section of the agenda after the requested discussion, revision or amendment.

7. Public Hearings

The Council will hear public comments, discuss, and take action including a vote or series of votes on each item listed as presented or as amended by the City Council unless the agenda entry specifically states that no action will be taken.

a.	Pursuant to 11 O.S. § 22-112 and 11 O.S. §22-112.4, the Stillwater City Council will conduct a hearing to determine whether the secondary structure located at 601 West 10th Avenue, Stillwater, Oklahoma (the secondary structure is also identified as located at 1012 South Knoblock, Stillwater, Oklahoma) is dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E) on April 3, 2023, at 5:30 P.M., in the City Council Hearing Room, 723 South Lewis Street, Stillwater, Oklahoma. At said date and time, the City Council shall make a determination as to whether said secondary structure is dilapidated and/or abandoned as defined by the referenced statutes and whether to order the abatement and removal of said structure and the assessment of all associated costs thereof to the owner of said property.		Beth Anne Childs
b.	Pursuant to 11 O.S. § 22-112 and 11 O.S. §22-112.4, the Stillwater City Council will conduct a hearing to determine whether the structure located at 915 South McDonald Street, Stillwater, Oklahoma , is dilapidated as defined in 11 O.S §22-112(C) and abandoned as defined in 11 O.S. §22-112.4(E) on April 3, 2023, at 5:30 P.M., in the City Council Hearing Room, 723 South Lewis Street, Stillwater, Oklahoma. At said date and time, the City Council shall make a determination as to whether said structure is dilapidated and/or abandoned as defined by the referenced statutes and whether to order the abatement and removal of said structure and the assessment of all associated costs thereof to the owner of said property.		Beth Anne Childs
c.	Receive public input for project suggestions for the 2023 Community Development Block Grant (CDBG) Small Cities grant and consider selection of a project	CC-23-50	Shelly Crynes
d.	Receive public comment regarding a request for a Specific Use Permit for a medical marijuana dispensary at 911 N Perkins Road	CC-23-52	Jacquelyn Porter

8. General Orders

The Council will hear a staff presentation, discuss, and take action including a vote or series of votes on each item listed as presented or as amended or revised by the City Council unless the agenda entry specifically states that no action will be taken. The requested City Council action is indicated in each agenda entry but may be amended or revised prior to action by the City Council.

a.	Consider approval of budget amendment appropriating additional expenditures of \$45,000 for stormwater drainage improvements design for the Block 34 area and authorize the General Manager to execute a task order amendment with Gose & Associates for \$37,628.55	CC-23-53	Candy Staring
b.	Consider authorizing the General Manager to execute the base agreement and Task Order #1 with Poe & Associates for a not-to-exceed amount of \$283,943 and approve a budget amendment appropriating expenditures of \$315,000 for civil engineering support, project management services and contingency	CC-23-54	Bill Millis

9. Resolutions

The City Council will hear a staff presentation, discuss, and take action including a vote or series of votes on each resolution listed as presented or as amended or revised by the City Council.

a.	RESOLUTION NO. CC-23-6: A RESOLUTION AMENDING SECTION V, ELECTRIC SERVICE RULES OF THE CITY OF STILLWATER TERMS AND CONDITIONS OF SERVICE FOR MUNICIPAL UTILITIES	CC-23-51	Loren Smith
b.	RESOLUTION CC-23-7: A RESOLUTION OF THE STILLWATER CITY COUNCIL DECLARING THE SECONDARY STRUCTURE LOCATED AT 601 WEST 10 TH AVENUE, STILLWATER, OKLAHOMA (THE SECONDARY STRUCTURE ALSO IDENTIFIED AS LOCATED AT 1012 SOUTH KNOBLOCK, STILLWATER, OKLAHOMA), 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. §22-112		Beth Anne Childs
c.	RESOLUTION CC-23-8: A RESOLUTION TO APPROVE PARTICIPATION IN WALGREENS SETTLEMENT AGREEMENT		Kimberly Carnley
d.	RESOLUTION CC-23-9: A RESOLUTION TO APPROVE PARTICIPATION IN WALMART SETTLEMENT AGREEMENT		Kimberly Carnley
e.	RESOLUTION CC-23-10: A RESOLUTION TO APPROVE PARTICIPATION IN CVS SETTLEMENT AGREEMENT		Kimberly Carnley

f.	RESOLUTION CC-23-11: A RESOLUTION TO APPROVE PARTICIPATION IN ALLERGAN SETTLEMENT AGREEMENT		Kimberly Carnley
g.	RESOLUTION CC-23-12: A RESOLUTION TO APPROVE PARTICIPATION IN TEVA SETTLEMENT AGREEMENT		Kimberly Carnley

10. Ordinances

The City Council will hear a staff presentation, discuss, and take action including a vote or series of votes on each ordinance listed as presented or as amended or revised by the City Council.

First Read

a.	Ordinance 3522: AN ORDINANCE CLOSING A PORTION OF THE 15-FOOT GENERAL ACCESS EASEMENT IN THE SOUTH HALF OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 2 EAST, OF THE INDIAN MERIDIAN, PAYNE COUNTY, OKLAHOMA, NEAR PROPERTY ADDRESSED AS 4099 NORTH LAND RUN DRIVE
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11. Appointments

- a. Airport Advisory Board (CC-23-56)
- b. Library Board (CC-23-57)
- c. Stillwater (Re)Investment Plan Stillwater Tax Increment Financing District #3 Implementation Policy Committee (CC-23-58)
- d. Sister Cities Council (CC-23-55)

12. Reports from Officers and Boards

Announcements and remarks of general interest may be made by Councilors, City Manager or City Attorney. Items of City business that may require discussion or action including a vote or series of votes are listed below.

- a. Miscellaneous items from the City Attorney
 - i. Request for executive session to hold confidential communications between the City Council of the City of Stillwater and its counsel concerning the settling of certain claims in pending litigation with opioid manufacturers, distributors, and retailers, styled *City of Stillwater v. Cephalon, Inc., et al.*, pending in Case No. 1:21-op-45045-DAP in the United States District Court for Northern District of Ohio, including potential resolution of certain claims against Walgreens, Walmart, CVS, Teva, and Allergan, related to lawsuits against pharmaceutical supply chain participants of opioid prescription drugs, and taking appropriate action in open session, including possible authorization to settle claims, the disclosure of which may seriously impair the litigation if known by public disclosure as allowed by 25 O.S. § 307(B)(4).
 - ii. Request for Executive Session pursuant to 25 O.S. §307 (B)(2) to discuss labor negotiations with Fraternal Order of Police Lodge #102.
 - iii. 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
- c. Miscellaneous items from the City Council

13. Questions and Inquiries

14. Executive Session

- a. Confidential communications between the City Council of the City of Stillwater and its counsel concerning the settling of certain claims in pending litigation with opioid manufacturers, distributors, and retailers, styled *City of Stillwater v. Cephalon, Inc., et al.*, pending in Case No. 1:21-op-45045-DAP in the United States District Court for Northern District of Ohio, including potential resolution of certain claims against Walgreens, Walmart, CVS, Teva, and Allergan, related to lawsuits against pharmaceutical supply chain participants of opioid prescription drugs, and taking appropriate action in open session, including possible authorization to settle claims, the disclosure of which may seriously impair the litigation if known by public disclosure as allowed by 25 O.S. § 307(B)(4).
- b. Confidential communication to discuss labor negotiations with Fraternal Order of Police Lodge #102.
- c. Confidential communication to discuss labor negotiations with International Association of Firefighters Local #2095.

15. Return from Executive Session

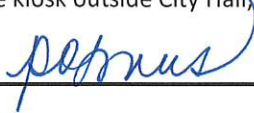
- a. Consider approving Participation in the Walgreens Settlement Agreement dated December 9, 2022, the Retailer State-Subdivision Agreement as it pertains to the Walgreens Settlement Agreement, and the State Back-Stop Agreement applicable to the Walgreens Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Stillwater and other litigating Oklahoma subdivisions, including approval of Resolution No. CC-23-8, and authorize the Mayor of the City of Stillwater to execute the Subdivision Participation Form for the City of Stillwater's participation in the Walgreens Settlement Agreement.
- b. Consider approving Participation in the Walmart Settlement Agreement November 22, 2022, the Retailer State-Subdivision Agreement as it pertains to the Walmart Settlement Agreement, and the State Back-Stop Agreement applicable to the Walmart Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Stillwater and other litigating Oklahoma subdivisions, including approval of Resolution No. CC-23-9, and authorize the Mayor of the City of Stillwater to execute the Subdivision Participation Form for the City of Stillwater's participation in the Walmart Settlement Agreement.
- c. Consider approving Participation in the CVS Settlement Agreement dated December 9, 2022, and the Retailer State-Subdivision Agreement as it pertains to the CVS Settlement Agreement, and the State Back-Stop Agreement applicable to the CVS Settlement Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Stillwater and other litigating Oklahoma subdivisions, including approval of Resolution No. CC-23-10, and authorize the Mayor of the City of Stillwater to execute the Subdivision Participation Form for the City of Stillwater's participation in the CVS Settlement Agreement
- d. Consider approve Participation in the Allergan Settlement Agreement dated November 22, 2022, and the Allergan State-Subdivision Agreement and the Allergan State Back-Stop Agreement, as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Stillwater and other litigating Oklahoma subdivisions, including approval of Resolution No. CC-23-11, and authorize the Mayor of the City of Stillwater to execute the Subdivision Participation Form for the City of Stillwater's participation in the Allergan Settlement Agreement.
- e. Consider approving Participation in the Teva Settlement Agreement dated November 22, 2022, and the Teva State-Subdivision Agreement and the Teva State Back-Stop Agreement,

as recommended by Todd Court and Tony G. Puckett, McAfee Taft, legal counsel for the City of Stillwater and other litigating Oklahoma subdivisions, including approval of Resolution No. CC-23-12, and authorize the Mayor of the City of Stillwater to execute the Subdivision Participation Form for the City of Stillwater's participation in the Teva Settlement Agreement.

- f. No action will be taken on this item.
- g. No action will be taken on this item.

16. Adjourn

On 03.30.23 at 11:20, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S Lewis Street, Stillwater, OK.



The City of Stillwater encourages participation from all citizens. If participation at any public meeting is not possible due to a disability, please notify the City Manager's office at least 48 hours prior to the meeting by calling 405.742.8209.

- Meetings are televised on AT&T U-verse channel 99 and Suddenlink channel 14.
- Find meeting agendas and minutes online at [Agendas and Minutes](#)
- Official minutes are archived in the City Clerk's office.
- Go to [eNotifications](#) for email notices when an agenda is posted. Select each elected or appointed board or committee for which you would like to receive notices.