

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AGENDA WAS POSTED MARCH 30, 2023 AT 11:20 A.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
REGULAR MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
APRIL 3, 2023**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR AMY DZIALOWSKI,
COUNCILORS CHRISTIE HAWKINS AND TIM HARDIN
ABSENT: COUNCILOR KEVIN CLARK**

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. No Hit Zones – Resilient Payne County - Sheri Carter

Mayor Joyce read the proclamation declaring April 3-7, 2023 as No Hit Zones in Stillwater. Sheri Carter, Board President Resilient Payne County, accepted the proclamation.

- b. Sexual Assault Awareness Month – Wings of Hope Family Crisis Center – Brandi White

Mayor Joyce read the proclamation declaring April 2023 as Sexual Assault Awareness month in Stillwater.

- c. Fair Housing –Stillwater Housing Authority Executive Director Toni Broyles, Roger Gose, Stillwater Housing Authority Board, Jeff Mathews, Development Services Director

Mayor Joyce read the proclamation declaring April 2023 as Fair Housing month in Stillwater. Community Development Director Jeff Mathews accepted the proclamation.

- d. Presentation by OSU art students for a temporary mural at Chris Salmon Plaza

OSU Professor of Visual Arts, Kate Kinder, introduced the two finalists for the mural design at Chris Salmon Plaza. Brynlee Floyd presented her design called "Ripple" and Carlee Roddy presented her design called "Building Sunshine." Both Floyd and Roddy explained the color scheme and symbolism in their designs and how it relates to former and first female Mayor Chris Salmon.

4. CONSENT DOCKET

- 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

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO APPROVE THE CONSENT DOCKET AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

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

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

6. ITEMS REMOVED FROM CONSENT DOCKET

None.

7. PUBLIC HEARINGS

- 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.

City Attorney Kimberly Carnley requested this public hearing be tabled until May 1, 2023.

MOTION BY COUNCILOR HARDIN, SECOND BY COUNCILOR HAWKINS TO TABLE THIS ITEM TO MAY 1, 2023 CITY COUNCIL MEETING.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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.

City Attorney Kimberly Carnley requested this public hearing be tabled until May 1, 2023.

MOTION BY COUNCILOR HARDIN, SECOND BY VICE MAYOR DZIALOWSKI TO TABLE THIS ITEM TO THE MAY 1, 2023 CITY COUNCIL MEETING.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- c. Receive public input for project suggestions for the 2023 Community Development Block Grant (CDBG) Small Cities grant and consider selection of a project

Grants Manager Shelly Crynes reported that the Community Development Block Grant (CDBG) is funded by the Oklahoma Department of Commerce and is a US Housing & Urban Development program. CDBG does not fund projects that must be done in phases, so any selected project must be complete by the end of the grant. Any selected project is subject to the CDBG National Objective to provide benefit to low and moderate-income persons. Ms. Crynes stated that public input meetings were held on February 28 and March 16, 2023 to gather citizen input for project suggestions for the 2023 Community Development Block Grant (CDBG) Small Cities grant. Ms. Crynes reported that several worthwhile projects were suggested and the public input was appreciated. Staff is recommending the fire suppression system for the Stillwater Public Library for the Small Cities grant. The library meets the objective to serve low and moderate-income persons and replacement of the fire suppression system is a matter of public safety.

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

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT STAFF'S RECOMMENDATION TO SELECT THE FIRE SUPPRESSION SYSTEM PROJECT FOR THE STILLWATER PUBLIC LIBRARY AS THE 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES GRANT PROJECT.

**ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.**

- d. Receive public comment regarding a request for a Specific Use Permit for a medical marijuana dispensary at 911 N Perkins Road

City Planner Jacquelyn Porter reported that the applicant, Buddies Cannabis Co., is requesting review and approval of a Specific Use Permit (SUP) to allow for a medical marijuana dispensary at the property addressed as 911 North Perkins Road, which is zoned Commercial Shopping. Buddies Cannabis Co. is an existing dispensary that did not obtain a SUP after the OMMA License was approved by the State in February of 2021. There was a change in ownership prior to the submittal of the Certificate of Compliance in February 2021. Ms. Porter stated that in 2022, the Certificate of Compliance for renewal of license was not issued to Buddies Cannabis Co. because of the lack of a Specific Use Permit. OMMA, however, issued a Commercial Dispensary License for the 2022 year that expires 8/22/2023. She reported that this SUP is to bring the current use into compliance with City Code.

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

The Planning Commission recommended approval of this SUP request with 5-0 vote.

MOTION BY COUNCILOR HARDIN, SECOND BY VICE MAYOR DZIALOWSKI TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED AT 911 NORTH PERKINS ROAD.

**ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.**

8. GENERAL ORDERS

- 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

Deputy Director of Engineering Bill Millis reported that during the March 20, 2023 City Council meeting there was discussion regarding the drainage improvements around Block 34. Gose & Associates (Gose) had completed the evaluation of three alternatives. City staff initially selected Option 1, the least cost option, which provided limited improvements to support Block 34. Mr. Millis stated that after re-considering the impacts of stormwater, staff are considering various construction funding options to improve drainage for Block 34 and will include a construction bid alternate section so that Council can elect whether or not to include the work. For Gose to complete the stormwater drainage system design for the project, additional authorization is needed in the form of a task order amendment for \$37,628.55, bringing the total task order amount to \$199,373.55. Mr. Millis stated that an additional appropriation of \$45,000 is necessary for the recommended action for a total authorized budget of \$225,000 to cover the stormwater design, bid phase support, construction administration services and contingency.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO APPROVE A BUDGET AMENDMENT APPROPRIATING ADDITIONAL EXPENDITURES OF \$45,000 FOR STORMWATER DRAINAGE IMPROVEMENTS DESIGN FOR THE BLOCK 34 AREA AND AUTHORIZE THE GENERAL MANAGER (CITY MANAGER) TO EXECUTE A TASK ORDER AMENDMENT WITH GOSE FOR \$37,628.55.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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

Deputy Director of Engineering Bill Millis reported that currently, five of six Project Manager positions in the Engineering Department remain vacant. In October 2022, staff issued a request for qualifications for civil engineering and program management support for planning, studies, design and construction oversight related to transportation and drainage projects. Mr. Millis stated that six consultant responses were received, evaluated and interviews were held. Based on the scoring results by staff and TPAC members, Poe and Associates Consulting Engineers (Poe) was selected to serve as transportation program support and as an extension of the engineering staff for public works planning and capital projects. Mr. Millis reported that Task Order 1 (TO1) has been scoped and negotiated at a fee of \$283,943. This initial task order will provide for review of reports, design plans and constructability, cost estimating, design management, bidding support and construction administration support. Projects currently identified for Poe's management support include Park & Airport Road, Monticello Street and various outstanding work items related to past Pavement Management Program authorizations.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO AUTHORIZE THE GENERAL MANAGER (CITY 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

9. RESOLUTIONS

- a. Resolution No. CC-2023-6: A resolution amending Section V, Electric Service Rules of the City of Stillwater Terms And Conditions Of Service For Municipal Utilities

Electric Utility Director Loren Smith reported that Electric Service Rules were last updated on June 1, 2018. Staff has recently reviewed and updated the rules to better reflect what is evolving in the field and the industry. He stated that several sections of the rules were modified and there were minor changes to update information to accurately reflect changes in practice or to address situations that have arisen since 2018. Mr. Smith presented the key changes to the Electric Service Rules.

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2023-6 AS PRESENTED.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- b. Resolution CC-2023-7: A resolution of the Stillwater City Council declaring the secondary structure located at 601 West 10th 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

This item was tabled to the May 1, 2023 City Council meeting.

Mayor Joyce moved to item 10. Ordinances on the agenda.

- c. Resolution No. CC-2023-8: A resolution to approve participation in Walgreens settlement agreement

See action taken after Executive Session on the agenda.

- d. Resolution No. CC-2023-9: A resolution to approve participation in Walmart settlement agreement

See action taken after Executive Session on the agenda.

- e. Resolution No. CC-2023-10: A resolution to approve participation in CVS settlement agreement

See action taken after Executive Session on the agenda.

- f. Resolution No. CC-2023-11: A resolution to approve participation in Allergan settlement agreement

See action taken after Executive Session on the agenda.

- g. Resolution CC-2023-12: A resolution to approve participation in Teva settlement agreement

See action taken after Executive Session on the agenda.

10. ORDINANCES

- a. First Reading

Ordinance No. 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

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADVANCE RICORDINANCE NO. 3522 AS PRESENTED TO SECOND READING.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

11. APPOINTMENTS

a. Airport Advisory Board

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HARDIN TO APPOINT MELINDA MURRAY TO THE AIRPORT ADVISORY BOARD

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

b. Library Board

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HARDIN TO REAPPOINT MIKE WOODS AND TO APPOINT SHARON EDWARDS TO THE LIBRARY BOARD.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

c. Stillwater (Re)Investment Plan Stillwater Tax Increment Financing District #3 Implementation Policy Committee

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HAWKINS TO APPOINT DEVIN WANZOR TO THE STIILLWATER (RE)INVESTMENT PLAN STILLWATER TAX INCREMENT FINANCING DISTRICT #3 IMPLEMENTATION POLICY COMMITTEE

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

d. Sister Cities Council

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HARDIN TO APPOINT MATTHEW PAYNE TO THE SISTER CITIES COUNCIL TERM ENDING IN 2026 AND JACIE GRAY TO THE TO THE SISTER CITIES COUNCIL TERM ENDING IN 2024.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA.
NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

12. REPORTS FROM OFFICERS & BOARDS

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:
 - City Manager Norman McNickle thanked Kevin O'Dell for his time with the City broadcasting the City Council meetings. He stated tonight would be Kevin's last meeting and wished him the best.
 - City Manager Norman McNickle announced that Stillwater's Chamber of Commerce has kicked off their "Purchase on Perkins" Rd. campaign where patrons can potentially win \$1,000 cash prizes while they are shopping local. While Perkins Rd/US 177 roadway construction project is a necessity, this shop local campaign helps show much needed support to the businesses located along this roadway. Mr. McNickle said that to enter, just visit a store on Perkins Rd. and make a purchase, then scan the QR code on the receipt and fill out a survey to enter the contest.
 - Mr. McNickle stated that the City got great news today. The Oklahoma Department of Transportation announced that Stillwater will receive the \$1 million dollar grant funding that was applied for in November 2022 for the Rails to Trails project. The funds are a huge asset to complete a trail system that connects Stillwater north to south. He stated that this is a major win for our residents and visitors who enjoy biking, walking, running and all of our multi-modal community. The project will extend 1.25 miles from McElroy Road to Boomer Lake Park. Pedestrian and bicycle safety is always a concern and the rail-to-trail conversion would provide a safe and efficient passage for people walking or biking across town that meets accessibility standards set by the Americans with Disabilities Act.
- c. Miscellaneous items from the City Council:
 - Councilor Hardin asked residents to save the date for the Community Center's "Daddy Daughter Prom." There are multiple date and time options to best meet family schedules. Friday, May 5, 7 to 8:30 p.m. and Saturday, May 6, 5 to 6:30 p.m. and 7 to 8:30 p.m. Tickets will be available for online purchase beginning April 10 at Stillwater.org/dancingwithdaddy or they can be purchased at the Stillwater Community Center, 315 W. 8th Avenue. The tickets are \$25 per couple and \$10 for each additional daughter. Advanced tickets are required.
 - Councilor Hawkins stated if residents are looking for an environmentally-friendly way to save money on their water bills, they may want to purchase a rain barrel through the City of Stillwater. These barrels capture water from your roof and store it for future use. Using rain barrels also helps to reduce stormwater pollution by minimizing the amount of stormwater runoff that leaves a site. Mail in order forms are due by April 27 and online orders are due by April 30.
 - Vice Mayor Dzialowski reminded residents that beginning today the City of Stillwater Water Department will temporarily switch to chlorine for water system maintenance. This is a 30-day process. We want to ensure our customers and bulk water users are aware of this free chlorine treatment. Please know, drinking water may taste and smell slightly different but the water remains safe to drink and meets all federal and state regulations. This process will improve the water quality in our distribution system. Staff will continually monitor the drinking water.
 - Mayor Joyce announced that the City is accepting applications for citizen representatives to serve on various committees including Board of Adjustment and Board of Drainage Appeals. These committees are essential for increased development and infrastructure projects within our community. If anyone would like to get involved in their local government and help make Stillwater even greater, please consider serving on one or more of these committees.

13. QUESTIONS & INQUIRIES

None.

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.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HAWKINS TO RECESS THE STILLWATER CITY COUNCIL MEETING AT 6:37 P.M.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

Stillwater City Council meeting recessed at 6:37 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:44 p.m.

MOTION BY COUNCILOR HAWKINS, SECOND BY VICE MAYOR DZIALOWSKI TO ENTER INTO EXECUTIVE SESSION AT 6:45 P.M.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

15. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR HARDIN, SECOND BY VICE MAYOR DZIALOWSKI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 7:19 P.M.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

City Attorney Kimberly Carnley gave a brief summary of the settlements below and how the legal process worked to reach these settlements. She stated the funds received from each settlement are restricted to being used for opioid remediation.

- 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.

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR DZIALOWSKI TO APPROVE 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HARDIN TO APPROVE 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HAWKINS TO APPROVE 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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.

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR DZIALOWSKI TO 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- 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.

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR HAWKINS TO APPROVE 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.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

- f. Confidential communication to discuss labor negotiations with Fraternal Order of Police Lodge #102.

No action taken on this item.

- g. Confidential communication to discuss labor negotiations with International Association of Firefighters Local #2095.

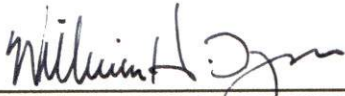
No action taken on this item.

16. ADJOURN

MOTION BY VICE MAYOR DZIALOWSKI, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE APRIL 3, 2023 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, HARDIN-YEA. NAY-NONE. MOTION CARRIED WITH FOUR YEA VOTES.

The April 3, 2023 regular meeting of the Stillwater City Council adjourned at 7:29 p.m.



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



**TERESA KADAVY
CITY CLERK**