

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW  
THE AGENDA WAS POSTED FEBRUARY 10, 2022 AT 2:25 P.M.  
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES  
STILLWATER CITY COUNCIL  
REGULAR MEETING  
COUNCIL HEARING ROOM  
723 S. LEWIS  
FEBRUARY 14, 2022**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI AND  
COUNCILOR AMY DZIALOWSKI  
ABSENT: COUNCILOR CHRISTIE HAWKINS AND 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. Stillwater Police Department Citizen Appreciation Award to Damen Cox – Chief Jeff Watts

Police Chief Jeff Watts presented the Citizen Appreciation Award to Damen Cox. Mr. Cox rescued a young child from a pit bull dog attack saving her from severe injury or even death.

**4. SWEARING IN OF MAYOR WILL JOYCE – JUDGE TANYA RAUN**

Judge Tanya Raun swore Mayor Will Joyce in for a second term as Mayor of the City of Stillwater.

**5. ELECTION OF VICE MAYOR**

MOTION BY MAYOR JOYCE, SECOND BY COUNCILOR DZIALOWSKI TO ELECT ALANE ZANNOTTI AS VICE MAYOR.

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

**6. CONSENT DOCKET**

- a. Approve regular meeting minutes of February 7, 2022
- b. Accept corrected waterline easement required for the 32<sup>nd</sup> Avenue Booster Pump Station and Water Transmission Line, Project 15WC06, located in the 3000 block of West 6<sup>th</sup> Avenue, and authorize the Mayor to execute the easement document
- c. Approve the request to OK Department of Commerce for release of funds for the 2021 CDBG grant, and authorize the Mayor to sign the related documents
- d. Approval and ratification of 9.375% salary increase to City Manager Norman McNickle with an effective date of December 16, 2021

- e. Approve use of the Master Services Agreement with Gose and Associates to provide engineering services for the deferred maintenance and Boomer Lake revetment projects, and authorize the City Manager to sign related documents.

Mayor Joyce removed item d. from the consent docket.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE CONSENT DOCKET MINUS ITEM D.

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

## 7. PUBLIC COMMENT ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

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

## 8. ITEMS REMOVED FROM CONSENT DOCKET

- d. Approval and ratification of 9.375% salary increase to City Manager Norman McNickle with an effective date of December 16, 2021

Mayor Joyce stated that Mr. McNickle has not had a salary increase since he was hired as the City Manager and with his wonderful performance over the last several years under very trying circumstances, he and the Council feel this salary increase is justified.

MOTION BY MAYOR JOYCE, SECOND BY VICE MAYOR ZANNOTTI TO APPROVE ITEM D. FROM THE CONSENT DOCKET.

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

## 9. GENERAL ORDERS

- a. Presentation of Stillwater Fire Department annual report

Fire Chief Terry Essary presented an overview of the Fire Department's accomplishments for 2021 and presented their goals for 2022.

- b. Approve award of a unit price contract to Lopp Construction, LLC for the Husband Street bridge replacement in an amount not to exceed \$1,300,000 including contingency, and authorize the City Manager to sign contract documents

Director of City Engineering Monty Karns reported that in October, 2018, City Council approved moving forward with replacing two bridges over E. Boomer Creek, one on Husband Street and the second on Third Avenue. The projects were included in the list of capital projects put on hold during the pandemic over concerns of a funding shortfall and also in anticipation that there could be federal funds available for shovel ready projects. Mr. Karns stated that no federal programs were available and the funding concerns have been resolved, so bids were solicited for the Husband Street bridge project. Two bids were received with the lowest bidder being Lopp Construction, LLC in the amount of \$1,180,995.50. Staff recommends awarding a unit bid price contract to Lopp Construction, LLC for an amount not to exceed \$1,300,000 including contingency.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO AWARD A UNIT PRICE CONTRACT TO LOPP CONSTRUCTION, LLC FOR THE HUSBAND STREET BRIDGE

REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$1,300,000 INCLUDING CONTINGENCY AND AUTHORIZE THE CITY MANAGER TO SIGN CONTRACT DOCUMENTS.

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

## **10. ORDINANCES**

### **a. First Reading**

Ordinance No. 3490: An ordinance amending the Stillwater City Code by amending Chapter 18, "Environment," Article V, "Junk or Abandoned Vehicles," to amend Section 18-128, "Definitions," by adding Definitions for Director, Enforcement Officer and Operable Condition; amending Section 18-129, "Violations," by providing that the Enforcement Officer has the ability to issue citations following notice; amending Section 18-130, "Storing, Parking, Etc.," by providing that junk vehicles are a public nuisance; amending Section 18-131, "General Responsibility for Removal," by changing it to "Exceptions" and setting out exceptions to Section 18-130; amending Section 18-132, "Notice To Remove," by changing it to "Rebuttable Presumption," and setting out criteria that establishes a junk vehicle; amending Section 18-133, "Content Of Notice," by changing it to "Notice To Abate Junk Vehicle," establishing the requirements for notice of a junk vehicle; by adding Section 18-134, "Hearing," that sets forth the procedure for a hearing before the Community Development Director and providing for appeal to the City Manager, adding Section 18-135, "Removal Of Junk Vehicle," which provides for removal; adding Section 18-136, "Notice Of Removal," which provides for notification of the registered owner of a junk vehicle; repealing all ordinances to the contrary; and providing for severability.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO ADVANCE ORDINANCE NO. 3490 TO SECOND READING AS PRESENTED.

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

## **11. REPORTS FROM OFFICERS & BOARDS**

### **a. Miscellaneous items from the City Attorney:**

- i. Request for Executive Session pursuant to 25 O.S. § 307 (B)(1) of the Oklahoma Open Meeting Act for the purpose of confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of City Attorney Kimberly Carnley.
- ii. Request for an Executive Session pursuant to 25 O.S. § 307 (B)(4) for the purpose of confidential communication with the City Attorney regarding ongoing opioid litigation. It is the opinion of the City Attorney that public disclosure of this matter will seriously impair the ability of the City Council to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

### **b. Miscellaneous items from the City Manager:**

- City Manager Norman McNickle stated that Stillwater Animal Welfare is full of adoptable cats and dogs waiting for a home. Animal Welfare has recently received a very large number of stray dogs, causing them to reach their maximum kennel capacity. If anyone is missing a pet or looking to adopt a new one, contact Stillwater Animal Welfare at 405-372-0334.

### **c. Miscellaneous items from the City Council:**

- Councilor Dzialowski stated that City offices will be closed for President's Day on Monday, February 21<sup>st</sup>. Trash and recycling will still be collected, but not yard waste.

- Vice Mayor Zannotti announced that the City's Spring Household Hazardous Waste Collection Event will be held Saturday, April 23<sup>rd</sup> from 8:00 a.m. to 1:00 p.m. at the Convenience Collection Center. Residents can drop off household pollutants like oil-based paints, pesticides, herbicides and household cleaning products and more, free of charge.
- Mayor Joyce stated if residents are looking for an environmentally-friendly way to save money on their water bill, they can purchase a rain barrel through the City of Stillwater. These barrels capture water from the roof and store it for future use. Using rain barrels also helps to reduce stormwater pollution by minimizing the amount of stormwater runoff.
- Mayor Joyce also announced that City Council will be appointing a Transportation Oversight Board and applications will be available online. This Board will oversee the recent Transportation Sales Tax bond that was recently passed by providing input and assistance to ensure projects are built on time and on budget.
- i. Discussion about scheduling items for future meetings.

## 12. QUESTIONS & INQUIRIES

None.

## 13. EXECUTIVE SESSION

- a. Confidential communication regarding the employment, appointment, promotion, demotion, disciplining or resignation of City Attorney Kimberly Carnley pursuant to 25 O.S. § 307(B)(1), including the possible approval of an employment contract.
- b. Confidential communication regarding opioid litigation pursuant to 25 O.S. § 307 (B)(4).

Stillwater City Council meeting recessed at 5:57 p.m. to convene Stillwater Utilities Authority meeting.

Stillwater City Council reconvened at 6:11 p.m.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ENTER INTO EXECUTIVE SESSION AT 6:11 P.M.

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

## 14. RETURN FROM EXECUTIVE SESSION

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO RECONVENE THE REGULAR STILLWATER CITY COUNCIL MEETING AT 6:50 P.M.

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

- a. Possible action regarding the approval of an employment contract for City Attorney Kimberly Carnley.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE EMPLOYMENT CONTRACT WITH CITY ATTORNEY KIMBERLY CARNLEY.

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

b. Possible action regarding opioid litigation.

No action was taken on item b.

#### 15. ADJOURN

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY VICE MAYOR ZANNOTTI TO ADJOURN  
THE FEBRUARY 14, 2022 REGULAR MEETING OF THE STILLWATER CITY COUNCIL.

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

The February 14, 2022 regular meeting of the Stillwater City Council adjourned at 6:51 p.m.

  
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WILLIAM H. JOYCE, MAYOR  
STILLWATER CITY COUNCIL

  
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TERESA KADAVY  
CITY CLERK