

**IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING LAW
THE AMENDED AGENDA WAS POSTED JANUARY 27, 2022 AT 4:40 P.M.
AT THE MUNICIPAL BUILDING, 723 SOUTH LEWIS, STILLWATER, OKLAHOMA**

**MINUTES
STILLWATER CITY COUNCIL
SPECIAL MEETING
COUNCIL HEARING ROOM
723 S. LEWIS
JANUARY 31, 2022**

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR ALANE ZANNOTTI (5:34),
COUNCILORS 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. SWEARING-IN OF SEAT 3 APPOINTEE KEVIN CLARK – JUDGE TANYA RAUN

Judge Tanya Raun administered the Oath of Office to Kevin Clark for Council Seat 3. Mr. Clark took his seat on the dais and was welcomed by the City Council.

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

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

5. GENERAL ORDERS

- a. Receive 2nd quarter financial report and approve budget amendments increasing sales tax revenue by \$4,000,000 and use tax revenue by \$500,000, and transferring \$1,100,000 from the General Fund to the SUA (dedicated 1 cent sales tax), \$550,000 from the General Fund to the Transportation Sales Tax Fund (dedicated ½ cent sales tax), and \$2,850,000 from the General Fund to the Capital Fund

Finance Director Christy Cluck presented the 2nd quarter financial report detailing the revenue and expenditure highlights and the reasoning for the attached budget amendments.

MOTION BY COUNCILOR HAWKINS, SECOND BY COUNCILOR DZIALOWSKI TO APPROVE THE ATTACHED BUDGET AMENDMENTS INCREASING SALES TAX REVENUE BY \$4,000,000 AND USE TAX REVENUE BY \$500,000 AND TRANSFERRING \$1,100,000 FROM THE GENERAL FUND TO THE SUA (DEDICATED 1 CENT SALES TAX), \$550,000 FROM THE GENERAL FUND TO THE TRANSPORTATION SALES TAX FUND (DEDICATED ½ CENT SALES TAX), AND \$2,850,000 FROM THE GENERAL FUND TO THE CAPITAL FUND.

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

- b. 2021 Public Safety Highlights

Communications Director Dawn Jones gave an overview of the response calls for 2021 by the Police Department, Fire Department, Emergency Management and Animal Welfare. She thanked all the Public Safety professionals for their continued hard work and dedication.

c. Renewable Energy Task Force presentation

Chief Civic Innovation Officer Becky Taylor stated that the Council appointed a Renewable Energy Task Force (RETF) with the goal of developing a plan establishing clean energy goals and benchmarks through a transparent and inclusive stakeholder process. The Renewable Energy Task Force has met regularly over the last year to create an Energy Action Plan for the City of Stillwater. Ms. Taylor introduced RETF members Pat Darlington and Robin Cornwell.

Ms. Darlington and Ms. Cornwell presented the Energy Action Plan that was developed by the RETF and answered Council's questions. Electric Utility Director Loren Smith also addressed and answered Council's questions.

Discussion was held regarding the proposed Energy Action Plan and the future of the task force. Council agreed that the future energy audit of City facilities will lend itself to additional work and recommendations from those task force members who wish to continue to be involved.

Mayor Joyce thanked the task force for its work.

6. RESOLUTIONS

Resolution No. CC-2022-5: A resolution approving the incurrence of indebtedness by the Stillwater Medical Center Authority in the principal amount Of \$40,000,000 for purposes of funding the remaining construction of the Surgery Center, OBGYN, and ICU expansion and for the repayment of Medicare Advance Payments; and approving the waiver of competitive bidding on such indebtedness.

Chief Financial Officer for Stillwater Medical Center (SMC), Alan Lovelace explained that the Stillwater Medical Center Authority (SMCA) operates the hospital under a Trust Indenture with the City of Stillwater. The Trust Indenture requires prior City approval for SMCA to incur certain indebtedness in at least two instances. The first is when SMC's total debt exceeds a certain percentage of its total assets. The second instance occurs when a single lending transaction exceeds 5% of its total assets. This amount exceeds that which the Authority is authorized to enter into under its Trust Indenture with the City, without prior approval, by exceeding more than 5% of the amount of its total assets.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO ADOPT RESOLUTION NO. CC-2022-5 AS PRESENTED.

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

7. REPORTS FROM OFFICERS & BOARDS

- a. Miscellaneous items from the City Attorney:
 - i. Request for Executive Session pursuant to 25 O.S. Section 307 (B)(1) of the Oklahoma Open Meeting Act for the purpose of confidential communications and discussions regarding the employment, appointment, promotion, demotion, discipline or resignation of Kimberly Carnley who is currently serving as the Interim City Attorney.
- b. Miscellaneous items from the City Manager:

- City Manager Norman McNickle reported that the City of Stillwater will be hosting a Community Town Hall this Wednesday, February 2nd to discuss the upcoming Transportation Sales Tax and Visitor Tax propositions. The meeting will begin at 5:30 p.m. at the Hampton Inn and Suites Stillwater West, weather permitting.
- c. Miscellaneous items from the City Council:
 - Councilor Clark stated that the Stillwater's mayoral election and propositions for the Transportation Sales Tax and Visitor tax is almost here. He encouraged every registered voter to participate, know what's on the ballot and make their voice heard by voting. Election Day is Tuesday, February 8th with early voting on February 3rd and 4th.
 - Councilor Hawkins stated that Stillwater Medical Center is offering drive-thru COVID testing at the Stillwater Medical Center Plaza on 12th Street. Tests are by appointment only.
 - Councilor Dzialowski reminded residents that the burn ban in Payne County is still in effect through February 7th. Any updates regarding the burn ban will be posted to the Stillwater Emergency Management and City of Stillwater Facebook pages.
 - Vice Mayor Zannotti stated that rain barrels are now on sale for pickup through the City of Stillwater. These barrels capture water from roofs for future use, which is environmentally friendly and could save money on water bills. Mail in order forms are due by April 24th and online orders are due by May 1st.
- i. Discussion about scheduling items for future meetings.

8. QUESTIONS & INQUIRIES

None.

9. EXECUTIVE SESSION

- a. Confidential communications and discussions regarding the employment, appointment, promotion, demotion, discipline or resignation of Kimberly Carnley who is currently serving as Interim City Attorney.

Stillwater City Council meeting recessed at 6:38 p.m. to enter into Executive Session.

Stillwater City Council reconvened at 6:58 p.m.

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ENTER INTO EXECUTIVE SESSION AT 6:38 P.M.

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

10. RETURN FROM EXECUTIVE SESSION

- a. Possible reasonable action regarding the employment and appointment of Kimberly Carnley.

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO RECONVENE THE SPECIAL MEETING OF THE STILLWATER CITY COUNCIL AT 6:58 P.M.

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

MOTION BY VICE MAYOR ZANNOTTI, SECOND BY COUNCILOR HAWKINS TO APPOINT KIMBERLY CARNLEY TO THE POSITION OF CITY ATTORNEY, TO DIRECT THE CITY'S CONTRACT ATTORNEY, BETH ANNE CHILDS, TO WORK WITH KIMBERLY CARNLEY, THE CITY ATTORNEY, ON AN APPOINTMENT CONTRACT TO BE PRESENTED TO THE CITY COUNCIL IN FEBRUARY.

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

11. ADJOURN

MOTION BY COUNCILOR DZIALOWSKI, SECOND BY COUNCILOR CLARK TO ADJOURN THE JANUARY 31, 2022 SPECIAL MEETING OF THE STILLWATER CITY COUNCIL.

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

The January 31, 2022 special meeting of the Stillwater City Council adjourned at 7:00 p.m.

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

**TERESA KADAVY
CITY CLERK**