



City Hall, Council Chambers
401 S. Johnstone Avenue
Bartlesville, OK 74003

**NOTICE OF SPECIAL MEETING
OF THE
BARTLESVILLE CITY COUNCIL**

**Monday, April 30, 2018
8:00 a.m.**

**Mayor Dale Copeland
918-338-4282**

AGENDA

1. Call to order the business meeting of the Bartlesville City Council by Mayor Copeland.
2. Roll Call and Establishment of a Quorum.
3. Invocation.
4. Citizens to be heard.
5. Discuss and take action to approve the minutes of April 16, 2018 and April 20, 2018.
6. Move to executive session pursuant to 25 O.S. Sec. 307(B)(2) to discuss negotiations concerning Collective Bargaining Agreement with International Association of Firefighters, Local 200. Presented by Jerry Maddux, City Attorney.
7. Discuss and take action on a Resolution calling a Special Election involving the Collective Bargaining Agreement between the City of Bartlesville and International Association of Firefighters, Local 200 for Fiscal Year 2017-2018, in accordance with 11 O.S. § 51-108. Presented by Jerry Maddux, City Attorney.
8. City Manager and Staff Reports.
9. City Council Comments and Inquiries.
10. Adjournment.

The Notice of Meeting and Agenda was received and filed in the Office of the City Clerk and posted in prominent public view at City Hall at 5:00 p.m. on Wednesday, April 25, 2018.

**Michael Bailey, City Clerk
Administrative Director/CFO**

by Elaine Banes, Deputy City Clerk

All discussion items are subject to possible action by the City Council. Agenda items requiring a public hearing as required by law will be so noted. The City Council may at their discretion change the order of the business agenda items. City of Bartlesville encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least one working day prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive this rule if signing is not the necessary accommodation.



City Hall, Council Chambers
401 S. Johnstone Avenue
Bartlesville, OK 74003

**MINUTES OF THE
SPECIAL MEETING
OF THE
BARTLESVILLE CITY COUNCIL**

**Monday, April 16, 2018
7:00 p.m.**

**Mayor Dale Copeland
918-338-4282**

MINUTES

(Notice of Meeting and the Agenda was posted at 5:00 p.m. April 12, 2018.)

City Council Members Present: Mayor Dale Copeland, Vice Mayor John J. Kane, Jim Curd, Jr., Alan Gentges, and Trevor Dorsey.

City staff present: Mike Bailey, Acting City Manager, Administrative Director/CFO; Ed Gordon, City Manager; Jerry Maddux, City Attorney; Lisa Beeman, Director of Community Development and Parks; Kelli Williams, Chief Communications Officer; Josiah Rovenstine, IAFF President; various firefighter; and Elaine Baner, Executive Assistant.

1. Mayor Copeland called the business meeting of the Bartlesville City Council to order at 7:00 p.m.

2. Roll call was conducted and a quorum established.

3. The Invocation was provided by Chaplain Jsue Wagner, Comforting Hands Hospice.

4. Citizens to be heard.

There were no citizens to be heard.

5. City Council Announcements and Proclamations.

There were no announcements or proclamations.

6. Authorities, Boards, Commissions and Committee Openings

- a. One opening on the Board of Adjustment
- b. One opening on the Bartlesville Library Trust Authority
- c. One opening on the Park Board
- d. One opening on the Bartlesville Redevelopment Trust Authority

Mayor Copeland read the openings and encouraged citizens to volunteer on City Committees. Applications can be found at www.cityofbartlesville.org or at City Hall in the City Manager's Office.

7. Consent Docket

a. Approval of Minutes

- i. The Regular Meeting Minutes of April 2, 2018.

b. Approval of Appointments, Reappointments and Ratifications to Authorities, Boards, Commissions and Committees

- i. Appointment of Ms. Judith Ann Hill-Hildebrand to fill an unexpired term on the Adult Center Trust Authority at the recommendation of Mayor Copeland.

c. Approval of Park Location

- i. Approval of the location for the construction of a new community skate park.

d. Approval of Agreements and Contracts

- i. Approval of a professional services agreement with Ryan Crane and Ambler Architects for design services associated with the Bartlesville Skate Park Project.
- ii. Approval of an Airport Hangar Lease Agreement between the City of Bartlesville, ConocoPhillips Company and Rick and Jolene Kertson.

e. Receipt of Bids

- i. Bid No. 2017-2018-019 for the Demolition-Police Station

Mayor Copeland read the consent docket in its entirety.

Mr. Curd asked to pull Item 7.c. from the consent docket for discussion.

Vice Mayor Kane moved to approve the consent docket except for Item 7.c, seconded by Mr. Gentges.

Aye: Mr. Dorsey, Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mayor Copeland
Nay: None
Motion: Passed

Mr. Curd asked Ms. Beeman to present her staff report for Item 7.c. "Approval for the location for the construction of a new community skate park". Ms. Beeman reported that she had been working with a group of stakeholders for several months in order to bring this project forward to identify a location that would be most beneficial to skating community. At the March 15, 2018, the Park Board received a report from the stakeholders recommending the location at Lee Lake Park just south of Daniels Fields. Ryan Crane, a local designer who specializes in skate park design and construction, who currently works at Ambler Architects, has been very beneficial assisting the stakeholders and Ms. Beeman on developing the new park and location. Ambler Architects has offered to provide the design plans free of charge. Ms. Beeman continued reporting that the project was discussed and reviewed with Micah Siemers, Director of Engineering, and he confirmed that building this facility in this location is acceptable under Federal, State and City laws governing floodways and floodplain areas. He and Terry Lauritsen, Director of Water Utilities, will work closely in the design of this facility and preparation of plans to ensure that all structural requirements are met.

Mr. Curd stated that the floodplain issues had been discussed in the Park Board meeting and all felt that this is a good location and the best option for the facility. Vice Mayor Kane asked about injury liability, and Ms. Beeman explained that proper signage precluded lawsuits as is the case in all of our park facilities. Mr. Gentges stated his appreciation to the group of stakeholders who were in attendance and to Amber Architect for offering their services free of charge.

Mr. Curd moved to approve Item 7.c. as presented, seconded by Vice Mayor Kane.

Aye: Mr. Dorsey, Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mayor Copeland
Nay: None
Motion: Passed

8. A public hearing to assess and discuss the City's performance in the administration of the grant received from the State of Oklahoma for Fiscal Year 2015 CDBG Small Cities Set-Aside Program and take action to formally accept the project as completed. Presented by Lisa Beeman, Director of Community Development.

Ms. Beeman reported that the City of Bartlesville received funding for Fiscal Year 2015 in the amount of \$128,848 which was used with matching City funds in the amount of \$124,982.24 to complete the construction of a 6,000 sq. ft. multi-use pavilion, construct a new restroom facility and install benches and

tables at the entrance to Johnstone Park. Ms. Beeman provided a PowerPoint presenting pictures of the pavilion and improvements.

The Mayor opened the public hearing at 7:18 p.m. There being no one appear to speak, the public hearing was closed at 7:18 p.m.

Mr. Gentges moved to formally accept the project as completed, seconded by Mr. Curd.

Aye: Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mayor Copeland
Nay: None
Motion: Passed

- 9. Discuss and take action to approve a Resolution fixing the amount of Combined Purpose General Obligation Bonds, Series 2018A to mature each year; fixing the time and place the Bonds are to be sold; designating a paying agent/registrar; approving the preliminary official statement and distribution thereof; ratifying and confirming continuing disclosure policies and procedures; and authorizing the Clerk to give notice of said sale as required by law and fixing other details of the issue. Presented by Jon Wolff, Municipal Finance Services, Inc.**

Mr. Wolff reported that the sale of \$9,725,000.00 in 2018A Series Bonds will address projects in public safety, street projects and in park and recreation projects. The Series 2018B (next agenda item) will be for drainage projects. The sale of bonds will be 11 a.m. on May 21, 2018, and the transaction will be closed June 28, 2018.

Vice Mayor Kane moved to approve the Resolution as presented, seconded by Mr. Curd.

Aye: Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mr. Gentges, Mayor Copeland
Nay: None
Motion: Passed

- 10. Discuss and take action to approve a Resolution fixing the amount of General Obligation Limited Tax Bonds, Series 2018B to mature each year; fixing the time and place the Bonds are to be sold; designating a paying agent/registrar; approving the preliminary official statement and distribution thereof; ratifying and confirming continuing disclosure policies and procedures; and authorizing the Clerk to give Notice of said sale as required by law and fixing other details of the issue. Presented by Jon Wolff, Municipal Finance Services, Inc.**

Mr. Wolff reported the amount sold for 2018B will be in the amount of \$525,000.00 for storm drainage projects. The sale will be at 11 a.m. on May 21, 2018 and the transaction will be closed June 28, 2018.

Vice Mayor Kane moved to approve the Resolution as presented, seconded by Mr. Curd.

Aye: Vice Mayor Kane, Mr. Dorsey, Mr. Gentges, Mr. Curd, Mayor Copeland
Nay: None
Motion: Passed

- 11. Discuss and take action on Case #PC-18-02-FP on an application from Ambler Architect for Final Plat approval of a 3.94 acre tract to be known as Cunningham Addition, located on the southwest corner of US Highway 75 and Rice Creek Road, legally described as the N/2 of the NE/4, NW/4, NE/4, NE/4, Section 32, T26N, R13E, Bartlesville, Washington County, Oklahoma. Presented by Lisa Beeman, Director of Community Development.**

Ms. Beeman reported that this request is for the proposed platting of approximately 3.9 acres into 2-general commercial lots to be known as Cunningham Addition. Public infrastructure required to serve Lot 1, the present location of Tractor Supply, has been completed and accepted by the City of Bartlesville. Construction plans for the public infrastructure required to serve Lot 2 have not been submitted. A

subdivision agreement concerning the installation of all required public improvements for Lot 2 has been executed and is to be approved as part of this final plat approval. Easements required by the separate utility companies to provide service for this subdivision are provided on the final plat. She reviewed building setbacks, lot sizes and streets and sidewalks requirements. The MAPC approved the preliminary plat of Cunningham Addition on October 26, 2010 subject to the following conditions that have been met: 1) a note regarding sidewalks and ADA compliant curb ramps shall be shown on the final plat; 2) all development fees must be paid prior to final plat being released for recordation; and 3) prior to review of the final plat by the City Council or construction of public infrastructure improvements (whichever comes first), construction plan shall be approved by City Staff. Staff is requesting approval of the Final Plat of Cunningham Addition, including the subdivision agreement concerning required public infrastructure improvements for Lot 2.

Vice Mayor Kane moved to approve the Final Plat, including the subdivision agreement, as presented, seconded by Mr. Gentges.

Aye: Mr. Dorsey, Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mayor Copeland
Nay: None
Motion: Passed

12. Discuss and take action to approve a Resolution creating the Tower Green Design Committee. Presented by Lisa Beeman, Director of Community Development.

Ms. Beeman reported that the proposed resolution is the result of the voter approved funding in the amount of \$1.75 million for the construction of the Tower Green, to form a committee of citizens and stakeholders to gather public input and develop a detailed design plan for the Tower Green to be submitted for City Council approval. She also provided the detailed scope of work; that the Design Committee's plan is to be provided for City Council consideration no later than Monday, October 1, 2018; that the committee will be comprised of seven members (two City Council persons, one representative of the Community Center Trust Authority, One representative of the Price Tower Arts Center Board of Trustees and three members at large). She added that she and Terry Lauritsen would assist the committee as well. The Design Committee will remain in place after October 1 to provide guidance as requested by the City during the construction of the project, and shall terminate thereafter, unless extended by the City Council.

Mr. Curd moved to approve the Resolution creating the Tower Green Design Committee as presented, seconded by Vice Mayor Kane.

Aye: Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mayor Copeland
Nay: None
Motion: Passed

Mr. Bailey added that applications for the at-large positions on the committee will be received through April 27. Anyone interested can apply on-line through the City's website or by completing an application and delivering it the City Manager's office at City Hall. The two appointed City Council representatives to the Committee will review the applications and the appointment recommendations may be approved at the May 7 City Council meeting.

13. Discuss and take action to appoint two City Council members to serve on the Tower Green Design Committee. Presented by Lisa Beeman, Director of Community Development.

Vice Mayor Kane reported that he felt that Mr. Curd and Mr. Gentges would be the best choices since they have already been heavily involved in the project. Both agreed they would be willing to serve.

Vice Mayor Kane moved to appoint Mr. Curd and Mr. Gentges to serve on the Tower Green Design Committee, seconded by Mr. Dorsey.

Aye: Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mr. Gentges, Mayor Copeland
Nay: None
Motion: Passed

14. Discuss and take action on a Basic Elements of a Memorandum of Understanding between the Price Tower Arts Center, the Bartlesville Community Center, and the City of Bartlesville for the management, maintenance and operation of the Tower Green. Presented by Lisa Beeman, Director of Community Development.

Ms. Beeman provided the details of the basic elements of understanding reporting that this document provides information to all parties as what is expected of each entity involved, regarding management, maintenance and operations of the facility (MOU attached to these minutes). There will be a management committee consisting of five people, representatives from the City Council, Price Tower, Community Center, Convention and Visitor's Bureau, and at least one at large representative. Using a PowerPoint presentation, Ms. Beeman reviewed what the PTAC, BCC and City would be primarily responsible for. A final agreement will be developed and presented for approved by the City Council prior to the facility be opened. Mr. Bailey confirmed that although the document is not the final, it is an outline to facilitate forward movement in developing the Tower Green.

Mayor Copeland asked Scott Ambler and Val Callaghan if they wished to speak, and Mr. Ambler responded they did not have anything to add.

Mr. Curd moved to approve the Memorandum of Understanding as presented, seconded by Vice Mayor Kane.

Aye: Vice Mayor Kane, Mr. Dorsey, Mr. Gentges, Mr. Curd, Mayor Copeland
Nay: None
Motion: Passed

15. City Manager and Staff Reports.

Mr. Bailey provided information about the Spring Clean-Up Coupon Program, and the Bartlesville Police Department Take Back Day.

He also provided information about a Memorial Service in honor of the Oklahoma City Bombing on April 19 at 9:05 a.m. at Central Fire Station. The public is invited to attend.

16. City Council Comments and Inquiries.

Mayor Copeland reported that he attended the successful Safe-Now event Saturday. He appreciated everyone's participation.

17. There being no further business, Mayor Copeland adjourned the meeting at 7:52 p.m.

Dale W. Copeland, Mayor

Mike Bailey, City Clerk
Acting City Manager/Administrative Director/CFO



City Hall, Council Chambers
401 S. Johnstone Avenue
Bartlesville, OK 74003

**MINUTES OF THE
SPECIAL MEETING
OF THE
BARTLESVILLE CITY COUNCIL**

**Friday, April 20, 2018
12:00 p.m. (noon)**

**Mayor Dale Copeland
918-338-4282**

MINUTES

(Notice of Meeting and the Agenda was posted at 5:00 p.m. April 17, 2018.)

City Council Members Present: Mayor Dale Copeland, Vice Mayor John J. Kane, Jim Curd, Jr., Alan Gentges, and Trevor Dorsey.

City staff present: Mike Bailey, Acting City Manager, Administrative Director/CFO; Ed Gordon, City Manager; Jerry Maddux, City Attorney; Kelli Williams, Chief Communications Officer; Fire Chief John Banks; Assistant Fire Chief David Topping; Josiah Rovenstine, IAFF President; David Taylor, Third District Vice President for Professional Fire Fighters of Oklahoma; various firefighter; and Elaine Banes, Executive Assistant.

- 1. Mayor Copeland called the business meeting of the Bartlesville City Council to order at 12:00 p.m.**
- 2. Roll call was conducted and a quorum established.**
- 3. Mr. Gordon provided the invocation.**
- 4. Citizens to be heard.**

David Taylor spoke on behalf of the IAFF 200 providing the information contained in the IAFF's last best offer; the City's last best offer information; the arbitrators finding that City revenues were sufficient to cover the Union's last best offer; and that the arbitrator determined that the Union's last best offer as superior. Mr. Taylor concluded respectfully requesting that the City Council accept the arbitrator's decision in favor of the IAFF Local 200.

- 5. Discuss and take action to accept or reject the arbitration decision in the matter of IAFF, Local 200 and the City of Bartlesville, FMCS #18-00813 in favor of Local 200 as the Collective Bargaining Agreement between the parties for Fiscal Year 2017-2018. Presented by Jerry Maddux, City Attorney.**

Mr. Maddux reported that in the case that arbitration is necessary and under the way the law is written, after each side submits names for arbitrators, the Union has the final choice of arbitrator. He continued covering the Union's last best offer which provides a 5% raise, which would then give them a higher raise/wages than the Fraternal Order of Police or general employees starting the 2018-19 year. General employees and the FOP received bonus payments totaling \$1240 and a week of special vacation for FY 2017-2018. Therefore, if the City accepts the arbitrator's decision, it would not be fair to the policemen and general employees.

Mr. Maddux continued stating that the IAFF has agreed to meet Monday with staff where they will be presented a proposal that will give them exactly what the police and general employees received for FY 2017-18, plus a guaranteed minimum of a 2.5% increase for every fireman on their anniversary date, and a 1% cost of living increase for FY 2018-19, as well as a guaranteed minimum of a 2.5% increase for every fireman on their anniversary date and whatever COLA is granted to the other employee groups for FY 2019-20. Mr. Maddux covered how 5% step increases are very rare in today's economy; how there

are no Bartlesville firemen who are topped out; and that the City did not agree to the 5% Union request, primarily due to cost and sustainability. He explained that if the Union and the City were able to settle Monday for 2018-19 and 2019-20, there is an appropriation clause that says this is binding so long as the City has the funds to bind it, and although the City is not required to bind the funds, they have done so in the past.

Mr. Maddux explained that should Council reject the Decision, then they have to follow legal process which involves the option to call for the election so that citizens can determine whether to reject or accept the Decision. Due to the timing of the situation, there appears not to be a legal way to get an election called prior to the end of the fiscal year, June 30, 2018. He explained that the City is required to give the Washington County Election Board 60 days of notice which would not be possible due to the details involved. It is the desire of the City to come to an agreement if at all possible.

Mayor Copeland commented that he had read the complete arbitrator's decision, and he felt it is fair to say that the City wants to make the best decision affecting all of the employees, as well as what is fiscally responsible for the taxpayers. He added that the City reclassified all employee positions last year including the fire fighters who received a 6.7% to 12.5% wage increase. He added that the City worked hard to bring salaries into proper balance.

Mr. Gentges questioned as to when the steps occur, merit or automatically. Mr. Maddux responded that step increases occur on either the employee's anniversary date of hiring or on promotion date. He added that they are supposed to be based on merit, but he could not recall a time when every fireman did not receive a merit increase. Mr. Gentges inquired if adding a proper evaluation process could be included in the contract, to which Mr. Maddux agreed that a process can be included in the contract. Mr. Gentges then confirmed that if the Council accepted the Decision, then the firemen would receive less money than if the Council votes to reject the decision. Mr. Maddux confirmed that would be the case for the FY 2017-18 Agreement. Mr. Gentges and Mr. Maddux covered how this Decision can impact future years; how the city is not required to bind themselves more than a year; how a 5% increase may not be sustainable in the future; how 2.5% is more sustainable; how if an agreement cannot be settled Monday, that will affect FY 2018-19 negotiations; the negotiation tactics involved; Mr. Bailey clarifying a potential 1% COLA increase in addition to the 2.5% increase for FY 2018-19; the advantages of the 2.5% offer; Mr. Bailey explained the adding and dropping of steps; and that sales tax and other revenues determine raises and cost of living amounts. Mr. Bailey added that the City is averaging less than 3% in growth in sales tax with this year at about 1/2 increase in this fiscal year. He concluded stating that he feels confident of a 2.5% increase for FY 2018-19 and FY 2019-20.

Mr. Curd stated that he was in favor of a multi-year contract. Mr. Gentges stated that he supported merit based step increases; agreed with Mr. Maddux that there is not sufficient notice for an election; and hoped an agreement can be made on Monday for a multi-year contract so as to not have to arbitrate next year. Mr. Maddux stated that arbitration hinges on what the Union proposes, but feels that the City and IAFF have a good relationship and works together well. He added that the last time an arbitrator's decision went to election was after 9/11, and the City prevailed.

Mayor Copeland stated his appreciation of a good discussion, adding that in a perfect world, funding wages would not be an issue. He continued that the decision today is not taken lightly. Again, he mentioned that he was pleased that last year the firemen received a step change, increasing wages 6.7% up to 12%.

Mr. Curd moved to reject the arbitration decision as presented, seconded by Vice Mayor Kane.

Ayes: Mr. Dorsey, Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mayor Copeland
Nays: None
Motion: Passed

Mayor Copeland stated his appreciation of the tone, courtesy and respect of all involved in this process.

6. **If necessary, in accordance with 11 O.S. § 51-108(B), discuss and take action to file written notice with the City Clerk of the decision of the City Council to submit to a vote of the people the issue of which of the two last best offers should be the collective bargaining for Fiscal Year 2017-2018; to direct the City Clerk to prepare a resolution calling for a special election of the qualified voters of the City of Bartlesville to select which of the last best offers of the City of Bartlesville or the International Association of Firefighters, Local 200 should be the Collective Bargaining Agreement for FY 2017-2018; and authorizing the Mayor to sign a letter so instructing the City Clerk. Presented by Jerry Maddux, City Attorney.**

Mr. Maddux reported that in accordance with the law, the City Council needs to authorize the Mayor to sign a letter instructing the City Clerk to prepare a resolution calling for a special election.

Mr. Gentges moved to file written notice with the City Clerk to prepare a resolution calling for an election as presented, seconded by Vice Mayor Kane.

Ayes: Mr. Gentges, Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mayor Copeland
Nays: None
Motion: Passed

7. **If necessary, direct the City Attorney to provide written notice to the IAFF, Local 200 of the filing of the request for a special election to be held to determine which last best offer will be the collective bargaining agreement for Fiscal Year 2017-2018. Presented by Jerry Maddux, City Attorney.**

Mr. Maddux reported that in accordance with the law, the City Council needs to authorize him to provide written notice to the IAFF, Local 200 of the filing of the request for a special election.

Vice Mayor Kane moved to direct the City Attorney to provide written notice to the IAFF, Local 200 of the filing of the request for a special election as presented, seconded by Mr. Dorsey.

Ayes: Mr. Curd, Vice Mayor Kane, Mr. Dorsey, Mr. Gentges, Mayor Copeland
Nays: None
Motion: Passed

8. City Manager and Staff Reports.

Mr. Bailey thanked the IAFF representatives for negotiating in a professional manner.

9. City Council Comments and Inquiries.

Mr. Gentges thanked all of the firemen, families of firemen, police representatives and citizens who attended the meeting.

Mayor Copeland stated that these decisions are not taken lightly, and he added his appreciation to everyone involved.

Mayor Copeland also stated that he had attended the 9/11 Ceremony held on April 19 at Central Fire Station. He appreciated the Bartlesville Fire Fighter Honor Guard and those who were honored at the ceremony.

The Mayor also reminded everyone of Operation Clean House being held tomorrow, April 22, and how important recycling is to the community.

- 10. There being no further business to conduct, Mayor Copeland adjourned the meeting at 12:40 p.m.**

Dale W. Copeland, Mayor

Mike Bailey, City Clerk, Acting City Manager,
Administrative Director/CFO

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF BARTLESVILLE, OKLAHOMA AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF BARTLESVILLE, COUNTY OF WASHINGTON, STATE OF OKLAHOMA FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BARTLESVILLE, OKLAHOMA THE QUESTION OF WHETHER THE COLLECTIVE BARGAINING AGREEMENT FOR FISCAL YEAR 2017-2018 BETWEEN THE CITY OF BARTLESVILLE AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 200 SHOULD CONSIST OF THE LAST BEST OFFER OF THE CITY OF BARTLESVILLE OR THE LAST BEST OFFER OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL NO. 200 AND NOTIFYING THE WASHINGTON COUNTY ELECTION BOARD OF THE CALLING OF THE SPECIAL ELECTION AND DIRECTING AND AUTHORIZING THE CITY MANAGER, THE CITY ATTORNEY AND THE CITY CLERK TO TAKE SUCH ACTION AS MAY BE NECESSARY BY STATE LAW PERTAINING TO THE CALLING OF THE SPECIAL ELECTION.

WHEREAS, the City of Bartlesville (City) and the International Association of Fire Fighters, Local No. 200 (Local No. 200) reached an impasse during negotiations for a new Collective Bargaining Agreement for Fiscal Year 2017-2018; and

WHEREAS, Local No. 200 invoked binding interest arbitration pursuant to Section 51-108 of Title 11 of the Oklahoma Statutes which required the City and Local No. 200 to submit their last best offers to a three person arbitration panel; and

WHEREAS, an interest arbitration hearing was held on March 14, 2018, following which the interest arbitration panel on April 11, 2018, selected the last best offer of Local No. 200 as the Collective Bargaining Agreement between the parties for Fiscal Year 2017-2018; and

WHEREAS, on April 20, 2018, within ten (10) days of the decision of the arbitration panel, the City Clerk notified the Mayor and City Council, in writing (Exhibit "A"), of a request by the City by the City Council received on April 20, 2018, that a special election be called for the purpose of submitting to the qualified electors of the City of Bartlesville, Oklahoma the question of whether the last best offer of the City or the last best offer of Local No. 200 should be adopted as the Collective Bargaining Agreement of the parties for Fiscal Year 2017-2018; and

WHEREAS, on that same date the City notified the President of Local No. 200 of the decision of the City of Bartlesville to submit the last best offers of the parties to a vote of the qualified electors at a special election in accordance with Section 51-108 of Title 11; and

WHEREAS, the City Council of the City of Bartlesville has determined that the decision of the arbitration panel is not in the best interest of the City and its citizens; and

WHEREAS, Section 51-108(B) of Title 11 of the statutes of the State of Oklahoma provides that the governing body of a municipality may call for a special election at which the citizens of the municipality may decide whether the last best offer of the City or the last best offer of Local No. 200 shall become the Collective Bargaining Agreement between the parties for Fiscal Year 2017-2018; and

WHEREAS, the City Council of the City of Bartlesville by this Resolution calls for a special election in compliance with state law:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Bartlesville:

SECTION 1: The Mayor and City Council of the City of Bartlesville rejects the award of the Arbitration Panel in FMCS #18-00813 selecting the last best offer of Local No. 200 as the Collective Bargaining Agreement for Fiscal Year 2017-2018 and the Mayor of the City of Bartlesville is hereby authorized to and directed to call for a special election to be held in the City of Bartlesville, Oklahoma, as may be authorized by law, for the purpose of submitting to the qualified electors of the City of Bartlesville whether the last best offer of the City or the last best offer of Local No. 200 should be selected with regard to the unresolved issues for a Collective Bargaining Agreement between the parties for Fiscal Year 2017-2018.

SECTION 2: This Resolution is being approved and this special election is being called contingent upon those actions being allowed by and compliant with all applicable provisions of the Oklahoma Constitution and state laws including, but not limited to Article 10, Section 26 of the Oklahoma Constitution.

SECTION 3: The City Clerk shall cause this Resolution calling for the special election and establishing and setting the ballot proposition to be published, in full, once in a newspaper of general circulation in the City at least ten (10) days before the date of the special election.

SECTION 4: Only qualified residents of the City of Bartlesville shall be eligible to vote in the special election.

SECTION 5: The ballot language to be submitted to the qualified electors of the City of Bartlesville shall be drafted as required by the applicable provisions of Section 51-108 of Title 11 and the City Attorney is hereby directed to provide the finalized ballot to the City Clerk.

SECTION 6: The Mayor and City Council of the City of Bartlesville do hereby direct the City Clerk to provide a copy of this Resolution to the Secretary of the Washington County Election Board and direct the City Clerk to provide all other items required by the Washington County Election Board to conduct the special election.

Passed and Approved by the Mayor and City Council of the City of Bartlesville, Oklahoma this 30th day of April, 2018.

Mayor

ATTEST:

Mike Bailey, City Clerk

Approved as to form and legality this 30th day of April 2018

Jerry Maddux, City Attorney

RECEIVED by the Secretary of the Washington County Election Board on
:_____.

SECRETARY
Washington County Election Board



OFFICE OF THE CITY CLERK

MEMORANDUM

TO: Dale Copeland, Mayor

FROM: Mike Bailey, City Clerk

SUBJECT: Election to determine which last best offer should be accepted between the City of Bartlesville and the International Association of Firefighters, Local 200 (IAFF).

Mayor and Council,

Pursuant to 11 O.S. § 51-108C, this letter is to notify you that I am in receipt of a letter from the Mayor instructing me to prepare all documents necessary to submit the last best offers of the City and IAFF to a vote of the qualified electors of the City of Bartlesville. I will prepare these documents and present them to you at our April 30, 2018 Council Meeting.

Sincerely,

Mike Bailey, City Clerk
City of Bartlesville



OFFICE OF THE MAYOR

MEMORANDUM

TO: Mike Bailey, City Clerk
FROM: Dale Copeland, Mayor
SUBJECT: Election to determine which last best offer should be accepted between the City of Bartlesville and the International Association of Firefighters, Local 200 (IAFF).

On April 20, 2018, the City Council of the City of Bartlesville, OK voted to reject the interest arbitrator's decision. The interest arbitrator had selected the IAFF's last best offer. However, in accordance with 11 O.S. § 51-108B, the City Council has decided to call a special election to allow the qualified voters of the City of Bartlesville to make the determination of which last best offer should be selected.

As such, the Council has instructed me to submit this letter to you as the City Clerk. You are hereby instructed to prepare a resolution and any other documents that are necessary to proceed with this election in accordance with State law. All such documents are to be submitted to the Council for their consideration at our meeting on April 30, 2018.

Sincerely,

Dale Copeland, Mayor
City of Bartlesville





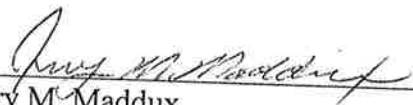
Jerry Maddux, City Attorney
City of Bartlesville
401 S. Johnstone
Bartlesville, OK 74003
918.338.4282
www.cityofbartlesville.org

April 20, 2018

Joshiah Rovenstine
President, IAFF Local 200
P.O. Box 1336
Bartlesville, OK 74005

Dear Mr. Rovenstine:

This letter is to notify you that on this date the City Council notified the City Clerk in writing of its decision to submit the offers of the Parties to a vote of the people at a special election in accordance with 11 O.S. Section 51-108.


Jerry M. Maddux,
City Attorney