



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

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

**Monday, April 1, 2019
7 p.m.**

**Dale W. Copeland, Mayor
918-338-4282**

MINUTES

(Notice of Meeting was posted 12/15/18. Agenda posted March 28, 2019)

City Council Members present were Mayor Dale Copeland, Vice Mayor Alan Gentges, Jim Curd, Jr., Trevor Dorsey and Paul Stuart.

City staff present were Mike Bailey, City Manager, Jess Kane, City Attorney; Jason Muninger, City Clerk/Finance Director; Lisa Beeman, Director of Community Development and Park Planning; Terry Lauritsen, Director of Water Utilities; Micah Siemers, P.E., Director of Engineering; Shellie McGill, Library Director; Fire Chief John Banks; Kelli Williams, Chief Communications Officer; Nancy Warring, Grants Administrator; Sgt. Jim Warring; Police Chief Tracy Roles; Rick Silver, Special Assistant to the Chief of Police; Police Captain Rocky Bevard; and Elaine Banes, 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 Pastor Greg Tener, First Church.**
- 4. Citizens to be heard.**
- 5. City Council Announcements and Proclamations.**
 - Councilman Stuart read the Donate Life Month – April 2019 proclamation.
 - Councilman Curd read the National Public Safety TeleCommunicators E911 Professionals Week - April 14-20, 2019 proclamation.
 - Vice Mayor Gentges read the Arbor Day – April 13, 2019 proclamation.
 - Councilman Dorsey read the National Day of Prayer – May 2, 2019 proclamation.

The Mayor presented the proclamations to representatives of each organization expressing appreciation for each event and organization. Mr. Bailey added his appreciation to the E911 Dispatchers who are often unrecognized, working behind the scenes, but vitally essential and important to the whole community.

- 6. Authorities, Boards, Commissions and Committee Openings**
 - One opening on the Board of Adjustment

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 March 18, 2019.

b. Approval and/or Ratification of Appointments and Reappointments to Authorities, Boards, Commissions and Committees

- i. Appointment of Ms. Rhonda Hudson, Dr. Bruce McGowan and Mr. Dallas Lewis to three-year terms on the Bartlesville Public Library Board at the recommendation of Mayor Copeland.
- ii. Appointment of Ms. Kinder Shamhart to fill an unexpired term on the Board of Adjustment (BOA) at the recommendation of Mayor Copeland.
- iii. Reappointment of Ms. Brittany Hess and Mr. Tyler Hartzell to additional three-year terms on the Bartlesville Public Library Board at the recommendation of Mayor Copeland.
- iv. This reappointment was pulled from the agenda for further consideration. Reappointment of Ms. Andrea Nightingale to an additional three-year term on the City Planning Commission (CPC) at the recommendation of Vice Mayor Gentges.

c. Approval of Ordinance

- i. An ordinance amending Chapter 3, Article I of the Bartlesville Municipal Code to establish requirements to keep and maintain chickens or laying hens in single-family residential area.

d. Approval of Resolutions

- i. A resolution supporting the Wyland National Mayor's Challenge for Water Conservation.
- ii. A resolution proclaiming April as Fair Housing Month in the City of Bartlesville.
- iii. A resolution amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2018-2019, appropriating private grant revenues from Phillips 66.
- iv. A resolution amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2018-2019, appropriating insurance proceeds from OMAG.

e. Approval of Agreements and Contracts

- i. Contract between the City of Bartlesville and Worley Consulting for design services on Ohio, Harvard and Hazel Asphalt Rehabilitation Project.
- ii. Contract between the City of Bartlesville/Bartlesville Public Library and Keleher Outdoor Advertising for billboards in May 2019.
- iii. Service Agreement between the City of Bartlesville and US Cellular for cellular phones and smart devices.
- iv. Lease Agreement between the City of Bartlesville and MailFinance for a folder inserter and bill printing software.
- v. Lease and Maintenance Agreement between the City of Bartlesville and R.K. Black and Cannon Financial for copiers and service.
- vi. Airport Hangar Lease Agreement between the City of Bartlesville, ConocoPhillips Company and Agwerx Aviation, Inc.

f. Receipt of Bids

- i. Bid No. 2018-2019-030 for the 16th, Shawnee and Stonewall Concrete Paving Rehab Project.

- ii. Bid No. 2018-2019-031 for Thirty-five (35) new Nexedge VHP Portable Radios with antennas, intrinsically safe batteries, battery chargers and labor for installation.

Mayor Copeland read the consent docket in its entirety.

Vice Mayor Gentges moved to approve the consent docket, seconded by Mr. Stuart.

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

8. Discuss and take action to award Bid No. 2018-2019-030 for the 16th, Shawnee and Stonewall Concrete Paving Rehab Project. Presented by Councilman Curd.

Mr. Curd moved to award the bid to Contech, Inc., Broken Arrow, Oklahoma, in the amount of \$346,055.00, seconded by Mr. Stuart.

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

9. Discuss and take action to award Bid No. 2018-2019-031 for Thirty-five (35) new Nexedge VHP Portable Radios with antennas, intrinsically safe batteries, battery chargers and labor for installation. Presented by Councilman Curd.

Mr. Curd moved to award the bid to Radio Communications Specialists, Springfield, Missouri, in the amount of \$27,162.62 (purchased will be from grant funds provided by Phillips 66), seconded by Mr. Dorsey.

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

10. A public hearing to consider and take action on an application from Dan Keleher of Keleher Architects, on behalf of Grand Lake Mental Health Center, Inc., for approval of a rezoning from RS-5 (Residential Single-Family) to C-5 (General Commercial), a Site Development Plan, and Planned Unit Development (PUD) on property located at the intersection of Adams Boulevard and Penn Avenue, legally described as Lots 3,4,5,6,7,8,9,10,11,12,13 and 14, Block 7, Lincoln Second Addition, Bartlesville, Washington County Oklahoma. (Case No. PC-19-05-RZ/PUD/SDP). Presented by Lisa Beeman, Director of Community Development.

Ms. Beeman reported that the request proposes approval of a rezoning, supplemental designation planned unit development and site development plan for a 2.01-acre tract to permit the construction of a 13,240 ft. addition to the existing Grand Lake Mental Health Center. This includes the rezoning of the south 100 feet of the site from its current zoning of Single-Family Residential to General Commercial. Ms. Beeman provided the land use and zoning history of the area; soil regulations in the National Zinc Overlay District; current ownership; the applicant's request to modify the setbacks required along Penn to accommodate the new construction; landscaping, screening, sidewalks; parking, signage,

lighting, public participation and the comprehensive plan supporting the neighborhood unit concept of development. When reporting on site drainage and utilities, Ms. Beeman stated that all utilities are accessible to the site and will be extended, if needed, at the cost of the developer. The site currently drains from south to north towards Adams Boulevard. On-site stormwater detention is required and plans must be approved by the City Engineer before the permit is issued. The homeowner to the west has experienced run-off problems onto his property and was concerned about additional run-off. One of the recommended conditions addresses this concern.

Ms. Beeman continued reporting that the City Planning Commission voted on March 26, 2019 5-0 to recommend approval of the request with the following conditions: 1) The site must meet the minimum requirements of the Landscaping and Residential Protection Standards of the Zoning Regulations; 2) all existing mature trees along the south and west property lines shall be preserved; 3) A 15-foot exception to the setback requirements shall be granted in order to permit the proposed addition to be located 10-feet from the west property line; 4) sidewalks must be provided on Penn, 8th Street, and Adams Blvd. at the time of construction of the proposed addition; and 5) prior to issuance of a building permit for the proposed addition, a topographic plan detailing stormwater runoff shall be approved by the City Engineer for the deposition and final grading of excess soil on lots owned by Grand Lake Mental Health located on the west side of Penn Avenue. Said plan shall ensure that storm water runoff from these lots be directed to Penn Avenue and not to adjacent property owners. Where practical, said plan shall aim to alleviate existing stormwater runoff from these lots to the north.

A brief discussion was held covering clarification of sidewalk requirements; the current parking lot that built in the last two years; clarification on NZOD soil requirements; and the drainage condition regarding the landowner to the west.

Mayor Copeland opened the public hearing at 7:36 p.m. There being no one appear to speak, the Mayor closed the public hearing at 7:36 p.m.

Vice Mayor Gentges moved to adopt the ordinance to rezone the property as presented, seconded by Mr. Stuart.

Mr. Curd inquired, and Ms. Beeman clarified and assured the Council that the drainage issue would be accomplished according to the plan set out as one of the conditions of the ordinance to rezone and will move the runoff away from the homeowner's property.

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

11. Discuss and take action to accept a donation for \$20,000 from Leadership Bartlesville Class XXVII and the Bartlesville Young Professionals to be used for the purchase and installation of outdoor musical instruments at Tower Center at Unity Square. Presented by Lisa Beeman, Director of Community Development.

Ms. Beeman reported that members of Leadership Bartlesville Class XXVII and Bartlesville Young Professionals have raised \$20,000 that they would like to donate to the City to be used specifically for the purchase and installation of outdoor musical instruments to be located at Tower Center at Unity Square. Emily Allen-Worrell, 2017-18 Hot Street Party Event Chair and Young Professional President-elect reported on the events that raised the funds for donation.

Vice Mayor Gentges added that had enjoyed being a part of the fund-raising. Mayor Copeland stated his appreciation to both groups commenting on what an amazing community we live in.

Mr. Dorsey moved to accept the donation of \$20,000.00 as presented, seconded by Mr. Curd.

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

12. Discuss and take action on a Lease and Operating Agreement between the City of Bartlesville and the Bartlesville Community Center Trust Authority for the management, maintenance, and operation of the Tower Center at Unity Square. Presented by Jess Kane, City Attorney.

Mr. Kane reported that using the Memorandum of Understanding previously approved by the City Council, and adding pertinent agreed-upon information, the lease and operating agreement was prepared.

Vice Mayor Gentges stated his appreciation to Mr. Kane for preparing it for City Council review and approval. He added that the Agreement is an annual agreement and clearly sets out each entities responsibilities. Mr. Curd concurred, and also appreciated Val Callaghan, Managing Director of the Bartlesville Community Center, for her assistance as well.

Vice Mayor Gentges moved to approve the Agreement as presented, seconded by Mr. Curd.

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

13. Discuss and take action on resolution supporting the creation of a cultural district for the City of Bartlesville. Presented by Val Callaghan, Managing Director of the Bartlesville Community Center.

Ms. Callaghan reported on several of the important reasons for creating a cultural district such as, 1) it will increase public awareness and access to visual performance and literary arts; 2) it will enhance art and cultural programming; 3) it shows support of the local art and culture community; and 4) it will foster a community spirit that encourages creativity and engages citizens in the arts as a community. The proposed cultural district would incorporate the Bartlesville Community Center, Bartlesville Library, the Price Tower Art Center and the new Tower Center at Unity Square. She stated her appreciation for Nancy Warring who organized all of the paperwork for this to happen years ago. The timing was not right at that time, but now it is. Three additional reasons for approving the creation of the district are, 1) that the citizens of Bartlesville asked for it via the Angelou Study; 2) Bartlesville will gain statewide recognition as a cultural arts district setting us a part in the State; and 3) funding. The Oklahoma Arts Council offers a grant for \$25,000 that can be matched by in-kind donation.

Mr. Curd and Vice Mayor Gentges agreed that the creation of a cultural district it is long overdue, a great idea and makes Bartlesville comparable to other large Oklahoma cities. Mr. Stuart and Mayor Copeland agreed. Mayor Copeland added that he had visited with Ms. Callaghan earlier in the day about structure, reporting, finances, etc. and feels satisfied this is a positive move for Bartlesville.

Mr. Curd moved to approve the resolution creating a cultural district as presented, seconded by Mr. Dorsey.

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

14. New Business

There was no new business to report.

15. City Manager and Staff Reports.

Mr. Bailey provided information on Operation Cleanhouse (4/13), Yard and Leaf Residential Collection (May 6-10), and Locust Road Closing.

He also expressed his appreciation of and respect for the Bartlesville Police Department and how they successfully handled the shooting that occurred the previous week on Baylor Drive. He added his appreciation of all of the agencies who assisted in the case as well.

16. City Council Comments and Inquiries.

Mayor Copeland agreed with Mr. Bailey, as did Vice Mayor Gentges, regarding the good job the police department did handling the shooting event last week.

In response to Mr. Stuart's inquiry, Mr. Bailey reported that the first draft of the recycling survey is being reviewed by staff. Once finalized later this week, it will soon be offered to the public for their input.

In response to Mr. Curd's inquiry, Mr. Siemers reported that the rehabilitation of Price Road is progressing well. He reported that it is a multistage project, and will be greatly improved once completed.

Mr. Curd commended the Oklahoma Department of Transportation (ODOT) for the completion and clean up of the repairs to the bridge on Adams Boulevard. Mr. Siemers confirmed that clean up will be wrapped-up by the end of April.

Mayor Copeland reported a successful groundbreaking ceremony last Friday for Tower Center at Unity Square. He appreciated Lt. Gov. Pinnell for his attendance and all of the other dignitaries who participated in the event.

He reminded citizens not to be alarmed for large amounts of smoke since this is the season for pasture burning by local farmers and ranchers.

Mayor Copeland closed with congratulating City Attorney Jess Kane on his first report to the City Council.

17. There being no further business to address, the Mayor adjourned the meeting at 8:11 p.m.


Dale W. Copeland, Mayor


Jason Muninger, City Clerk/Finance Director

