



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

**MINUTES OF THE  
REGULAR MEETING OF THE  
BARTLESVILLE CITY COUNCIL  
Monday, October 7, 2019  
Immediately Following the  
Bartlesville Municipal Authority  
Special Meeting scheduled to begin  
at 7 p.m.**

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

**MINUTES**

(Notice of Meeting and Agenda posted at 5:00 p.m. on Thursday, October 3, 2019.)

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

City staff present were Terry Lauritsen, Director of Water Utilities sitting in for City Manager Mike Bailey; Jason Muninger, City Clerk/CFO and Secretary to the BEA; Jess Kane, City Attorney; Micah Siemers, Director of Engineering; Keith Henry, Director of Public Works; Kelli Williams, Chief Communications Officer; Laura Sanders, Director of Human Resources; Julie Brewer, Accountant; Captain Kevin Ickleberry, Security; and Elaine Banes, Executive Assistant.

- 1. Mayor Copeland called the Business Meeting of the Bartlesville City Council to order at 7:23 p.m. immediately following the Bartlesville Municipal Authority.**
- 2. Roll call was conducted and a quorum established.**
- 3. Citizens to be heard.**

There were no citizens to be heard.

- 4. City Council Announcements and Proclamations.**
  - Mr. Curd read the Mental Illness Awareness Week October 6-12, 2019 Proclamation.
  - Vice Mayor Gentges read the proclamation in support of the United States Census Bureau in the Upcoming Decennial Census.
- 5. Authorities, Boards, Commissions and Committee Openings**
  - One opening on the Bartlesville Library Board

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

- 6. Consent Docket**
  - a. Approval of Minutes**
    - i. The Special Meeting Minutes of September 17, 2019.

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

- i. Appointment of Mr. Brian Ross to fill an unexpired term on the City Planning Commission at the recommendation of Vice Mayor Gentges.
- ii. Appointment of Ms. Karen Lowe-Alton for a three-year term on the Bartlesville Redevelopment Trust Authority at the recommendation of Councilman Stuart.
- iii. Reappointment of Mr. David Nickel and Mr. Bill Covell for additional three-year terms on the Bartlesville Redevelopment Trust Authority at the recommendation of Councilman Stuart.
- iv. Reappointment of Ms. Barbara Oldham and Mr. Scott Maddox to additional three-year terms on the Adams Golf Club Operation Committee at the recommendation of Councilman Dorsey.
- v. Appointment of Mr. Kyle Ppool and Mr. Paul Taylor to three-year terms on the Adams Golf Club Operating Committee at the recommendation of Councilman Dorsey.

**c. Approval of Resolutions**

- i. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unbudgeted grant revenue for the JAG Fund.
- ii. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unanticipated private grant/donation revenue for the Restricted Revenue Fund.

**d. Approval of Agreements, Contracts, and Engagement Letters**

- i. An Airport Hangar Lease Agreement for the Bartlesville Municipal Airport-City Owned, between the City of Bartlesville, ConocoPhillips Company, and Toby and Lisa Lytle.
- ii. An Agreement between the City of Bartlesville and DB Squared, LLC to assist Human Resources with personnel information.
- iii. An Engagement Letter for Audit Services with Arledge and Associates for performance of annual audits.
- iv. An Engagement Letter with Crawford and Associates P.C. for audit consulting services.

**e. Approval of Right of Way Easement**

- i. A 10-foot Underground Right-of-Way Easement to Public Service of Oklahoma at the Tower Center at Unity Square project sight.

**f. Receipt of Annual Report**

- i. The 2018 Annual Report for the Chickasaw Wastewater Treatment Plant.

**g. Receipt of Financials**

- i. Interim financials for twelve months ending June 30, 2019.

**h. Receipt of Bids**

- i. Bid No. 2019-2020-009 for Fuel for the Public Works Department
- ii. Bid No. 2019-2020-014 for Frank Phillips Rehab-Keeler to Sunset
- iii. Bid No. 2019-2020-015 for the East Downtown Storm Sewer Improvements Project

Mayor Copeland read the consent docket in its entirety. Mr. Stuart requested Item 6.d.i. be pulled from the consent docket, and Mr. Curd requested Item 6.c.i be pulled from the consent docket.

Vice Mayor Gentges moved to approve the consent docket with the exception of Items 6.c.i. and 6.d.i., seconded by Mr. Stuart.

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

**Item 6.c.i. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unbudgeted grant revenue for the JAG Fund.**

Mr. Curd inquired about the amount and about how many vests the grant revenue would provide. Mr. Muninger reported that City staff had anticipated the JAG grant in the amount of \$6,000 and had included that amount in the Operating Budget. The amount of the JAG grant awarded was \$7,556.90 therefore; the City is appropriating the remaining \$1,556.90. It is anticipated that with the 50-50 match, 21 vests will be purchased.

Mr. Curd moved to approve the resolution as presented, seconded by Mr. Dorsey.

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

**Item 6.d.i. Approval of an Airport Hangar Lease Agreement for the Bartlesville Municipal Airport-City Owned, between the City of Bartlesville, ConocoPhillips Company and Toby and Lisa Lytle.**

Mr. Stuart reported that he is recusing himself from discussion and voting since he is employed by ConocoPhillips. He then left the room.

Vice Mayor Gentges moved to approve Item 6.d.i. as presented, seconded by Mr. Curd.

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

Mr. Stuart re-entered.

**7. Discuss and take action to award Bid No. 2019-2020-009 for Fuel for various departments. Presented by Mayor Copeland.**

Mayor Copeland moved to award the bid to ASAP Energy of Weatherford, Oklahoma for vendor's margin of +.0383 for unleaded and .0442 for diesel fuel, seconded by Mr. Stuart.

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

**8. Discuss and take action to award Bid No. 2019-2020-014 for Frank Phillips Rehab-Keeler to Sunset. Presented by Vice Mayor Gentges.**

Vice Mayor Gentges moved to award Bid No. 2019-2020-014 to Brent Bell Construction of Nowata, Oklahoma, in the amount of \$577,506.23, seconded by Mr. Dorsey.

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

Mr. Siemers reported that weather permitting, work can begin in a couple of months approximately. Vice Mayor Gentges commented on this being a good project.

**9. Discuss and take action to award Bid No. 2019-2020-015 for the East Downtown Storm Sewer Improvements Project. Presented by Vice Mayor Gentges.**

Vice Mayor Gentges moved to award Bid No. 2019-2020-015 to Timber Wolf Excavating, LLC, of Broken Arrow, Oklahoma, in the amount of \$1,408,143.15, seconded by Mr. Curd.

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

Mr. Siemers provided additional information regarding the project. The project should start next Fall.

**10. Discuss and take action to approve a Resolution fixing the amount of Combined Purpose General Obligation Bonds, Series 2019A 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 Nate Ellis, The Public Finance Law Group, PLLC.**

Mr. Ellis reported that this is the next tranche from the GO Bonds from the last election. Series 2019A is for \$2 million and will go towards parks, streets and equipment. The series 2019B, the next item on the agenda, is for storm water project. He explained that the reason they cannot be combined is that storm water is a different constitution authorization, general obligation limited tax bonds where 2019A are general obligation unlimited tax bonds. The proposed resolution authorizes the clerk to publish notice of sale at the November 4 City Council Regular Meeting. Mr. Wolff prepared the preliminary official statement, and it will be distributed to the market in a couple of weeks. The bids obtained for both obligations will be presented next month for Council approval. These are tax-exempt bonds.

Discussion covered the timing of the sale of this tranche and the financial benefits involved.

Vice Mayor Gentges moved to approve the Resolution as presented, seconded by Mr. Stuart.

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

**11. Discuss and take action to approve a Resolution fixing the amount of General Obligation Limited Tax Bonds, Series 2019B 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 Nate Ellis, The Public Finance Law Group, PLLC.**

Mr. Ellis stated that he had presented this item with the last item. Mayor Copeland confirmed that this tranche is \$600,000. Mr. Ellis confirmed.

Mr. Dorsey moved to approve the Resolution as presented, seconded by Mr. Curd.

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

**12. Discuss and take action to approve a Resolution of the City of Bartlesville, Oklahoma (the "City") approving the incurrence of indebtedness by the Bartlesville Municipal Authority (the "Authority") issuing its Utility System Revenue Note, Taxable Series 2019 (the "Note"); providing that the organizational document creating the Authority is subject to the provisions of the Indenture authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming an Amended Lease Agreement and Operation and Maintenance Contract by and between the City and the Authority pertaining to the City's water and sanitary sewer systems; and containing other provisions relating thereto. Presented by Jon Wolff, Municipal Finance Services, Inc.**

Mr. Ellis stayed at the podium and reported for Mr. Wolff. He stated that this is the companion resolution to the Bartlesville Municipal Authority (BMA) resolution previously approved. The City is required to approve the actions taken by the BMA, as the City.

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

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

**13. Discuss and take action on a recommendation from the Bartlesville Development Authority to allocate \$203,830 from the Economic Development Fund to Foraker Company for redevelopment of the former Kmart facility. Presented by David Wood, President, Bartlesville Development Authority.**

Mr. Wood reported that Kmart closed two years ago and that shortly after the closure, he met with Jeremy Foraker, Foraker Company, located in Oklahoma City, who was interested in what sort of incentives would be available for redevelopment of the property. Mr. Wood provided him with the retail incentive policy and reinforced how pleased the City would be to see this property back in service. Two months ago, Mr. Foraker contacted Mr. Wood stating that his company had purchased the property and had secured four of five tenants, with projected opening in Spring of 2020. Mr. Wood presented the financial analysis covering terms, square

footage, sales per square foot, with net new dollars of \$2,177,000 in sales. Sales tax would be approximately \$74,000 per year. Under the incentive policy, there is 50% split with developer, for 10 years, which would be \$342,992. Mr. Foraker did not ask for the full amount agreeing instead to a five-year pay out in the amount of \$203,830. In order to "guarantee" fulfillment of the incentive policy terms, Mr. Foraker will provide binding store leases for the new brands specified with terms of at least five years, and provide approved plans/permits consistent with elevations provided.

Discussion covered an explanation of the incentive funding, the parking lot and signage.

Mr. Curd moved to approve to allocate \$203,830 from the Economic Development Fund to Foraker Company as presented, seconded by Vice Mayor Gentges.

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

**14. Discuss and take action on Change Order #2 from Jonesplan, LLC for the Tower Center at Unity Square Project. Presented by Terry Lauritsen, Director of Water Utilities.**

Mr. Lauritsen stated that he had distributed to the Council a revision to the change order that was previously provided in the council packet. The first item was a discrepancy discovered on the plans between the structural drawings and geotechnical recommendations. The footing design depth did not account for the fill placed to elevate the stage above the existing ground. He explained the options stating that excavation and backfill option was pursued costing \$9,493.72. In addition, a second change occurred when a circuit breaker was installed in order to not have to turn off the power that affected Price Tower and the Community Center. This addition was not an oversight, but needed to improve the construction needs. The cost of this expense is \$1,926.75; therefore, the change order amount is \$11,420.47. Mr. Lauritsen stated that funding for the change order will come from a \$40,000 contingency that was established for the project due to the generosity of corporate sponsors.

Vice Mayor Gentges moved to approve to Change Order #2 in the amount of \$11,420.47 to the Jonesplan contract as presented, seconded by Mr. Stuart.

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

**15. New Business.**

There was no new business to report.

**16. City Manager and Staff Reports.**

Mr. Lauritsen reported that the free grass and leaf pickup will be held the week of December 9. Bags can be placed at the curb and will be picked up on regularly scheduled trash route days.


**17. City Council Comments and Inquiries.**

In response to Vice Mayor Gentges' request for an update, Mr. Lauritsen reported that the construction of the Tower Green at Unity Square is still on track, even with some bad weather. He added that some concrete has been poured, as well as the foundations for the canopy.

Mayor Copeland congratulated Brady Watson for being named Firefighter of the Year at their annual awards banquet. He stated his appreciation for a great group of dedicated firefighters.

**18. There being no further business to discuss, Mayor Copeland adjourned the meeting at 8:12 p.m.**

  
Dale W. Copeland, Mayor

  
Jason Muninger, City Clerk/CFO

