



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

**MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Monday, January 6, 2020
at 7 p.m.**

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

MINUTES

(Notice posted December 13, 2019 and Agenda posted at 5:00 p.m. on Thursday, January 2, 2020.)

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

City staff present were Mike Bailey, City Manager; Jason Muninger, City Clerk/CFO; Jess Kane, City Attorney; Lisa Beeman, Director of Community Development and Park Planning; Terry Lauritsen, Director of Water Utilities; Micah Siemers, PE, Director Engineering, Laura Sanders, Director of Human Resources; Police Chief Tracy Roles; and Kelli Williams, Chief Communications Officer..

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 will be provided by Errol Hada, Executive Director, The Lighthouse Outreach Center.

4. Citizens to be heard.

Bridget Wood distributed photographs in order to make the City Council and staff aware of dumping in and around the Caney River.

Payam Sharifi is a co-owner of Midway Café, and spoke in regard to the development and incentive for Jimmy's Egg restaurant on the agenda. After stating his reasons, he urged the City Council to vote no on the incentive to Jimmy's Egg/Bricktown Brewery.

5. City Council Announcements and Proclamations.

- There were no announcements or proclamations.

6. Authorities, Boards, Commissions and Committee Openings

- One opening on the City Planning Commission
- One opening on the Construction and Fire Code Appeals Board

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 Special Meeting Minutes of December 16, 2019.
- b. Approval of Appointments, Reappointments and Ratifications to Authorities, Boards, Commissions and Committees**
 - i. Appointments of Ms. Katie Boatright and Mr. Joseph Thomas to fill two unexpired terms on the Street and Traffic Committee at the recommendation of Councilman Stuart.
 - ii. Reappointment of Ed Gordon to a three-year term on the Bartlesville Area History Museum Trust Authority at the recommendation of Councilman Stuart.
 - iii. Reappointment of Mr. Ryan Bennett to an additional three-year term on the Construction and Fire Code Appeals Board.
- c. Approval of Agreements, Contracts, Engagement Letters and Conveyances**
 - i. An Extension of Option for Lease of Real Property between the City of Bartlesville and KCD Towers, LLC.
 - ii. Conveyance of Lots 3 and 4 of Block 4 of the Terrapin Addition to the City of Bartlesville, Section 1, Township 26 North, Range 12 East, Washington County, State of Oklahoma to the Westside Community Association, Inc.
 - iii. Contract Modification No. 2 with the Board of Regents of the University of Oklahoma on a Compounds Emerging Concern Study for the Caney River and Hudson Lake.
 - iv. Professional Service Contract with Schuermann Enterprises, Inc. for SCADA and Radio System Improvements for the Wastewater Treatment Plant and collection system.
 - v. Contract with McAnaw Construction for Construction Manager as Constructor for the Water Utilities Building Renovation.
 - vi. A Labor Joint Defense Agreement between the City of Bartlesville and the Oklahoma Municipal Management Services.
 - vii. A Professional Service Contract with Warner Consulting and Design to design an Audio, Video and Theatrical Lighting System for the Tower Center at Unity Square Project.
 - viii. Consent to Assignment of Hangar Lease requested by Frontier Bank on behalf of its customer, the current Lessee's, Timothy J. Hauder and Yolanda Hauder.
 - ix. 2020 Addendum to the Administrative Services Agreement between the City of Bartlesville and RxBenefits, Inc. f/k/a/ Prescription Benefits, Inc.
- d. Approval of Residential Anti-Displacement and Relocation Assistance Plan**
 - i. A Residential Anti-Displacement and Relocation Assistance Plan for the City's participation in the FY 2019 Community Development Block Grant Program (Contract #17567 CDBG 19).
- e. Water Service Request**
 - i. Request from Washington County Rural Water District #2 to add a benefit unit to the District to serve a 4.73 acre tract at 401250 W 2480 Road in Washington County.
- f. Receipt of Financials**
 - i. Interim financials for four months ending November 30, 2019
- g. Receipt of Bids**
 - i. Bid No. 2019-2020-018 for Library Materials and Processing Supplies

Mayor Copeland read the consent docket in its entirety. Vice Mayor Gentges requested Item 7.c.vi. and ii. be pulled from the consent docket for discussion.

Mr. Stuart moved to approve the consent docket with the exception of Item 7.c.vi., seconded by Mr. Curd.

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

Agenda Item 7.c.vi. Approval of a Labor Joint Defense Agreement between the City of Bartlesville and the Oklahoma Municipal Management Services.

Vice Mayor Gentges asked for further information. Mr. Bailey and Ms. Sanders explained that the OMMS created a labor database for their members, of which the City of Bartlesville has been a member since July 1, 2019. This database will house salary and pay scale information, benefits, and arbitrator data from other municipalities in order to share information and resources. Mr. Bailey emphasized that the purpose of this agreement is to protect the attorney-client privilege, and that the database is confidential in nature and information will only be shared with member cities who have signed the agreement. In the past, contact is made with individual cities for their input regarding arbitration. This database is a central information source available to all who sign the agreement. Vice Mayor Gentges inquired if by signing the agreement, is the City in violation of the Labor Relations Act? Mr. Kane confirmed Mr. Bailey's assessment of the purpose stated and in response to Vice Mayor Gentges' concern, he concluded that the City is not in violation, that officials and staff are not allowed to provide information without an Open Records Request currently, and that the agreement is pretty common.

Mr. Dorsey moved to approve Item 7.c.vi., seconded by Mr. Curd.

Aye: Mr. Dorsey, Mr. Curd, Mr. Stuart, Mayor Copeland
Nay: Vice Mayor Gentges
Motion: Passed

8. Discuss and take possible action to award Bid No. 2019-2020-018 for Library Materials and Processing Supplies. Presented by Councilman Stuart.

Mr. Stuart moved to award Bid No. 2019-2020-018 to Ingram Library Services as primary vendor with Baker & Taylor as secondary vendor for book materials, Midwest Tape as secondary vendor for audio and video materials, and Findaway as the vendor for Playaways and Launchpads, with amounts listed on bidsheets (attached), seconded by Vice Mayor Gentges.

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

9. A public hearing, consideration and possible action of a request to close a portion of a 20' wide utility easement lying within Lot 1, Colonial Estates 18th Addition, Washington County, Oklahoma, said easement being located at 2708 Vicksburg Street. Presented by Micah Siemers, P.E., Director of Engineering.

Mr. Siemers reported that Mr. Hines, property owner, would like to construct a swimming pool and needs to close a portion of a 20' wide utility easement in order to do so. City staff has received no objections from Police, Fire, Planning, Public Works, Engineering, or Sanitation Departments. In addition, Cable One, ON, AT&T and AEP/PSO have all stated that they do not have any active facilities located within the portion of easement to be closed and therefore have no objections to the request.

The Mayor opened the public hearing at 7:25 p.m. There being no one appear to speak, the Mayor closed the public hearing at 7:26 p.m.

Mr. Stuart moved to adopt the ordinance required to close the easement as presented, seconded by Mr. Dorsey.

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

10. Discuss and take possible action on a recommendation from the Bartlesville Development Authority to appropriate \$150,000 from the Economic Development Fund as development assistance for new outparcel development of a combination Jimmy's Egg/Bricktown Brewery on the former Kmart site, payable upon Certificate of Occupancy for the two specified brands. Presented by David Wood, President, Bartlesville Development Authority.

Mr. Wood reported that a combination Jimmy's Egg/Bricktown Brewery is proposed as a new outparcel development on the former Kmart site in Bartlesville. Annual sales projections for the two concepts are \$1,210,000 and \$3,245,000, respectively. Although confident that sales for both concepts can be achieved, the much-higher investment required for ground-up contraction vs. typical redevelopment of existing space is a concern. A gap of approximately \$150,000 between anticipated costs and what the Investment Committee specified as an acceptable return on investment. The retail incentive breakdown was provided. The BDA Board recommends appropriating \$150,000 from the Economic Development Fund to the project.

Mr. Stuart moved to approve appropriating \$150,000 from the Economic Development Fund as presented, seconded by Mr. Curd.

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

11. Discuss and take possible action to adopt an ordinance amending Chapter 4, Buildings and Building Regulations, Article XII, Fences, of the Bartlesville Municipal Code concerning the use of barbed wire and electric fences within the Bartlesville City Limits. Presented by Lisa R. Beeman, Director of Community Development and Park Planning.

Ms. Beeman reported that the appropriateness of using barbed wire and/or electric fencing for outdoor storage lots in industrial and commercial areas has been raised. The current regulations do not allow the use of barbed wire with first having obtained permission from the City Manager or his representative, and electric fences are currently illegal. Ms. Beeman

continued by reporting that more and more commercial and industrial properties are using barbed wire on top of a 6-foot chain link fence to deter theft from outside storage yards. After review and consultation with staff and various property owners who advocate for the use of barbed wire, staff felt that an amendment to the existing code would be advantageous if appropriately restricted to ensure public health, safety and welfare. Therefore, staff recommends approval for an amendment to Chapter 4, Buildings and Building Regulations, Article XII, Fences, of the Bartlesville Municipal Code concerning the use of straight-strand barbed wire and limited voltage electric fences within the Bartlesville City Limits.

Mr. Curd moved to adopt the ordinance as presented, seconded by Mr. Gentges.

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

12. New Business.

There was no new business to report.

13. City Manager and Staff Reports.

Mr. Bailey reported that real Christmas trees can be dumped at Sooner Park in the upper level parking lot just west of Sooner Tower.

Mr. Bailey stated that he will reach out to Ms. Wood to discuss cleanup in the areas she reported dumping. Depending on where the dumping has occurred, determines whether it is the City's responsibility or the landowners whose property abuts the river.

14. City Council Comments and Inquiries.

Mr. Stuart stated that he appreciated the new signs directing citizens to the Recycling Center. Mr. Bailey stated his thanks to Mr. Stuart for pointing out the shortage and getting additional signage posted.

Mayor Copeland expressed his appreciation to citizens who speak at the Council meetings, and welcomed anyone who wishes to attend and share their input with the Council.

15. The City Council recessed for 10 minutes in order to move to the 1st floor conference room for the workshop portion of the meeting.

16. Presentation of project information for potential General Obligation Bond and ½ Cent Sales Tax Capital projects. Presented by Micah Siemers, PE, Director of Engineering.

Mr. Siemers reported that staff has targeted a three year GO Bond issuance projected to generate \$16.4MM and a five-year sales tax extension projected to generate \$13.7MM for a total of \$10.1MM between the two funding sources. The durations of the three-year GO Bond and five-year CIP were selected based upon feedback from City Council on September 17, 2019. Mr. Siemers presented staff recommendations, Park Board selected projects, and Councilmember requests. Discussion ensued and the changes in Capital Projects the Council indicated they would like to see are summarized as the following:

- Vice Mayor Gentges requested an entrance sign be installed in Oak Park.


- Mayor Copeland and Vice Mayor Gentges would like the Sunset bridge widened and construction of a dedicated bike path on one side.
- Madison overlay (instead of curb and gutter).
- Mr. Curd reported that Scott Ambler says the cost of the Bartlesville Community Center storefront will be \$185,000, not \$350,000 as allocated.
- Mr. Stuart, with guest, Kumar Krishnan, provided information about pickleball. Mr. Stuart stated that he would like to see all four tennis courts in Johnstone Park covered at a height of 40 feet so both pickleball and tennis can be played. The cost allocated for this is \$750,000, which he stated later that may or may not be justified due to the low number of people who would be interested in playing.
- Mr. Curd discussed how fleet maintenance was managed and if it could be managed differently to reduce costs. Mr. Bailey, Mr. Muninger and Mr. Henry explained the current fleet maintenance plan, the costs and benefits. Mayor Copeland and Mr. Stuart spoke up in support of how fleet maintenance is managed currently.
- Mr. Stuart would like to go to a chalkless system for parking enforcement.
- Mr. Stuart also would like to see basketball courts constructed at Lee Lake, Sooner Park and Johnstone Park.
- Supported by Mayor Copeland and Mr. Stuart, additional sidewalk construction was discussed specifically in the area of Nowata Road and Highway 75.

Mr. Bailey stated that staff will research each request and that a special meeting will be called for January 21 in order to finalize the projects. A call for election with the final projects will need to be approved at the February 3 Regular Meeting, since the deadline to call the April 7 election is February 6. Mayor Copeland expressed his appreciation with the manner in which the meeting was conducted, concluding that the management of taxpayers money is to be taken seriously.

17. There being no further business to conduct, Mayor Copeland adjourned the meeting at 9:47 p.m.


 Dale W. Copeland, Mayor




 Jason Muninger, City Clerk/CFO
