



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

**MINUTES OF THE  
REGULAR MEETING OF THE  
BARTLESVILLE CITY COUNCIL  
Monday, March 2, 2020  
at 7 p.m.**

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

**MINUTES**

(Notice posted December 13, 2019 and Agenda posted at 5:30 p.m. on Thursday, January 30, 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; Terry Lauritsen, Director of Water Utilities; Micah Siemers, PE, Director Engineering; Nancy Warring, Assistant City Planner/Grants Administrator; Shellie McGill, Director of the Public Library; Kelli Williams, Chief Communications Officer; John Shambles, Manager of the Chickasaw Wastewater Facility; Deputy Police Chief Rocky Bevard, Security; 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 will be provided by Minister Pam Crawford, Good Shepherd Presbyterian Church.**
- 4. Citizens to be heard.**

Chad Ellis shared his concerns regarding the Coronavirus and inquired about the City's preparedness for a potential outbreak.

Emergency Management Kary Cox and his staff, Melissa Lindgren and Eric Ashlock, had been invited by the City Manager to provide an update on the Coronavirus and the County and City's pandemic plan. Mr. Cox reported that at this time, the flu has been more widespread and deadly than the Coronavirus, and that he and his staff are monitoring and tracking the virus through the Center for Disease Control and Prevention (CDC), Oklahoma State Health department and the Cherokee Nation Health division. He added that Oklahoma are currently at low risk of exposure. He stated the pandemic plan developed several years ago with the Oklahoma State Health Department and the CDC. He said that the plan is reviewed and updated annually and is exercised to some degree annually. Ms. Lindgren provided information to limit the chances of contracting the virus.

- 5. City Council Announcements and Proclamations.**
  - Mr. Stuart read the National Women's History Month – March 2020 proclamation.

## **6. Authorities, Boards, Commissions and Committee Openings**

- 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](http://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 February 3, 2020.

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

- i. Reappointment of Mr. Chris Cook for an additional three years on the Community Center Trust Authority at the recommendation of Mayor Copeland.

### **c. Approval of Resolutions**

- i. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unbudgeted fund balance for the E-911 Fund.
- ii. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unbudgeted fund balance for the Golf Course Memorial Fund.
- iii. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2019-2020, appropriating unanticipated insurance reimbursement to the CIP Sales Tax Fund.

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

- i. Literacy Technology Contract between the Oklahoma Department of Libraries and the Bartlesville Public Library Literacy Services.
- ii. Renewal Contract to continue internet service with BTC Broadband for Year 3 of a three-year agreement paid with federal and state e-rate monies.
- iii. Exhibition and Loan Agreement between Cherokee Nation Business and the Bartlesville Area History Museum/City of Bartlesville to host a 17-Panel Exhibit titled, "Trail of Tears: A Story of Cherokee Removal".
- iv. Contract between Keleher Outdoor Advertising and the Bartlesville Public Library/City of Bartlesville for billboards for the 2020 Summer Reading Program.
- v. Short form contract with Canady Construction to replace the roof on the Adams Golf Course maintenance building with a sloped steel R-panel roof system based upon written quotes for services.
- vi. Authorize the Mayor to execute an Easement Agreement between the City of Bartlesville and Eastland, Inc. to facilitate the extension of Pathfinder Parkway from U.S. 75 to Frank Phillips Blvd., a portion of which crosses the Eastland property.

### **e. Approval of a Control Estimate**

- i. Control Estimate from McAnaw Construction for the Water Utilities Building Renovation to establish the total project cost, including Construction Management fees, and Substantial Completion date.

### **f. Acceptance of Land Donation**

- i. Land donation from the Gale Morgan Kane Trust for a tract located along Hillcrest Drive, between the Caney River and Skyline Drive.

**g. Receipt of Financials**

- i. Interim financials for the seven months ending January 31, 2020.

**h. Receipt of Bids**

- i. Bid No.2019-2020-019R for Water Utilities Building Renovation
- ii. Bid No. 2019-2020-022 for Pathfinder Rehab – Frank Phillips and Silver Lake

Mayor Copeland read the consent docket in its entirety. Mr. Curd pulled Item 7.f.i. for further discussion.

Vice Mayor Gentges moved to approve the consent docket with the exception of item 7.f.i., seconded by Mr. Stuart.

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

7.f.i. Approval of Land donation from the Gale Morgan Kane Trust for a tract located along Hillcrest Drive, between the Caney River and Skyline Drive.

Mr. Curd stated his appreciation to Gale Morgan Kane for donating the land to the City. The land will be used and maintained by the City as it lies near a City lift station.

Mr. Curd moved to approve Item 7.f.i., seconded by Mr. Stuart.

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

**8. Discuss and take possible action to award Bid Number 2019-2020-019R for Water Utilities Building Renovation. Presented by Vice Mayor Gentges.**

Vice Mayor Gentges reported that this project was divided into 29 bid packages for the various trades associated with the project. Bids were initially received on January 23, 2020 and on Feb. 3, Council took action to accept bids on 25 of the bid packages, reject bids on two bid packages (Painting and Earthwork), and approved a 15 day extension on accepting bids for Alternates 2, 3, & 4 pending results of the rebid of Painting and Earthwork bid packages. On Feb. 25, bids were received on the Painting and Earthwork rebid and are tabulated on the attached page 3. The total bid amount including alternates 2 (sidewalk) 3 (landscaping), and 4 (asphalt) is \$291, 972.81. Including the Construction Management Fees (14%), and the project costs from the Feb. 3 bid acceptance, the total cost of the project is \$1,494,717.27, which is \$1,217.27 above the available budget. Savings realized in other Water Capital projects are available to fully fund the project. Staff and Vice Mayor Gentges recommends accepting the bids highlighted in orange on the attached tabulation. The total of the accepted bids is \$256,116.50.

Vice Mayor Gentges moved to award Bid No. 2019-2020-19R as presented on the attached spreadsheet as heighthed in orange in the total amount of \$256,116.50, seconded by Mr. Curd.

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

**9. Discuss and take possible action to award Bid No. 2019-2020-022 for Pathfinder Rehab – Frank Phillips and Silver Lake. Presented by Vice Mayor Gentges.**

Vice Mayor Gentges reported that the low bid of \$189,689 from KSL is \$60,311 under the available budget. Any remaining available funds will be allocated to additional applicable paving rehabilitation work.

Vice Mayor Gentges moved to award Bid No. 2019-2020-022 to KSL Dirtworks, LLC in the amount of \$189,689.00, seconded by Mr. Curd.

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 C-5 (General Commercial) to C-5/PUD, a Planned Unit Development, and a Site Development Plan on property located at the southwest corner of Adams Boulevard and Virginia Avenue, legally described as Lots 1 and 2, Block 7, Lincoln Second Addition, Bartlesville, Washington County, Oklahoma. Presented by Nancy Warring, Assistant Planner/Grants Administrator.**

Ms. Warring reported that the applicant is requesting approval of this rezoning to develop a parking lot on Lots 1 and 2, and to add a second story onto the Grand Lake Mental Health Center's site as an approved addition. Ms. Warring provided the history of the property, the landscaping, screening, detention and sidewalk requirements, and that one property owner contacted staff regarding concerns about the commercial zoning in the area. There was a neighborhood meeting on January 21, 2020, but no property owners attended the meeting.

Ms. Warring continued that the City Planning Commission held a public hearing on January 28, 2020 and after deliberation, the CPC voted 4-0 to approve the PUD Amendment and recommend approval of the park lot request to the City Council with the following conditions: 1) all requirements of Case No. PC-19-05-RZ/PUD/SDP as listed in Ordinance No. 3511 shall be complied with; 2) the new parking lot on Lots 1 and 2 shall meet the minimum requirements of the Landscaping and Residential Protection Standards of the Zoning Regulations; 3) residential screening meeting the requirements of the Zoning Regulations shall be installed along Virginia Ave. from the new parking lot to 8<sup>th</sup> Street; and 4) a sidewalks hall be provided on Adams Blvd. Staff is recommending approval of an ordinance that includes the recommendations of the CPC and combines all of Block 7 into one PUD.

The Mayor opened the public hearing at 7:39 p.m. There being no one appear to speak on this matter, the Mayor closed the public hearing at 7:39 p.m.

Mayor Copeland inquired about previous drainage concerns from residents in the area. Ms. Warring confirmed that they had been resolved and the new parking lot will be engineered to drain properly within itself.

Vice Mayor Gentges moved to adopt the Ordinance as presented which includes the recommendations of the City Planning Commission, seconded by Mr. Dorsey.

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

**11. Discuss and take possible action for expungement of municipal court arrest conviction regarding Julie Ann Roberts, Citation Number 307656, on September 1, 2011 on the charge of Petit Larceny/Shoplifting. Presented by Deputy Chief Rocky Bevard.**

Deputy Chief Bevard reported that upon receipt of the request for record expungement, he conducted a detailed criminal background check for Ms. Roberts. Bartlesville Police Department and State of Oklahoma criminal conviction records were examined. No other criminal convictions were found; therefore, a letter of recommendation was approved and signed by Municipal Judge Steve Conatser recommending expungement of the requested conviction. A brief discussion was held as to how often requests are submitted for approval. Mr. Bailey reported that requests have been minimal over the years.

Mr. Dorsey moved to approve expungement of municipal court arrest conviction of Julie Ann Roberts, Citation Number 307656 on September 1, 2011 on the charge of Petit Larceny/Shoplifting, seconded by Mr. Stuart.

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

**12. Discuss and take action on a Consent Order from Oklahoma Department of Environmental Quality on the wastewater collection and treatment system. Presented by Terry Lauritsen, Director of Water Utilities.**

Mr. Lauritsen provided history from the early 1990's regarding ongoing upgrades to the wastewater system to eliminate bypasses with the City spending over \$41 million in upgrades to-date. The last major bottleneck of the system is the treatment plant and several pump stations along the Caney River corridor. In 2010, a facility plan was completed that identified the improvements and was updated in 2017. Throughout the last 25 years, the OKEQ has utilized Consent Orders to ensure the City identifies and fix capacity limitations to eliminate bypasses. In the last Consent Order, issued in 2019 and completed in 2019, the final task required the City to submit a schedule for the design and construction of improvements to the Wastewater Treatment Plant, which has now become the latest Consent Order. In addition to the improvements to the wastewater treatment plant, a supplemental environmental project (SEP) will be completed in lieu of a \$3,000 administrative penalty. The penalty resulted from a complaint the ODEQ received about a series of bypasses caused by storm damage and repeated rain events in late May and early June of 2019. The SEP is for Supervisory Control and Data Acquisition (SCADA) improvements to the wastewater system. This project was a planned project this fiscal year, funded through the wastewater treatment plant capital budget and is currently under construction.

Mr. Lauritsen provided a summary of the Consent Order's tasks as follows: 1) September 1, 2020 – hire an engineering consulting firm to design and prepare construction documents for the wastewater treatment plant expansion and upgrades to the Caney River pumping corridor; 2) October 1, 2022- submit an engineering report to the ODEQ for the proposed improvements to the wastewater treatment plant and Caney River pumping corridor; 3) February 1, 2023-submit the construction plans and specifications to the ODEQ for the construction of improvements to the wastewater treatment plant; 4) June 1, 2023-begin

construction on the wastewater treatment plant improvements; and 5) April 1, 2027 – complete construction of the wastewater treatment plant improvements. He added that the City will likely pursue a low interest loan from the Oklahoma Water Resources Board to finance the improvements, which will be repaid with Wastewater Capital Fees, implemented in 2015. Mr. Lauritsen concluded that staff recommends approval of the Consent Order.

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

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

### **13. New Business.**

There was no new business.

### **14. City Manager and Staff Reports.**

Mr. Bailey reported that an agreement with the Corps of Engineers has been made and a signing ceremony will be conducted with Senator Jim Inhofe on March 18, at 11 a.m. Attending will be officials such as Senator Julie Daniels and others who have worked on securing affordable water rights for several years.

Presentations are being made by the Citizens for Building a Better Bartlesville Advocacy Group including City staff at organizational meetings around town. Mr. Bailey said he was encouraged at the good questions from citizens, and encouraged everyone to sign up for City Beat. Ms. Williams had put together a very good Frequently Asked Questions (FAQ) that answers the most often asked questions.

Mr. Bailey also reported that the west end of Tower Center at Unity Square is complete and the new space is taking shape.

Mr. Bailey concluded his report with thanking Emergency Management Director Kary Cox for coming to the meeting and apprising the Council, staff and citizens on the Coronavirus situation.

### **15. City Council Comments and Inquiries.**

Vice Mayor Gentges invited everyone to attend the "Celebrate! 100 Years of Women's Suffrage" event on March 28, 2020 at 10 a.m. at the Community Center. The event is free and the public is welcome.

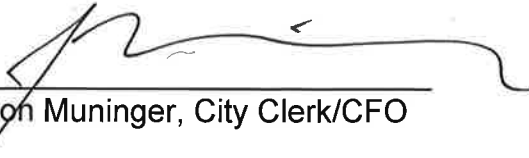
Mr. Curd announced that the grand opening for Tower Center at Unity Square will be May 1 and several events will be planned for that day and throughout the summer.

Mayor Copeland inquired of Mr. Siemers about the progress of the downtown drainage progress. Mr. Siemers reported that the project is on track, pleased with the contractors, and soon the work will be off of the street and traffic will no longer be disrupted.

Vice Mayor Gentges inquired of Mr. Siemers about the progress of the Hillcrest Road Improvements. Mr. Siemers reported that the plan for the improvements should be complete by August of this year.

Mayor Copeland expressed his appreciation of Senator Inhofe and his strong leadership for working on the reduced water rights on Copan Lake.

**16. There being no further business to address, Mayor Copeland adjourned the meeting at 8:19 p.m.**

  
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Jason Muninger, City Clerk/CFO

  
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Dale W. Copeland, Mayor

  
The seal is circular with a double-line border. The outer ring contains the text "CITY OF BARTLESVILLE" at the top and "OKLAHOMA" at the bottom. Inside the ring, the word "OFFICIAL" is written in a smaller font. In the center of the seal, the word "SEAL" is prominently displayed in a large, bold, serif font.

**Bid Tabulation**  
**Water Utilities Building Renovation - Rebid**  
**Bids Received - February 25, 2020**

Legend  Staff recommends acceptance of bid

**Bid Package 3 - Concrete (M&L) - Award of Alt. #2 was extended due to rebid**

Subcontractor Name	GH Masonry (Bartlesville, OK)	KSL (Bartlesville, OK)	J Graham Const (Coffeyville, KS)
Base bid Cost	\$153,853.00	\$320,100.00	\$320,196.00
Alternate #1 (slab mtl bldg) - add	\$45,648.00	\$83,000.00	\$78,581.00
Alternate #2 (sidewalk - add)	\$26,760.00	\$26,000.00	\$42,690.00
Concrete Paving Unit Cost - 5"	\$5.75	\$6.00	\$7.00
Concrete Sidewalk Unit Cost - 4"	\$6.00	\$5.00	\$10.00
Concrete Curb & Gutter Unit Cost	\$18.00	\$20.00	\$27.00

**Bid Package 9B - Painting (M&L) - Rebid**

Subcontractor Name	J T Paint (Bartlesville, OK)	PT Enterprises (Tulsa, OK)	River Paint (Tulsa, OK)	SW Drywall (Tulsa, OK)
Base Bid Cost	\$32,989.00	\$43,699.00	\$49,166.00	\$49,977.00

**Bid Package 31 - Site Clearing & Earthwork (M&L) - Rebid**

Subcontractor Name	GH Masonry (Bartlesville, OK)	KSL (Bartlesville, OK)
Base Bid Cost	\$104,000.00	\$115,755.00
Alternate #2 (sidewalk - add)	\$5,000.00	\$7,500.00
Excav. Unsuil. Soils Unit Cost cy	\$20.00	\$20.00
Install Suitable Soils Unit Cost cy	\$25.00	\$25.00
Rock Excavation cy	\$220.00	\$220.00
Concrete Paving Removal sf	\$3.00	\$3.00

**Bid Package 32 - Landscape (M&L) - Award of Alt. #3 was extended due to rebid**

Subcontractor Name	Evans (Bartlesville, OK)	Grass Solutions (Catoosa, OK)
Alternate #3 Cost	\$21,050.00	\$23,633.87

**Bid Package 32A - Asphalt (M&L) - Award of Alt. #4 was extended due to rebid**

Subcontractor Name	Brent Bell (Nowata, OK)	KSL (Bartlesville, OK)
Alternate #4 Cost	\$66,317.50	\$70,000.00

SUBTOTAL OF ACCEPTED BIDS	\$256,116.50
McANAW'S FEES ON ACCEPTED BIDS (14%)	\$35,856.31
PROJECT COST SUBTOTAL	\$291,972.81
PROJECT COST SUBTOTAL FROM FEB. 3 BID ACCEPTANCE	\$1,202,744.46
<b>TOTAL PROJECT COST</b>	<b>\$1,494,717.27</b>
AVAILABLE BUDGET	\$1,493,500.00