



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

**MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Monday, August 3, 2020
Immediately following the
Bartlesville Municipal Authority
Special Meeting
beginning at 7 p.m.**

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

MINUTES

(The Notice of Meeting was posted December 13, 2019 and the Agenda was posted July 30, 2020 at 5:00 p.m.)

City Council 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; Jess Kane, City Attorney; Jason Muninger, City Clerk/CFO; Terry Lauritsen, Director of Water Utilities; Micah Siemers, Director of Engineering; Greg Collins, Assistant Director of Community Development; Nathan Mellon, President of FOP Lodge 117; Police Chief Tracy Roles, Security; and Elaine Banes, Executive Assistant.

- 1. Mayor Copeland called the Business Meeting of the Bartlesville City Council to order at 7:17 p.m. immediately following the Bartlesville Municipal Authority Special Meeting.**
- 2. Roll call was conducted and a quorum established.**
- 3. Citizens to be heard.**

Karen Wollman spoke in favor of mandating face masks in the City.

- 4. City Council Announcements and Proclamations.**

There were no announcement or proclamations.

- 5. Authorities, Boards, Commissions and Committee Openings**

- One opening on the Construction and Fire Code Appeals Board
- Two openings on the Park Board
- One opening on the Sewer System Improvements Oversight Committee
- One opening on the Street and Traffic Committee

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.

- 6. Consent Docket**

- a. Approval of Minutes**

- i. The Regular Meeting Minutes of July 6, 2020.

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

- i. Reappointment of Mr. Jason Sauer to an additional three-year term on the Sewer System Improvements Oversight Committee at the recommendation of Councilman Dorsey.
- ii. Reappointment of Ms. Patty Phillips and Mr. Ted Lockin to additional three-year terms on the Bartlesville Area History Museum Trust Authority at the recommendation of Councilman Stuart.
- iii. Reappointment of Mr. Brady Haffner and Ms. Laura Jensen to an additional three-year term on the Board of Adjustment at the recommendation of Mayor Copeland.

c. Approval of Resolution

- i. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2020-2021, appropriating unanticipated private grant revenue for the Frontier Pool Fund.

d. Approval of Agreements, Contracts, and Engagement Letters

- i. An Agreement of Services between Spencer Management, Inc. and City of Bartlesville for housekeeping services at the Library, City Hall and Police Station.
- ii. A Contract between the Oklahoma Department of Libraries and the City of Bartlesville/Bartlesville Public Library for the Community Literacy Assistant.
- iii. An Agreement with Coffeyville Resources Crude Transportation, LLC for a sanitary sewer pipeline easement for the Wastewater Treatment Plant Effluent Pump Station and Pipeline project.
- iv. An Access/Utility Easement and Right of Way Agreement with Alltel Corporation d/b/a Verizon Wireless at 1700 West Adams Blvd., Bartlesville, Oklahoma.
- v. Professional Service Contract with Ambler Architects for design services on the site improvements for the Interactive Art Feature at the Tower Center at Unity Square.
- vi. An Agreement between the Bartlesville Independent School District #30 and the City of Bartlesville to provide policing services in the interest of public and school safety.

e. Receipt of Financials

- i. Interim Financials for the Eleven months ending May 31, 2020.

f. Receipt of Bids

- i. Bid No. 2020-2021-005 for Jennings, Nova, Williamsburg and Vicksburg Ave. Asphalt Paving Rehabilitation Project.
- ii. Bid No. 2020-2021-006 for Quail Place Tributary Improvements
- iii. Bid No. 2020-2021-007 for Bartlesville Library HVAC Controls Retrofit

Mayor Copeland read the consent docket in its entirety. Mr. Curd removed Items 6.d.v. and 6.d.vi. from the consent docket for discussion.

Vice Mayor Gentges moved to approve the consent docket except for Items 6.d.v. and 6.d.vi., seconded by Mr. Stuart.

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

Nay: None

Motion: Passed

Items 6.d.v. Professional Service Contract with Ambler Architects for design services on the site improvements for the Interactive Art Feature at the Tower Center at Unity Square and 6.d.vi. An Agreement between the Bartlesville Independent School District #30 and

the City of Bartlesville to provide policing services in the interest of public and school safety.

Regarding 6.d.v. - Mr. Curd wanted to note that the site design work is to be completed by late August. He and Vice Mayor Gentges confirmed that when Mr. Ambler completes the design, it will be reviewed by the Tower Center Design Committee.

Regarding 6.d.vi. – Mr. Curd inquired what the change was from last year’s contract to this year’s contract. Mr. Bailey stated that an additional School Resource Officer (SRO) has been added. Bartlesville Public Schools has agreed to pay for the additional SRO which has them funding two SRO’s and the City funding one.

Mr. Curd moved to approve Items 6.d.v. and 6.d.vi. as presented, seconded by Mr. Dorsey.

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

- 7. Consider and take action with respect to a Resolution of the City Council of the City of Bartlesville, Oklahoma (the “City”) approving action taken by the Bartlesville Municipal Authority (the “Authority”) authorizing issuance, sale and delivery of its Clean Water SRF Promissory Note to Oklahoma Water Resources Board; ratifying and confirming a lease agreement; and containing other provisions related thereto. Presented by Allan A. Brooks, The Public Finance Law Group, PLLC.**

Mr. Brooks reported that this is the companion item to the Resolution adopted by the Bartlesville Municipal Authority. Mr. Curd asked if the State revolving fund is used only for water projects. Mr. Brooks explained that there are two funds, the Drinking Water Fund and the Clean Water Fund. He added that municipalities, rural water districts, and state agencies that have water or sewer needs are eligible.

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

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

- 8. Discuss and take possible action to award Bid No. 2020-2021-005 for Jennings, Nova, Williamsburg and Vicksburg Ave. Asphalt Paving Rehabilitation Project. Presented by Councilman Stuart.**

Mr. Stuart moved to award Bid No. 2020-2021-005 to Brent Bell Construction, LLC, Nowata, Oklahoma, in the amount of \$437,216.80 as presented, seconded by Mr. Dorsey.

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

- 9. Discuss and take possible action to award Bid No. 2020-2021-006 Quail Place Tributary. Presented by Councilman Stuart.**

Mr. Stuart moved to award Bid No. 2020-2021-006 to J. Graham Construction, Coffeyville, Kansas, in the amount of \$387,127.00 as presented, seconded by Mr. Dorsey.

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

10. Discuss and take possible action to award Bid No. 2020-2021-007 for the Bartlesville Library HVAC Controls Retrofit project. Presented by Vice Mayor Gentges.

Vice Mayor Gentges moved to award Bid No. 2020-2021-007 to Johnson Controls, Inc. in the amount of \$140,888.00 as presented, seconded by Mr. Curd.

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

11. A public hearing to consider a request by Dan Keleher on behalf of Grand Lake Mental Health Inc. to close a 20' wide alley in Block 7 of Lincoln 2nd Addition, Bartlesville, Washington, Washington County, Oklahoma. Presented by Micah Siemers, P.E., Director of Engineering.

Mr. Siemers reported that the applicant is requesting the closure to facilitate construction of an addition to the existing Grand Lake Mental Health (GLMH) facility located at 700 S. Penn. The majority of the addition will be added within lots 9 through 11, Block 7, however a portion of the new structure will encroach upon the alley. The alley currently has limited use for utilities and other public access. The request was circulated to utility company and city staff for review. There were no objections received from Police, Fire, Planning or Public Works departments. Engineering and Water Utilities departments have identified an existing sanitary sewer line within the alley. This line terminates at the south end of the alley and only serves this block which is owned by Grand Lake Mental Health, Inc. City staff has no issues with the closure but the existing sewer line will become a private service for GLMH, likely to be abandoned in the south half of the old alley, saving the north half for use for the new developments. GLMH is in agreement with this provision. Cable One, ONG, AT&T and AEP/PSO have all stated that they do not have any objections to the request. Facilities are present within the alley but have been or will be relocated as part of the development.

Mayor Copeland opened the public hearing at 7:45 p.m. There being no one speak, Mayor Copeland closed the public hearing at 7:45 p.m.

Vice Mayor Gentges moved to adopt the Ordinance closing the 20' wide alley in Block 7 of Lincoln 2nd Addition as presented, seconded by Mr. Dorsey.

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

12. Discuss and take possible action on an updated Control Estimate from Jonesplan LLC for the Tower Center at Unity Square project. Presented by Terry Lauritsen, P.E., Director of Water Utilities.

Mr. Lauritsen reported that construction of the Tower Center at Unity square was substantially complete on May 29, 2020 and Jonesplan has completed all of the punch list items. In order to close out the project, an updated control estimate is needed to finalize the

construction costs. Using a PowerPoint, Mr. Lauritsen reviewed each work package including the proposed changes associated with the control estimate. The final cost of the project is \$2,216,789.83 which is \$1,027.83 over the available budget for construction. The overage will be paid through the unallocated portion of the ½-cent sales tax fund, which has sufficient budget to fund the difference.

Mr. Curd and Mayor Copeland both acknowledged Mr. Lauritsen, Jonesplan and the many donors who contributed to the successful completion of this project.

Mr. Curd moved to approve the updated control estimate in the amount of \$2,216,789.83 as presented, seconded by Mr. Stuart.

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

Nay: None

Motion: Passed

13. Discuss and take possible action to approve the Water Storage Agreement between the US Army Corp of Engineers for water storage at Copan Lake. Presented by Terry Lauritsen, P.E. Director of Water Utilities.

Mr. Lauritsen provided a history of water needs starting with the drought of 2002 covering measures taken by the City to ensure affordable water pricing to consumers. Over 16 years studies were conducted, meetings were made with the US Corp of Engineers, as well as with legislators both Federal and State. In 2006, the results were that the price for 2500 acre-feet of water storage at Copan Lake was \$4.3MM; in 2017 the price was \$7MM. Since these water supply contracts would require a substantial water rate increase to the citizens of Bartlesville, the City Council elected to pursue relief through federal legislation to amend the COE's water storage price structure to facilitate a more economical water storage purchase at Copan Lake. That effort began in 2008 and finally concluded in October 2018 when a Water Resources Development Act was signed into law that stipulated water storage costs for reservoirs in the Verdigris River Basin, Oklahoma and Kansas. The law reduced the 2500 acre-feet of storage cost at Copan Lake from \$7MM to \$204,891. Sufficient funds are available in the Water Capital Reserve Fund for the agreement. Mr. Lauritsen concluded by recognizing the tireless efforts of many people over the years, including our Federal delegation, specifically Senator Inhofe, State Senator and former Mayor Julie Daniels, along with former Mayors Ted Lockin and Tom Gorman, former City Manager Ed Gordon and the Water Resources Committee.

Mayor Copeland concurred in the recognition of everyone involved over the years who assisted in making this Agreement happen and securing water storage rights with substantial savings that will provide for the citizens of Bartlesville and the surrounding communities.

Vice Mayor Gentges moved to approve the Water Storage Agreement with the US Corp of Engineers as presented, seconded by Mr. Curd.

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

Nay: None

Motion: Passed

14. Discuss and take possible action to direct staff to publish notice of a petition requesting detachment from municipal territory, and schedule a public hearing for the detachment/de-annexation of 75.57 acres on the west side of Highway 75 and one-half

mile south of Yorman Road, pursuant to Oklahoma State Statues O.S. §21-103 B and O.S. §21-110B., B.3 and C. Presented by Greg Collins, Assistant Director of Community Development.

Mr. Collins reported that Kathern O'Brien has requested the de-annexation of approximately 75.57 acres in order to return its use to agriculture usage. It was annexed into the City of Bartlesville in 2005, rezoned and a sketch plan was approved for proposed future development. However, no development has come to fruition in fifteen years and Ms. O'Brien would like to use the land for agricultural uses that are not allowed under the current zoning. Mr. Collins stated that Oklahoma State Law permits the governing body to detach from its corporate city limits a tract of land for which a property owner has filed a petition requesting such. In conclusion, this action is not to approve the detachment/de-annexation, only the authority to publish notice of petition and to schedule a public hearing.

A brief discussion ensued covering de-annexation versus rezoning which the applicant did not wish to pursue the rezoning process; that the water and sewer in the Highway 75 right of way will not be affected; and that 2014 was the last de-annexation case the City Council addressed.

Mr. Curd moved to direct staff to publish notice and schedule a public hearing as presented, seconded by Mr. Stuart.

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

Addendum to the Agenda posted at 5 p.m. July 31, 2020.

Discuss and take possible action to approve the Collective Bargaining Agreement between the City of Bartlesville and Fraternal Order of Police Lodge 117 for Fiscal Year 2020-2021. Presented by Jess Kane, City Attorney.

Mr. Kane reported that staff reached an agreement with the Fraternal Order of Police Lodge 117 for Fiscal Year 2020-2021. Negotiated items included the MOU's that were signed during the previous fiscal year contract which provided changes to Article 22 and Article 26 which addresses hire back and the promotional process. Also negotiated was there will be no step increases so the contract was updated to reflect the change in Article 6, Section 2 and Article 15, Sections 1 and 3. There was a "wage re-opener" provision added to Article 15 that will allow for either party to request to negotiate changes to Article 15. This will allow City finances to be reassessed at a later date to determine if it is feasible to do step increases at that time.

Mr. Stuart moved to approve the Collective Bargaining Agreement for FY 2020-2021 with the Fraternal Order of Police Lodge 117 as presented, seconded by Mr. Curd.

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

15. New Business.

There was no new business to report.

16. City Manager and Staff Reports.

Mr. Bailey provided updated COVID-19 information. Vice Mayor Gentges reminded citizens that even though there have no deaths reported in the past 30 days, to continue to use social distancing, wash hands and wear masks.

Mr. Bailey reported that Sooner and Frontier pools will close for the season at 6 p.m. August 9.

He also announced that the Skate Park is now open and getting a lot of use. Pathfinder improvements are also making progress. He added his thanks to voters for approving these great projects for the community.

17. City Council Comments and Inquiries.


Vice Mayor Gentges reminded citizens of the Tower Center at Unity Square summer series events. An event is scheduled for Friday, August 7 and is free to the public.

At Mr. Curd's request, Mr. Bailey reported that sales tax was down 4.75% in May, down 18% in June, and up 3.7% in July. He added that the City has sufficient funds to operate in spite of the June decline.

Mr. Stuart reported that he recently did a ride-along with Police and Fire Departments. He stated that anyone who has the opportunity should do so as it is very enlightening and educational.

18. There being no further business to address, Mayor Copeland adjourned the meeting at 8:33 p.m.


Dale W. Copeland, Mayor


Jason Muninger, City Clerk/CFO

