



**MINUTES OF THE  
REGULAR MEETING OF THE  
BARTLESVILLE CITY COUNCIL  
Monday, October 5, 2020  
7 p.m.**

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

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

**MINUTES**

(The Notice of Meeting was posted December 13, 2019  
and the Agenda was posted October 1, 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; Keith Henry, Director of Public Works; Greg Collins, Assistant Director, Community Development; Trevor Bay, Brandon Lopez, Mike Wickham, & Josh McCully, Code Enforcement Officers; Sgt. Troy Newell, 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, God Shepherd Presbyterian Church.**
- 4. Citizens to be heard.**

There were no citizens to be heard.

**5. City Council Announcements and Proclamations.**

Mayor Copeland recognized Boy Scout Troop 2 who were present to earn one of their required badges.

Proclamations:

- Domestic Violence Awareness Month October 2020. Presented by Councilman Paul Stuart.
- Code Enforcement Officer's Appreciation Week October 12-16, 2020. Presented by Mayor Dale Copeland.

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

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

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 September 8, 2020.
- ii. The Special Meeting Minutes of September 11, 2020.

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

- i. Appointment of Ms. Gretchen Wendtland to fill an expired term on the Park Board at the recommendation of Councilman Curd.
- ii. Appointment of Mr. Stephen Kucera to a three-year term on the Park Board at the recommendation of Councilman Curd.
- iii. Reappointment of Ms. Sherri Wilt, Ms. Juli Merciez, and Mr. Jack Alley to additional two-year terms on the Transportation Committee at the recommendation of Vice Mayor Gentges.

### **c. Approval of Agreements, Contracts, Engagement Letters and Change Orders**

- i. Site Lease with Keleher Outdoor Advertising for the location of nine (9) billboards along East Frank Phillips Boulevard on City property.
- ii. Amendment No. 1 to the Business Customer Service Agreement between U.S. Cellular and the City of Bartlesville.
- iii. Change Order 3 with McAnaw Construction for the Water Utilities Renovation Project.
- iv. Professional Service Contract with Kimley-Horn and Associates, Inc. for design services on the Sooner Pool Recreational Expansion Project.

### **d. Receipt of Financials**

- i. Interim Financials for the One Month Ending July 31, 2020
- ii. Interim Financials for the Two Months Ending August 31, 2020

### **e. Receipt of Bids**

- i. Bid No. 2020-2021-010 for Candlestick Court Drainage Rehabilitation

Mayor Copeland read the consent docket in its entirety. Mr. Curd pulled item 7.c.iv. for discussion.

Mr. Curd moved to approve the consent docket with the exception of 7.c.iv., seconded by Vice Mayor Gentges.

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

Nay: None

Motion: Passed

### **Item 7.c.iv. Professional Service Contract with Kimley-Horn and Associates, Inc. for design services on the Sooner Pool Recreational Expansion Project.**

Mr. Curd asked Mr. Siemers to provide information regarding this contract. Mr. Siemers reported that this project was voter approved on the 2013 ½ Cent Sales Tax Extension ballot. In 2013, the original planned budget was \$3,750,000, but the actual sales tax

revenues over the past seven years did not meet the projection, therefore the FY 20-21 budget for the project is \$2,550,000. There are additional funds available \$200,000 from the recent 2020 ½ Cent Sales Tax extension and \$106,472 remaining in the 2012 GO Bond fund that was earmarked for resurfacing Sooner Pool. The total available budget for this project including the recreational amenities and resurfacing the existing pool is \$2,856,472.00.

Discussion covered the project schedule, and whether or not all the recreational amenities will be installed due to the lower budget amount of the project.

Mr. Curd moved to approve Item 7.c.iv., seconded by Mr. Stuart.

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

**8. Discuss and take possible action to award Bid 2020-2021-008 for Concrete. Presented by Councilman Curd.**

Mr. Curd moved to award Bid 2020-2021-008 to Bartlesville Redi-Mix, Inc. for all bid items with the option to use Mid-Continent Concrete as an alternate supplier should Bartlesville Redi-Mic, Inc. be unable to provide materials in a timely manner, seconded by Mr. Stuart.

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

**9. Discuss and take possible action to award Bid 2020-2021-009 Part 1 for Asphaltic Concrete. Presented by Councilman Curd.**

Mr. Curd moved to award Bid 2020-2021-009 Part 1 to Bison Materials, Bartlesville, Oklahoma in the amounts provided on attached form as presented, seconded by Mr. Stuart.

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

**10. Discuss and take possible action to award Bid 2020-2021-009 Part II for Aggregate Base. Presented by Councilman Curd.**

Mr. Curd moved to award Bid 2020-2021-009 Part 2 to Bison Materials, Bartlesville, Oklahoma in the amounts provided on attached form 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 possible action to award Bid No. 2020-2021-010 for Candlestick Court Drainage Rehabilitation. Presented by Councilman Stuart.**

Mr. Stuart moved to award Bid 2020-2021-010 to Contech, Inc., Broken Arrow, Oklahoma in the amount of \$162,380.00 as presented, seconded by Mr. Dorsey.

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

**12. Annual Report on the performance of the 2020 Management Agreement for the operation of the Sooner and Frontier Swimming Pool. Presented by Victoria Gammon, Aquatics Director of the Richard Kane YMCA.**

Ms. Gammon reported that overall activity at the pools did rather well, in spite of the late openings, equipment failures, and a shortened swimming lesson time-frame.

Upon Mr. Stuart's inquiry regarding lifeguard availability and training, Ms. Gammon reported that lifeguard training is on-going as needed. She added that life-guard training is conducted most often between March and May.

**13. Discuss and take possible action on a resolution authorizing staff to pursue the use of eminent domain, if necessary, with the South Kansas and Oklahoma Railroad LLC for a proposed underground water reuse pipeline crossing, and to engage the law firm of Taylor, Foster, Mallett, Downs, Ramsey, & Russell to assist with negotiations and legal proceeds. Presented by Terry Lauritsen, Director of Water Utilities.**

Mr. Lauritsen reported that since the 2001 drought of record, the City has been pursuing various options to supplement raw water to ensure a reliable drought resilient water supply for the next 50 plus years. One of the options is to utilize the City's treated wastewater to augment the yield of the Caney River during periods of drought, which serves as one of the City's main water sources. This reuse option has been investigated over the last four years and determined to be safe, reliable and will improve the water quality of the Caney River at the City's intake location in Johnstone Park. The Council authorized the engineering design and construction of this reuse system, which will consist of a pump station at the wastewater treatment plant and an underground pipeline transporting the water to the Caney River just south of the County Road W 1500 bridge. This pipeline route requires a crossing under the existing South Kansas and Oklahoma Railroad. In early January 2020, City staff sent in the permit application to the railroad for a pipeline crossing. In September 2020, the City received a licensing agreement for this crossing. The railroad proposes to utilize a license form of agreement, for a perpetually increasing annual fee, and the railroad has the right to terminate the license agreement at any time, after which the City would have to remove the pipeline crossing from the railroad's right of way. This agreement is unacceptable. City staff will counter with a traditional easement crossing with a one-time permit/easement fee, which is consistent with utility line construction. In light of the nine months that it took the railroad to provide the current agreement, and the time constraints for the construction funding of \$750,000 Federal grant from the Bureau of Reclamation with the remaining \$7.5 MM financed with a loan through the Oklahoma Water Resources Board, City staff is requesting Council authorization to pursue an easement for the pipeline crossing by eminent domain if negotiations with the railroad either stall or are unsuccessful. In the event that staff determines that eminent domain is necessary, staff is also requesting authorization to engage the law firm of Taylor Foster Mallett, Downs, Ramsey & Russell to assist with the eminent domain proceeds. He concluded that City Attorney Kane has spoken with this law firm and they have considerable expertise and experience in eminent domain cases with railroads.

Discussion covered additional locations; how the needed crossing at any location would need the railroad's approval and/or eminent domain; how city staff will begin with negotiations with the railroad before moving to eminent domain; how the law firm recommended appears to have good experience with this type of issue with the railroad and that their price is reasonable for their services; and how eminent domain is the option only after all other options have failed.

Mr. Curd moved to approve the resolution as presented and to move forward with engaging the law firm as presented, seconded by Mr. Dorsey.

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

**14. Presentation and discussion of preventative maintenance street projects as recommended by the Street and Traffic Committee. Presented by Micah Siemers, P.E., Director of Engineering.**

Mr. Siemers reported that one of the priority projects included on the voter approved 2013 ½ cent sales tax extension ballot was to allocate \$750,000 each year of the 7-year extension for preventative maintenance street projects. Since this project recurs every budget cycle, the projects are selected each year accordingly and are identified based upon input from city staff, the public via complaints or requests for attention to particular streets, and based upon the pavement condition index (PCI) that is estimated with a modeling software that determines the condition of streets based up deterioration of pavement over time. Staff put together estimates for a list of streets to consider and presents them to the Street and Traffic Committee for selection. Typically some additional streets are considered based upon feedback from the committee and then a decision is made and the selected streets are presented to Council as part of the budget process. This year the committee was not able to meet prior to adoption of the FY 20-21 budget due to the restrictions caused by COVID-19. The City Council approved \$500,000 out of the ½ cent sales tax fund but not the specific projects. Some years the City has budgeted more funds towards these projects and some years less funds, but ultimately with this current budget it meets the \$750,000 per year over 7 years as presented in 2013. The committee was finally able to meet in August to begin the process of selecting streets for this fiscal year.

Mr. Siemers continued stating that historically these funds are used to asphalt mill and overlay projects and concrete panel replacement projects. The intent with these funds is to repair streets that are in relatively good condition, but starting to show signs of needing attention to avoid letting streets deteriorate to the point that they are very costly to repair. He provided information as to the deterioration curve. Over time, the City veered from this approach and are now looking to get back on track. As part of that effort, the committee not only looked at the more typical overlays, mill and overlays, and concrete panel rehabs but also at what could be considered more of a preventative maintenance procedure to restore existing paving that is still in good condition to extend the life of the pavement. The product researched is called Reclamite and essentially the application of this product not only seals the asphalt pavement but it penetrates the pavement and rejuvenates the components that keep the paving flexible. It is a petroleum based product and dries clear so streets that are striped do not require re-striping. The product is marketed to extend the life of asphalt streets 7 to 10 years. After discussions with Proseal, Inc. who provided a plan to try Reclamite in a trial run, the committee decided to use funds on three smaller asphalt mill and overlay projects and then try the Reclamite on two streets. The project selected for FY 20-21 are: Guinn Mill & Overlay (Rolling Meadows to May) \$170,000; Huntington Mill & Overlay

(Braddock to End) \$150,000; Kristen Mill & Overlay (Stonewall to Hill) \$150,000; Tuxedo Reclamite (Caney River to Madison) \$80,000 and Rogers/Penn/Lannom Reclamite (14<sup>th</sup> to Lannom) \$20,000.

Mr. Siemers concluded that a whether or not the Reclamite product makes a substantial difference in the condition of the streets could take some time to realize. As part of the process, there will be test locations on streets that will not get the application of the product to make the comparison. The goal is to test it out on the two selected areas and monitor wear of those streets over time for possible use in future budget cycles.

Discussion covered recent street projects; locating and choosing streets in need from different parts of town; and how long it may take to see the effect of the Reclamite.

**15. Discuss and take possible action to approve a budget resolution appropriating the funding received through the CARES Act. Presented by Mike Bailey, City Manager.**

Mr. Bailey reported that on September 8, 2020, the City Council approved a resolution that authorized City staff to proceed with an application for CARES act funding. The City had been allocated \$2,785,987.68 by the State of Oklahoma; the City applied for it and received the entire allocation on September 24, 2020. During the September 8 City Council meeting when the resolution was adopted, City staff discussed a plan to revisit the budget and determine what priorities were not able to be met due to the economic crisis created by the COVID pandemic, and it was also noted that further Federal funding is unlikely to be approved for local governments even if the COVID pandemic/economic crisis drags on indefinitely. With these two factors in mind, City staff is recommending that \$1,000,000 of CARES Act funding be set aside in the event that the economy does not recover as quickly as anticipated and that two years of funding be set aside for any recurring expenses.

Mr. Bailey proceeded to list staff recommendations on how the CARES Act could be utilized: 1% Cost of Living increase for employees (current fiscal year cost \$165,000 and next fiscal year reserve \$165,000); 2.5% Merit for employees who pass their performance evaluation and are not topped out on their anniversary date (current fiscal year cost \$215,000 and next fiscal year reserve \$345,000); Salary Reclassification for Entry Level Positions identified as: Maintenance Worker/Sanitation Collector (current fiscal year \$25,000 and next fiscal year reserve \$25,000), Police Officer (Current fiscal year cost \$50,000 and next fiscal year reserve \$50,000), and Firefighter (Current fiscal year cost \$45,000 and next fiscal year reserve \$45,000); Sanitation Capital Plan Shortfall (current fiscal year \$500,000); Additional COVID Operations Expenses (Current fiscal year cost \$10,000); Stabilization Reserve Increase Due to Operational Expenditures (Current fiscal year addition to reserve \$22,600); Fixed Addition to Stabilization Reserve (current fiscal year addition to reserve \$1,000,000); Payment to Bartlesville Community Center (Current fiscal year \$100,000); and Remaining Funds (uncommitted funds \$23,388).

Mr. Bailey concluded that City staff attempted to fund the most significant budget priorities that were unable to be met in the current budget due to the COVID relation economic uncertainty. The City's greatest asset and largest expense is personnel, and staff believes this plan will increase morale, decrease turnover, and expand our pool of qualified applicants. In addition, City staff has reserved a significant portion of these funds in an attempt to provide some certainty through the next fiscal year.

Discussion covered how the distribution of funds were well thought out; that the funding placed in the Reserve Fund can be used if needed as long as certain criteria is met; how the

cost of living increase will be retroactive to July 1, 2020; and how the merit raises and step increases would added on employee anniversary dates.

Discussion regarding the \$23,388 unallocated funds covered Mr. Stuart's suggestion of a new Park Study; Mr. Curd's suggestion of placing it in the Reserve Fund for future needs; and Vice Mayor Gentges suggestion to keep it as "unallocated" for the time being in order to explore options and uses for it.

Vice Mayor Gentges moved to approve the budget resolution as presented and to keep the remaining \$23,388 as "unallocated" at this time, seconded by Mr. Dorsey.

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

#### **16. New Business.**

There was no new business.

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

Mr. Bailey provided an update on COVID-19 cases in Oklahoma and Washington County.

Fall leaf and grass cleanup will be conducted the week of December 7. Customers can place as many bags of yard debris as needed on their curbs on their scheduled pick-up day, and they will be picked up free of charge.


In response to Vice Mayor Gentges' inquiry, Mr. Muninger reported that sales tax continues to be steady. He reported that licenses and permits are down but that was due to changes in the reporting system.

Also in response to Vice Mayor Gentges' inquiry, Mr. Lauritsen reported that the addition of the flowers, lights and water park at Tower Center at Unity Square should be installed by the end of October, first of November.

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

Mayor Copeland commented that Bartlesville is a great place to be and he stated his thankfulness to his fellow councilmembers for their part in making it great.

#### **19. There being no further business to address, Mayor Copeland adjourned the meeting at 8:56 p.m.**

  
\_\_\_\_\_  
Jason Muninger, City Clerk/CFO

  
\_\_\_\_\_  
Dale W. Copeland, Mayor



**CITY OF BARTLESVILLE, OKLAHOMA  
 BID SPECIFICATIONS FOR  
 CONCRETE  
 BID NUMBER 2020-2021-008**

Concrete:	Price per Cubic Yard:
4 sack Class C (2,000 psi min):	<u>NA</u>
4½ sack Class C (2500 psi min):	<u>\$ 99</u>
5 sack Class B (3,000 psi min):	<u>\$ 101</u>
5 ½ sack Class B (3,500 psi min):	<u>\$ 103</u>
6 sack Class A (4,000 psi min):	<u>\$ 105</u>
7 sack Class AA:	<u>\$ 110</u>
High Early	<u>\$ 110</u>

**Flowable Fill:**

Flowable Fill Quick Set concrete shall contain  
 Rapid set cement 100#, fly ash 0#, Sand 2970#,  
 water 55 gal., air 0%:

\$ 85

Flowable Fill Regular Set concrete shall contain  
 Type 1 cement 60#, Fly ash 290#, sand 2750#,  
 water 55 gal., air 0%

\$ 80

Sand used in Flowable fill shall have 100% passing  
 the ¾" inch sieve and 0%-20% passing the No. 200 sieve

Flyash Grout: (1827 Flyash, 1220 Cement, 75 Gals Water)

NA

Air Entraining: 4-6%

-

Calcium Chloride: 1%

\$ 3

Calcium Chloride: 2%

\$ 6

Fiber mesh

\$ 6

Hot Water (140 degree min)

\$ 8

Black Pigment: Frank Davis #807 @ 6.25 lb./cy. Or equal

NA

Minimum Order Amount: 1 Yard (i.e. .5 yards. etc)

If there is a price break for quantity please list:

COMPANY: Bartlesville Redi-mix

ADDRESS: 1500 Tuxedo Blvd.

Company Name Bartlesville Redi-mix



**CITY OF BARTLESVILLE, OKLAHOMA  
BIDS FOR -  
PLANT MIX BITUMINOUS BASES AND SURFACES  
ASPHALTIC CONCRETE & AGGREGATE BASE  
BID # 2020-2021-009**

**ASPHALTIC CONCRETE  
PART I**

<u>DESCRIPTION</u>	<u>UNIT/TON</u>
1. Type A (S-3)	\$ <u>43.00</u>
2. Type B (S-4)	\$ <u>45.00</u>
3. Type C (S-5)	\$ <u>47.00</u>

Highway miles from your plant to the City of Bartlesville, OK 2

COMPANY NAME Bison Asphalt LLC

ADDRESS 3590 E Durham Rd

CITY, STATE, ZIP Bartlesville OK 74006

CONTACT Aemi Collier PHONE 918 534 9982

FAX 918 534-9952 E-MAIL Aemi@Bisonmaterials.com

MAIL THE BID FORM(S) ALONG WITH THE NON-COLLUSION AFFIDAVIT TO:

CITY OF BARTLESVILLE  
CITY CLERKS OFFICE  
401 S. JOHNSTONE AVE  
BARTLESVILLE, OK 74003

**BIDS MUST BE RECEIVED BY 2:00 PM ON TUESDAY SEPTEMBER 8, 2020.**

PLEASE INDICATE BID NUMBER ON THE OUTSIDE OF THE MAILING ENVELOPE.  
IF BID NUMBER IS NOT ON THE ENVELOPE, YOUR BID WILL BE DISQUALIFIED.

If you wish to obtain a copy of the bid results, please include with your bid a letter requesting a copy of the bid results that contains an email address where we may forward an electronic copy of the results.

**THE CITY OF BARTLESVILLE RESERVES THE RIGHT TO ACCEPT OR REJECT  
ANY OR ALL BIDS OR PORTIONS THEREOF.**

Company Name Bison Asphalt LLC

**CITY OF BARTLESVILLE, OKLAHOMA  
BIDS FOR -  
PLANT MIX BITUMINOUS BASES AND SURFACES  
ASPHALTIC CONCRETE & AGGREGATE BASE  
BID # 2020-2021-009**

**AGGREGATE BASE  
PART II**

ITEM	COST PER TON @ PLANT	TRAILER DELIVERY	BOBTAIL DELIVERY
1 1/2" CLASS A	9.25		
2" CLASS A	—		
3" CLASS A	9.25		
CRUSHER RUN (ALL SIZES)	7.00		
1/2" CHIPS	11.50		
3/8" CHIPS	11.50		
5/8" CHIPS	—		
3/4" CHIPS	—		
3" BEDDING	10.50		
SHOT ROCK	10.75		
RIP RAP	15.00		
NEW SCREENINGS	5.50		
ASPAHLT SCREENINGS	5.50		
TYPE A	—		
TYPE B	—		
PUGGED BASE TYPE A & TYPE B	8.25		
MANUFACTURED SAND	10.50		

Company Name Bison Materials LLC - Dewey

**CITY OF BARTLESVILLE, OKLAHOMA  
BIDS FOR -  
PLANT MIX BITUMINOUS BASES AND SURFACES  
ASPHALTIC CONCRETE & AGGREGATE BASE  
BID # 2020-2021-009**

**AGGREGATE BASE  
PART II**

ITEM	COST PER TON @ PLANT	TRAILER DELIVERY	BOBTAIL DELIVERY
1 1/2" CLASS A	—		
2" CLASS A	—		
3" CLASS A	9.50		
CRUSHER RUN (ALL SIZES)	5.00		
1/2" CHIPS	—		
3/8" CHIPS	—		
5/8" CHIPS	—		
3/4" CHIPS	—		
3" BEDDING	—		
SHOT ROCK	7.00		
RIP RAP	15.00		
NEW SCREENINGS	—		
ASPAHLT SCREENINGS	—		
TYPE A	—		
TYPE B	—		
PUGGED BASE TYPE A & TYPE B	8.25		
MANUFACTURED SAND	—		

Company Name Bison Materials LLC - Hogshooter