



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

**MINUTES OF THE  
REGULAR MEETING OF THE  
BARTLESVILLE CITY COUNCIL**

**Monday, April 5, 2021  
7 p.m.**

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

**MINUTES**

(The Notice of Meeting was posted December 15, 2020  
and the Agenda was posted March 31, 2021 at 5:00 p.m.)

City Council present were Mayor Dale Copeland, Vice Mayor 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; Lisa Beeman, Director of Community Development; Terry Lauritsen, Director of Water Utilities; Fire Chief John Banks; Micah Siemers, Director of Engineering; Kelli Williams, Chief Communications Officer; Laura Sanders, Director of Human Resources; Greg Colling, Assistant Director of Community Development; Police Chief Tracy Roles, Security; and Elaine Banes, Executive Assistant.

- 1. Mayor Copeland call the business meeting of the Bartlesville City Council to order at 7:00 p.m.**
- 2. Roll call was conducted a quorum established.**
- 3. The Invocation was provided by Pastor Greg Tener, Bartlesville First Church.**
- 4. Citizens to be heard.**
- 5. City Council Announcements and Proclamations.**
  - Presentation of gift to former Vice Mayor Gentges in appreciation for his service on the City Council. The Mayor and Vice Mayor expressed their appreciation of Mr. Gentges for his work on the City Council. Both agreed that he is a great asset to Bartlesville.
  - Councilman Dorsey read the Fair Housing Month April 2021 Proclamation.
  - Mayor Copeland read the World Autism Month April 2021 and World Autism Day April 2, 2021 Proclamation.
  - Councilman Dorsey presented the Child Abuse Prevention Month April 2021 Proclamation.
  - Vice Mayor Curd read the Public Safety Telecommunications E911 Professionals Week April 11-17, 2021 Proclamation.
  - Vice Mayor Curd read the Civitan Awareness Month April 2021 Proclamation.
  - Councilman Stuart read the Donate Life Month April 2021 Proclamation.
- 6. Authorities, Boards, Commissions and Committee Openings**
  - Two openings on the Ambulance Commission
  - One opening on the City Planning Commission
  - One opening on the Construction and Fire Codes Appeals Board
  - Three openings on the White Rose Cemetery 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 March 1, 2021

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

- i. Reappointment of Ms. Rhonda Hudson, Eric Gray and Dylan Smith to two-year terms on the Bartlesville Library Board at the recommendation of Mayor Copeland.
- ii. Appointment of Ms. Sonya Reed to fill an unexpired term on the Bartlesville Library Trust Authority at the recommendation of Councilman Stuart.
- iii. Appointment of Kim Miller and Shala LaTorraca for two-year terms on the Bartlesville Library Board at the recommendation of Mayor Copeland.
- iv. Appointment of Municipal Judge Alan Gentges to the Community Center Trust Authority's Tower Center at Unity Square Management Committee at the recommendation of Councilman Curd.

### **c. Approval of Resolution**

- i. Amending the budget of the City of Bartlesville, Oklahoma for Fiscal Year 2020-2021, appropriating unbudgeted grant revenue from the Recreational Trails Program.

### **d. Approval of Agreements, Change Orders, Contracts, Lease Agreements, and Memorandums of Understanding.**

- i. Employment Agreement with Alan W. Gentges to serve as Bartlesville Municipal Judge.
- ii. Contract between Keleher Outdoor Advertising and the Bartlesville Public Library/City of Bartlesville for billboards for the 2021 Summer Reading Program.
- iii. Contract between the Oklahoma Department of Libraries and the Bartlesville Public Library/City of Bartlesville to use grant money to purchase web cameras and headphones with microphones for library staff and public computers.
- iv. Amendment No. 5 to the Professional Services Agreement with CEC for Airport Consulting Services.
- v. Amendment No. 1 to the Sooner Pool Recreational Expansion Design Contract with Kimley-Horn.
- vi. Professional Service Agreement with Kleinfelder, Inc. for geotechnical services for the Wastewater Treatment Plant Expansion.
- vii. Application and Agreement between the City of Bartlesville and Nehemiah Community Development Corporation to forgive and release a lien and notices of dilapidation and lien in the amount of \$5,100 on property located at 519 SW Santa Fe Avenue.
- viii. 2021 Addendum to the Administrative Services Agreement between the City of Bartlesville and RxBenefits.

**e. Approval of Deed Easements**

- i. Request from Public Service Company of Oklahoma (PSO) to deed easements on two (2) City-owned properties for Transmission Line Rebuild.

**f. Approval of Code Enforcement Case Closure**

- i. Staff recommends closure of Code Enforcement Case Numbers JV-20-102 and WT-20-471 based on property owner, Mr. Tony Watson's successful completion of abatement of property, including abatement of inoperable vehicles and accumulation of debris, trash and waste at 1313 SE Grandview Road, Bartlesville, Oklahoma.

**g. Receipt of Donation and Capsule**

- i. Acceptance of the Project 20/70 Time Capsule and the one-time donation of \$5,000 for upkeep on the capsule.

**h. Receipt of Financials**

- i. Interim Financials for the Eight Months Ending February 28, 2021.

**i. Receipt of Bids**

- i. Bid No. 2020-2021-017 for Huntington, Kristin, and Guinn Asphalt Rehabilitation.

Mayor Copeland read the consent docket in its entirety.

Mr. Stuart moved to approve the consent docket as presented, seconded by Vice Mayor Curd.

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

**8. Discuss and take possible action to award Bid No. 2020-2021-017 for Huntington, Kristin, and Guinn Asphalt Rehabilitation. Presented by Councilman Stuart.**

Mr. Stuart moved to award Bid No. 2020-2021-017 to KSL Dirtworks in the amount of \$278,359.00, seconded by Mr. Dorsey.

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

**9. Discuss and take possible action to approve a Resolution fixing the amount of Combined Purpose General Obligation Bonds, Series 2021A to mature each year; fixing the time and place the Bonds are to be sold; designating a paying agent/registrar and disclosure counsel; 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 Nathan D. Ellis, The Public Finance Law Group, PLLC.**

Mr. Ellis reported that this is the final sale of the GO bond authorization from the election in 2018, the last tranche of \$1,150,000. The resolution authorizes the City Clerk to give notice of the sale, and other details of the issue.

A brief discussion covered the low rates being offered at this time.

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

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

**10. Discuss and take possible action on a recommendation by the Bartlesville Development Authority to grant Developer's request to modify (pro-rate) \$151,470 incentive for Jimmy's Egg and Bricktown Brewery combination, allowing for proportional payment upon Certificate of Occupancy for Bricktown Brewery at 73% (\$110,573) and Jimmy's Egg at 27% (\$40,897). Presented by David Wood, President Bartlesville Development Authority.**

Mr. Wood reported that in January 2020, an incentive was approved for Bricktown Brewery and Jimmy's Egg, two separate businesses sharing a building. Bricktown Brewery is now ready to move ahead to build as planned even though not knowing if Jimmy's Egg will happen or not. The BDA is requesting to modify the incentive to approve Bricktown Brewery at 73%, even if Jimmy's Egg does not move forward, since the full building site will be completed. Should another business share a site with Bricktown Brewery, the 27% incentive would not be provided to a business other than Jimmy's Egg.

Vice Mayor Curd moved to approve the recommendation by the Bartlesville Development Authority as presented, seconded by Mr. Stuart.

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

**11. Discuss and take possible action on Change Order No. 1 from Brent Bell Construction for the Hillcrest Drive Reconstruction Project. Presented by Micah Siemers, Director of Engineering.**

Mr. Siemers provided the history of the project and how the roadway will be constructed. The contract for the project was awarded to Brent Bell Construction at the March 1<sup>st</sup> City Council meeting. The low bid by Brent Bell Construction was \$255,218.25 over the allocated budget of \$2,200,000.00. The contract was awarded with the understanding that staff would work with the contractor to find ways to bring the project closer to the budget amount and come back to council with a change order on the front end of the project. Staff has worked with Brent Bell to make some modifications that will reduce the contract by \$232,581.20. Mr. Siemers detailed the modifications as follows: reducing the Engineer's Allowance by \$35,000, which will leave \$65,000 remaining to be used for unforeseen items that may arise during construction; reducing the quantity of Portable Longitudinal Barriers from 3,770 LF to 825 LF which will reduce the contract by \$144,187.20; eliminating the "Surveillance Traffic Control" bid item which reduces the contract by \$68,724; and adding a pay item for Portable Traffic Signal System at a unit price of \$365 per sign day and estimate of 42 sign days totaling \$15,330.00. In conclusion, Mr. Siemers is recommending approval of Change Order 1 for an overall decrease in the contract amount of \$232,581.20.

Discussion covered concerns about project cutbacks and how it will affect safety. Mr. Siemers confirmed that all safety measures will be in place for the public and construction employees. A brief discussion then ensued on traffic control signals and their location, and that staff continues to work with Public Service of Oklahoma about the installation of street lights.

Vice Mayor Curd moved to approve Change Order 1 in the amount of \$232,581.20 to Brent Bell Construction as presented, seconded by Mr. Stuart.

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

**12. Presentation and receipt of the Bartlesville Fire Department 2020 Year End Report. Presented by Fire Chief John Banks.**

Chief Banks reported that the 2020 Year-End Report shows the emergency activity for the Bartlesville Fire Department from January 1, 2020 through December 31, 2020. It contains information on emergency calls pertaining to fire loss and save, response times, and types of calls, number of calls and average number of responding personnel per incident along with much other information. At a quick glance the numbers are \$2,194.775 in fire loss; \$10,727.225 in total property value; 3,288 number of calls; and average fire response time in City limits is 4:00 minutes.

A brief discussion followed on malicious/false calls.

Mr. Dorsey moved to approve receive the Bartlesville Fire Department 2020 Year End Report as presented, seconded by Mr. Stuart.

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

**13. Discuss and take possible action to approve a budget resolution appropriating excess revenues and fund balance for a City Employee Vaccine Incentive. Presented by Mike Bailey, City Manager.**

Mr. Bailey reported that now that the State of Oklahoma has moved into Phase 4 of their vaccine distribution plan, all City employees are eligible to receive a vaccine. Through education and flexible scheduling, the City has encouraged employees to get vaccinated as soon as possible, however there are still some unfounded concerns about the safety and efficacy of the available vaccines. It is felt to be in the best interests of the City and the public served to encourage employees to receive the vaccine immediately. The proposed incentive program would be paid to all employees upon the completion of their full manufacturer required vaccine course. It would be enacted for a 2-month period with the option to extend on Mr. Bailey's authority. Part-time employees would receive payment based on their percentage of full-time status. The proposed incentive is \$250 per employee, and while an 80% participation is desired, it is reasonable to target a 70% success rate with the incentive. MOU's will be negotiated with both the Fire and Police unions, but it will go into immediate effect for all other employees. The maximum cost of the program would be about \$89,000, with approximately \$20,000 of the cost born by the Enterprise funds, and the remainder funded by the General Fund. He concluded that these programs are not uncommon, but they do have an

uncertain legal standing. However, the concerns raised by attorneys familiar with the applicable laws are largely “one-off” situations that can be handles as they arise.

Discussion covered part-time employees receiving the full amount, not a pro-rated amount, and that there is no penalty to employees if they choose not to get vaccinated.

Mr. Dorsey moved to approve the resolution with part-time employees receiving the full amount as presented, seconded by Mr. Stuart.

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

### **Addendum to the Agenda**

**1. Discuss and take possible action to accept the FY 2021 Community Development Block Grant – Coronavirus Relief (CDBG-CV) Grant and direct the City Manager to sign the required contract. Presented by Nancy Warring, Assistant City Planner.**

Ms. Warring reported that on January 19, 2021, at the City Council’s direction, staff submitted an application for grant funding to the State of Oklahoma Department of Commerce for the 2020 CDBG Coronavirus Response Program, now known as the 2021 Community Development Block Grant – Coronavirus Relief (CDBG-CB) Program. The Program provides grant funding for activities that address the health and economic challenges brought on by the COVID-19 pandemic. The funds are intended to pay costs not covered by other forms of assistance and that specifically benefit persons of low and moderate income. Staff will be working with CONCERN regarding disbursement of the funds once received. The City was notified that the its application was approved, and the City Will be awarded \$936,18933 for Rental Assistance, Utility Assistance, and Mental Health Assistance.

Vice Mayor Curd moved to approve accept the Grant and direct the City Manager to sign the required contract as presented, seconded by Mr. Dorsey.

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

Mayor Copeland commended Ms. Warring on her work on the grant and the successful grant results. He added that the City does not have the funds in hand and that there will be training session (via Zoom) conducted on how to disburse the financial assistance.

**14. Discuss and review Resolution 3619 affirming CDC recommendations; requiring masks for visitors and employees inside of City owned facilities; and authorizing the City Manager to take certain actions related to City operations to protect the employees and customers of the City. Presented by Mike Bailey, City Manager.**

Mr. Bailey provided a COVID update covering the rolling seven day average of new cases in Washington County; how the CDC recommendations have not changed at this time other than regarding people who have been vaccinated; average daily cases by month in Washington County; and that in Washington County, the news is better although caution is advised. Mike Moore has reported there are no COVID hospitalizations at this time.

Discussion covered retrieving daily data from the State sight; the broad spectrum of reductions of cases across the State; a brief review of Resolution 3619; how Resolution 3619 will expire May 3 at 11:59 p.m. if Council does not extend it further; what is needed to allow it to expire such as flat and consistent reduction in the number of cases; that City Hall is now open from 12 p.m. to 1 p.m. again to better serve citizens; how the community is starting to inch back into normalcy; that masks are still required in City-owned spaces; how COVID related time off for employees will be rolled back to more align with Federal rules; how getting back into the yellow area would be a step in the right direction; and the availability and number of vaccinations are a good indication that cases will be reduced. No action was taken to amend at this time.

Mayor clarified that masks are only required inside City owned facilities. They are not required in parks, on the Pathfinder, and if businesses wish to require masks, they can do so. Mr. Bailey reported that there was a medical exception at the Library that was successfully worked through, otherwise there have been few issues with the mask requirement in City owned facilities.

## **15. New Business**

There was no new business to report.

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

Mr. Bailey reported:

The recycling center is closed for an indefinite amount of time due to the recycling processing facility in Tulsa, utilized by the City, is closed due to a fire. He warned citizens that illegal dumping outside of the recycling center is punishable by law. Also, the dumped items will be taken to the landfill which negates the purpose of recycling.

The renewal of the Quarter Cent Economic Development Sales Tax Election is tomorrow for those who live within the City limits. The Washington County Election Board is now renting office space on the 4<sup>th</sup> floor of City Hall, and for the first time, early voting was conducted at City Hall in Council Chambers.

Free yard debris pick up will be conducted the week of May 3<sup>rd</sup>. Bagged yard debris can be placed on the curb and will be picked up by a separate truck on the same day of each neighborhood's normal trash route day. Limbs can be placed by the curb as well, as long as they are bundled in four foot lengths and weigh less than 50 lbs.

The deadline for the Ward 4 City Council position was March 26. Seven applications were received and interviews will be conducted in the near future.

Airport information continues to be gathered in order to take over operation of the Bartlesville Municipal Airport from ConocoPhillips by August of this year. He added that there is much information to gather, meetings to be held, and decisions to be made.

The FY 2021-22 Budget preparation has now begun, and a workshop will be scheduled mid-May to review with the City Council. Final approval of the budget will be presented at the June 7 City Council meeting. The airport budget will be added this year and a pro-forma is being prepared for this.

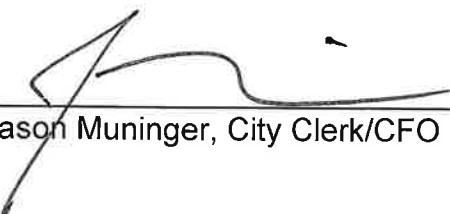
**17. City Council Comments and Inquiries.**

Mr. Stuart offered that perhaps a mid-April meeting should be scheduled to hold an executive session regarding the Ward 4 position, then proceed with appointment at that time. Mayor Copeland commented that following the initial interviews, time should be allowed to absorb the interviews, and perhaps a special meeting could be called. He did add that should the Council wait until the May 7 Regular Meeting, the appointee could take the oath and seat on the Council that evening. Mr. Curd felt that he would like to leave this open at this time in the event additional interviews are needed as the field may narrow following the first interviews.

Mayor Copeland encourage everyone to vote as it is a privilege and responsibility. The voting precincts will be open from 7 a.m. to 7 p.m. tomorrow, April 6.

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

  
Dale W. Copeland, Mayor

  
Jason Muninger, City Clerk/CFO

