



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

**MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Monday, June 7, 2021
Immediately following the
Bartlesville Education Authority and
Bartlesville Municipal Authority
Special Meetings that begin at 7 p.m.**

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

MINUTES

(The Notice of Meeting was posted December 15, 2020
and the Agenda was posted June 3, 2021 at 5:00 p.m.)

City Council present were Mayor Dale Copeland, Vice Mayor Jim Curd, Jr., Trevor Dorsey, Paul Stuart and Billie Roane.

City staff present were Mike Bailey, City Manager; Jess Kane, City Attorney; Jason Muninger, CFO/City Clerk; Lisa Beeman, Director of Community Development; Terry Lauritsen, Director of Water Utilities; Micah Siemers, Director of Engineering; Kelli Williams, Chief Communications Officer; captain Kevin Ickleberry; Captain Kelly Thomas; Lt. Troy Newell; Police Chief Tracy Roles; and Elaine Banes, Executive Assistant.

1. **Mayor Copeland called the business meeting of the Bartlesville City Council to order at 7:15 p.m.**
2. **Roll call was conducted and a quorum established.**
3. **Citizens to be heard.**

Pamela Zora, 1608 Johnstone Ave., expressed her appreciation of city management for the good job of maintaining a well-run city.

4. **City Council Announcements and Proclamations.**
 - A Certificate of Commendation was presented to Miss Reverie Pester by Councilmember Roane for earning money to donate to the Lighthouse Outreach Center.
 - Police Chief Roles presented Life-Saving Awards to Corporal Brad Dunkle and Officer Luke Reeves for saving a man's life.
 - Mr. Dorsey read the Flood Insurance Month Proclamation – June 2021.
5. **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 or at City Hall in the City Manager's Office.

6. Consent Docket

a. Approval of Minutes

- i. The Special Meeting Minutes of May 17, 2021.

b. Approval of Appointment to Authorities, Boards, Commissions, and Committees.

- i. Appointment of Mr. Scott Hopson for a three-year term on the Bartlesville Library Trust Authority at the recommendation of Councilmember Stuart.

c. Approval of Resolutions

- i. Amending the Agreement Establishing Oklahoma Municipal Assurance Group (OMAG).
- ii. Amending the budget of the City of Bartlesville for Fiscal Year 2020-2021, appropriating CDBG-COVID grant revenue.
- iii. Amending the contracts of the City Attorney, City Judge, and Golf Professional adjusting their compensation to accommodate the approved cost of living adjustments and merit increases for Fiscal Year 2021-2022.

d. Approval of Agreements, Contracts, and Engagement Letters

- i. Amendment 4 to the Professional Service Agreement with Tetra Tech, Inc. for engineering services on the Wastewater Treatment Plant Effluent Pump Station and Pipeline and Raw Water Intake Rehabilitation Project.
- ii. Professional Service Agreement with Wall engineering LLC for engineering services for relocation of water and sanitary sewer facilities required by the S.H. 123 realignment over the Caney River.
- iii. Engagement Letter for Audit Services with Arledge and Associates P.C.
- iv. Renewal of City Manager's Employment Agreement.

e. Receipt of Financials

- i. Interim Financials for the ten months ending April 30, 2021.

f. Receipt of Bids

- i. Bid No. 2020-2021-018 Caney River Raw Water Intake Improvements
- ii. Bid No. 2020-2021-019 Bartlesville Community Center Concrete Drive Repair

Mayor Copeland read the consent docket in its entirety. Mr. Curd pulled Item 6.d.iv. for further discussion.

Ms. Roane moved to approve the consent docket with the exception of Item 6.d.iv., seconded by Vice Mayor Curd.

Aye: Ms. Roane, Mr. Stuart, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland

Nay: None

Motion: Passed

6.d. Approval of Agreements, Contracts, and Engagement Letters

- iv. Renewal of City Manager's Employment Agreement.

Vice Mayor Curd stated that since the City Manager has the highest paid salary of the City, he felt it should be approved separately. He added that in addition to renewing Mr. Bailey's Agreement, he will also receive the same 2% COLA and 2.5% merit increase as other City employees. Vice Mayor Curd commended Mr. Bailey on his good work as City Manager.

Vice Mayor Curd moved to approve Item 6.d.iv. as presented, seconded by Mr. Stuart.

Aye: Ms. Roane, Mr. Stuart, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland

Nay: None

Motion: Passed

7. Discuss and take possible action to award Bid No. 2020-2021-018 for Caney River Raw Water Intake Improvements. Presented by Vice Mayor Curd.

Vice Mayor Curd moved to award Bid No. 2020-2021-018 to Crossland Heavy Contractors Inc. in the amount of \$1,232,010.00, seconded by Mr. Stuart.

Aye: Mr. Stuart, Mr. Dorsey, Vice Mayor Curd, Ms. Roane, Mayor Copeland

Nay: None

Motion: Passed

8. Discuss and take possible action to award Bid No. 2020-2021-019 for Bartlesville Community Center Drive Repair. Presented by Mayor Copeland.

Mayor Copeland moved to award Bid No. 2020-2021-019 to Jeff Graham Construction in the amount of \$218,276.00, seconded by Ms. Roane.

Aye: Mr. Dorsey, Vice Mayor Curd, Ms. Roane, Mr. Stuart, Mayor Copeland

Nay: None

Motion: Passed

9. Public hearing and possible action on a Resolution adopting the City of Bartlesville Budget for Fiscal Year 2021-2022 and establishing budget amendment authority, authorizing the cancellation of encumbrances which are not due and payable as of June 30, 2021, and re-appropriating amounts of cancelled encumbrances to the same fund and department for Fiscal Years 2020-2021. Presented by Jason Muninger, CFO/City Clerk.

Mr. Muninger reported on the budget preparation schedule; provided a budget recap covering Sales Tax, Federal ARPA payments, Proposed Utility Rates effective July 1, 2021, Personnel pay adjustments and the addition of six full time employees. Discussion covered the merit increases; the total cost of COLA and merit raises annually; how CARES funds will pay a portion of personnel pay increases (\$670,000); and how competitive salaries assists with recruiting.

Mr. Muninger continued reviewing the Resolution budget, section by section. He concluded reporting that a public hearing is required for the budgets to be adopted in accordance with the "Municipal Budget Act". The BMA is formed under Title 60 as a Public Trust and does not require a public hearing. Mayor Copeland reported that the budget is available on the City of Bartlesville website www.cityofbartlesville.org for anyone who is interested in looking at it.

Mayor Copeland opened the public hearing at 8:00 p.m. James Maples, 311 S. Cheyenne, spoke about the poverty level in Bartlesville, as well as the condition of the roads in the 74003 zip code also known as Adams Blvd., Hensley Blvd. and Washington Blvd. He concluded that he is requesting someone from the City to push the Oklahoma Department of Transportation to make improvements to the damaged areas on these roads that are also State highways. Mayor Copeland responded that he has personally spoken to representatives at ODOT and State Officials about the condition of these roads. He explained how funds are budgeted in the City Budget for street improvements as well. Mr. Bailey reported that he has been told by ODOT that these roads, with the exception of Hensley Blvd., are on an ODOT eight-year rehabilitation plan.

There being no one else appear to speak, the public hearing was closed at 8:02 p.m.

Vice Mayor Curd moved to approve the Resolution to adopt the City of Bartlesville Budget for Fiscal Year 2021-2022 as presented, seconded by Mr. Dorsey.

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

10. Discuss and take possible action to adopt an Ordinance amending Chapter 20 of the Bartlesville Municipal Code pertaining to Water and Wastewater rates and fees. Presented by Jason Muninger, CFO/City Clerk.

Mr. Muninger reported that many discussions have been held with staff and individual City Council members regarding the proposed rate increase. An amended ordinance has been distributed at this meeting that changes the rate plan from a five-year plan to a one-year plan at the request of some Councilmembers to allow for further research. The five year rate plan was based on a study provided by NewGen Strategies and Solutions which would recover cost of operations and capital needs for the next five years. Discussion covered how the increases are to be used to pay for the Federally mandated requirements for wastewater management; a review of increases in each individual category; how it is the Council's decision to approve a five-year rate plan or a one-year rate plan; how Bartlesville continues to be competitive to comparable cities even with the rate increases; how the average consumer increase is approximately \$7 in the first year for wastewater and water; and how the one year rate plan is more acceptable until further avenues can be considered to minimize the impact on customers. Mr. Muninger stated his agreement that no one wants to increase rates, but that they are necessary to meet the increased cost of business and to adhere to required mandates. Mr. Stuart pointed out that the cost of chemicals, parts, etc. have increased therefore rate increases are necessary. He suggested that instead of raising rates on July 1, wait until October 1, when water usage is down to minimize the impact on customers. Mayor Copeland reported that Phases I, II and III have been funded out of cash flow, but Phase IV is approximately \$45 million, and increases are necessary to meet the Federal mandates. Standards are also increasing and cost of compliance continues to escalate.

Mr. Stuart moved to adopt an Ordinance amending Chapter 20 of the Bartlesville Municipal Code pertaining to Water and Wastewater rates and fees using the one year plan, seconded by Vice Mayor Curd.

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

11. Discuss and take possible action to adopt an Ordinance amending Chapter 8 of the Bartlesville Municipal Code pertaining to Garbage and Trash rates and fees. Presented by Jason Muninger, CFO/City Clerk.

Mr. Muninger reported this item is similar to the wastewater and water rates and has been discussed and researched thoroughly. He added that there has not been an increase in garbage and trash rates, and fees since 2012. The comprehensive study from NewGen shows that a large portion of commercial reuse collection was being subsidized by the residential side, so proposed rates are set to bring that more in line. These rate increases are needed to recover operating costs, as well as capital needs for the next five years. He explained the need for the increase covering trucks and equipment, and how expenses are going to outlive the current fund balance. As in the item before, a one-year ordinance has also been distributed for the Council's discretion. Discussion covered how the commercial side shows a gap in revenue and expenses; how the commercial rates increase substantially, up 30%, and by end of the five-year period the increase is significant; and the importance of getting the rate increase for this year with further research for years two through five to minimize the impact for customers.

Vice Mayor Curd moved to adopt an Ordinance amending Chapter 8 of the Bartlesville Municipal Code pertaining to Garbage and Trash rates and fees as presented using the one year plan, seconded by Mr. Stuart.

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

12. Discuss and take possible action to approve the Capital Improvements Program (CIP) Budget for Fiscal Year 2021-2022. Presented by Micah Siemers, P.E., Director of Engineering.

Mr. Siemers began his report with a slide showing street projects that have been completed since 1999 through 2021, totaling over \$75,000,000. He then presented new Capital Budget projects in the amount of \$2.5M that will be funded from the Wastewater Fund, 2018C GO Bond, Capital Reserve Fund and ½ Cent Sales Tax. The second part of his presentation was the implementation schedule. He provided the sales tax projects funded over five years, and the GO Bond projects funded over three years which are larger projects.

Discussion covered the Butler Creek Project; the Adams Golf Course greens improvements; and moving CIP Projects as follows: Updated Pavement Condition moved from Year Two to Year One, and moving the Security System Placement at the Community Center from Year Two to Year One, and moving \$178,000 from Year One of the Street Repair/Reconstruction/Preventative Maintenance to Year Two to offset the cost.

Mr. Stuart moved to approve the Capital Improvements Program (CIP) Budget for Fiscal Year 2021-2022 as presented, with the changes of moving the Bartlesville Community Center Security System Replacement from Year Two to Year One, moving the Updated Pavement Condition Model/Street Sign Assessment from Year Two to Year One, and moving \$178,000 from Year One of the Street Repair/Reconstruction/Preventative Maintenance to Year Two to offset the cost, seconded by Ms. Roane.

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

13. Discuss and take possible action to approve the Fiscal Year 2021-22 Business Plan and Operating Budget for the Bartlesville Development Authority. Presented by David Wood, President, Bartlesville Development Authority.

Mr. Wood reported on the Utility Assistance Program developed by the COVID-19 Economic Impact Task Force and on the local 75% loan guarantee which was supplanted by a State grant program for up to \$25,000 for businesses significantly impacted by the pandemic. He reported that the Siemens Building Purchase has attracted companies to lease the facility bringing in \$500,570 in revenue. Improvements made to the building (\$200,000 in the Tower Building Elevator Repair), and operating expenses, resulted in a net income of negative \$60,396. Mr. Wood continued that industrial opportunities are returning to Bartlesville, but the City is suffering from housing limitations. When ConocoPhillips purchased CONCHO, the BDA offered housing incentives directly to the CONCHO employees who were relocating to Bartlesville. The program has been successful so far with twelve families eligible so far, eight have purchased in the City and two are new constructions in the City. While the program did overcome some of the problem, the BDA is currently looking into other ways to incentivize development. The Siemens Facility and housing will be the BDA's primary focus into the next year. At this time, the BDA and City are looking forward to businesses who are already planning to come to Bartlesville.

Mr. Wood provided the FY 2021-2022 Budget reporting that the proposed personnel budget is up 2% with employee benefits up 8%. Therefore the Personnel budget totals \$374,789. He provided information from the proposed Administration and Support budget regarding Silver Lake Village property, conference room improvements; and the legal reserve. He added that the Bartlesville Convention and Visitors Bureau, in spite of the pandemic, had a good year mainly due to Maria Gus, BCV President, landing the movie deal that is currently being filmed locally. The proposed budget for the BCV includes salary increases for Ms. Gus and staff. In conclusion, Mr. Wood requested approval of the BDA's FY 2021-22 appropriation request of \$897,600, plus cash carryover estimated at \$246,411. Mayor Copeland and Vice Mayor Curd expressed their appreciation for what the BDA and BCV provides to the community.

Vice Mayor Curd moved to approve the FY 2021-2022 Business Plan and Operating Budget for the Bartlesville Development Authority as presented, seconded by Mr. Stuart.

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

14. Discuss and take possible action to approve the annual contract between the City of Bartlesville and the Bartlesville Development Authority for Economic Development Services for the period of July 1, 2021 through June 30, 2022. Presented by David Wood, President, Bartlesville Development Authority.

Mr. Wood reported that the annual contract is unchanged except the dates and amount requested.

Ms. Roane moved to approve the Annual Contract between the City of Bartlesville and the Bartlesville Development Authority for Economic Development Services in the amount of \$897,600 and appropriating to the BDA the unrestricted funds remaining with the BDA estimated at \$246,411 as presented, seconded by Mr. Stuart.

Vice Mayor Curd acknowledged and appreciated Maria Gus who was present, and Ms. Roane stated that the salary increases for Ms. Gus and staff were well deserved.

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

15. Presentation of Replenish, a company that builds technology to activate supply and connect it with demand in the field of recycling. Presented by Mr. Mark Armen, Founder and CEO, Replenish.

Mr. Armen reported that contrary to public belief, there are strong markets for recycled materials and the demand is insatiable. Major consumer brands, retailers, and manufacturers have made supply chain commitments to buy and incorporate recycled materials into their new products. However he reports, they cannot get their hands on enough of it. He continued that the primary system for collection and processing recycled materials needs improvement moving from a world of material diversion – essentially not landfill- to a world of material destination where recycled materials are turned into new products. According to analysis by Replenish, based on publicly available information and demographic data, Bartlesville is sitting on approximately \$771,000 of material value for just five materials: cardboard, PET containers (water bottle or soda bottle plastic), HDPE containers (natural) (milk jug plastic), HDPE containers (color) (laundry detergent plastic) and aluminum cans. Mr. Armen reported that Bartlesville would earn \$771,000 (less transportation fees) if 100% of this material was collected and marketed directly to buyers. His company, Replenish, works with major consumer brands, retailers and manufacturers to recover these materials and inject them into the supply chain, to ignite advanced manufacturing in the USA and create an economy of abundance. They also build technology to activate supply and connect it with the demand. Replenish onboards hosts and members; hosts are communities, organizations, businesses, or individuals who accept source-separated materials and monetize those materials, and members are individuals who want to give their used products and materials new life. Hosts can request a pickup or transport materials directly to buyers for additional earnings. Mr. Armen is proposing to use the City's existing recycling drop-off center as the first host in Bartlesville, and are working with City Administration providing preliminary data on material value and transportation costs.

Discussion covered Bristow and Cushing's experience with Replenish; how apps and videos provided by Replenish will be provided to hosts; sorting is conducted by hosts prior to distributing to buyers; how the City's recycling center is already set up for this type of service, although additional bins would be needed for the different types of plastic; dealing with contamination; finding feasible locations to transport materials to in order to minimize transportation costs. Replenish would find the most profitable way to dispose of recycled materials for the City. Mr. Bailey reported that the City is operating recycling at a loss, so it would be beneficial to find a way to at least break even. There was a general consensus among the Council that there is interest in researching this option further. Further discussion covered a drop off event prior to opening the recycling center in order to process everything that has been collected since the recycling center was closed.

16. Discuss and take possible action to adopt an Ordinance amending Chapter 3, Article V, Sections 3-135 and 3-136 of the Bartlesville Municipal Code to authorize animal control officers to accept signed witness complaints and present reports to Municipal Court. Presented Rick Silver, Special Assistant to the Police Department.

Mr. Silver reported that the reason for this amendment is that on a day-to-day basis, Animal Control receives calls about animals who may be running loose, but when police arrive the animal is no longer loose so no complaint can be made. Amending the ordinance will allow the Animal Control officer to take action and/or have the reporting citizen fill out a citizen complaint that can be presented to municipal court for ticketing them.

Mr. Dorsey moved to adopt the Ordinance amending Chapter 3, Article V, Sections 3-135 and 3-136 as presented, seconded by Mr. Stuart.

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

17. Discuss and take possible action to adopt an Ordinance amending Chapter 11 Public Nuisances and Property Enhancement, Article I General Provisions, of the Bartlesville Municipal Code to include specific regulations for the permitting of natural landscapes. Presented by Councilmember Paul Stuart.

Mr. Stuart reported that several of his constituents had requested him to propose this amendment in order to have a natural landscape. He provided a PowerPoint presentation covering a pilot program allowing for natural landscaping, which would be permitted and regulated. Mr. Stuart covered the history of yards beginning with 16th Century England through 20th Century America; History of Native Landscapes; Principles of Planning and Design which included zoning plants, limiting turf areas, improving the soil, efficient irrigation, use of mulches, and maintenance; root systems of prairie plants; Water for 2060 Act; Mayor's Monarch Pledge, Agriculture Education; Runoff Mitigation; Myths and Facts about meadows and natural landscapes; and Additional Benefits such as reduced utility bills, reduced yard waste, reduced noise pollution, reduced air pollution, creation of distinctive local identity, more visually interesting, increased biodiversity, and more leisure time. Mr. Stuart stated that because this would be new, guidelines could be created by policy to accompany the ordinance; that the number of permits may be limited during the three-year pilot period; that permits will needed to be reapplied for when significant changes to the landscape are planned, that a sign must be posted on property to notify neighbors and to reduce calls to Neighborhood Services; that citizens must be granted a permit; that seeds could not be thrown into a turf lawn; that turf grass must be eliminated in natural landscape areas; that the natural grasses must be cut periodically; that they must be cultivated; that they must not have weeds; and the amendment would have no affect on neighborhood covenants. He concluded by showing pictures of natural landscapes in the area, and examples of what would be acceptable and what would not be acceptable landscapes.

Mr. Stuart moved to adopt the Ordinance amending Chapter 11, Article 1, as presented.

A lengthy discussion ensued covering the intentional process that would be required; how a permitted yard would have to be completely devoid of grass prior to planting the natural, approved plants and how to kill or remove the grass; how those who would do this would have a substantial investment in it; how it would need to be tended in order to comply with regulations; that the City Neighborhood Services officers would need to conduct site visits to

ensure following the allowable regulations or pictures provided to them; how deed restrictions in neighborhoods would need to be followed; how this amendment would drive up cost to the Neighborhood Services Department such as fees for the permit; challenges to the City how to regulate and permit; how the current ordinance does not require grass in yards, and yards can be gravel although weeds must be maintained; how the current ordinance has some parameters to include natural landscaping as long as it is contained in a prepared and marked bed; how the ambiguity of State law regarding what is considered a weed causes those who may be interested in this type of project to hesitate; concerns about how broad an issue this can be regarding permitting, fees and regulations; how requests for natural landscaping have been minimal; how more input may be needed to amend the Ordinance; how a demo area may be helpful; the seasonal timing of planting; and finally how a policy instead of an ordinance amendment could be developed as a guideline for those citizens who may wish to plant a natural landscape. Mr. Stuart agreed to work with Ms. Beeman drafting a policy instead of amending the existing ordinance.

The motion previously made to adopt by Mr. Stuart failed due to a lack of a second.

18. Discuss and take possible action to approve the final design concept for the Gateway and Wayfinding Signage Project. Presented by Lisa Beeman, Director of Community Development and Park Planning.

Ms. Beeman reported that in February of this year, with the recommendation of the Park Board, the City Council awarded a contract for the Gateway and Wayfinding Signage Project to ASCM, Inc. for the design, fabrication, and installation of signage for the City which includes design of a comprehensive and consistent signage and wayfinding system for the parks, the downtown district, and the north, south, and east city gateways. The Park Board and City staff has met with Glen Nockik, President of ACSM and his staff to develop a signage design concept that is creative and unique to Bartlesville. The final design concept was reviewed and unanimously recommended for Council approval by the Park Board on May 5. The proposed design as shown by Ms. Beeman via PowerPoint, once approved by the City Council, will then be used to finalize the master plan for a comprehensive and cohesive signage system for the community. This master plan will include the identification of the number, location, and type of all signs, including final cost estimates for each sign type, which are necessary to create a more navigable City whether driving, biking, or walking for both residents and visitors alike. Thereafter follows the preparation of shop drawings, plans and specifications, and the fabrication and installation of the signs which were included in the first phase of implementation. Ms. Beeman presented the design elements, color and design which ties into Frank Lloyd Wright elements, the fonts being used (approved by ODOT), and examples of the signs for each use. Discussion covered how once the master plan is approved, additional signs can be ordered as needed; a suggestion was made to perhaps incorporate red cedar that is on the west entrance sign and add to the other entrance signs that would tie them all together; and how a website queue could also be added to signs.

Vice Mayor Curd moved to approve the final design concept as presented, seconded by Ms. Roane.

Aye: Vice Mayor Curd, Ms. Roane, Mr. Stuart, Mr. Dorsey, Mayor Copeland

Nay: None

Motion: Passed

19. New Business.

There was no new business to address.

20. City Manager and Staff Reports.

Mr. Bailey reported on what an exceptional year the City and its citizens have experienced. He appreciated the hard work of the City Council and City staff preparing and approving the budget. He also expressed his appreciation of the City Council renewing his City Manager Agreement.

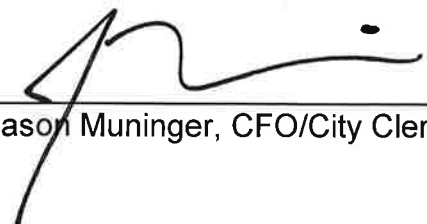
21. City Council Comments and Inquiries.

Ms. Roane expressed her love of living in Bartlesville.

Mayor Copeland remarked on the meeting being one of great accomplishment. He added his appreciation of Washington County Emergency Management and the job they perform for the community.

22. There being no further business to address, Mayor Copeland adjourned the meeting at 11:01 p.m.


Dale W. Copeland, Mayor


Jason Muninger, CFO/City Clerk

