



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

**THE MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Monday, August 2, 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 July 29, 2021 at 5:00 p.m.)

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

City staff present were Mike Bailey, City Manager; Jess Kane, City Attorney; Jason Muninger, CFO/City Clerk; Micah Siemers, Director of Engineering; Kelli Williams, Chief Communications Officer; Greg Collins, Assistant Director of Community Development; Nancy Warring, Assistant Planner; Police Chief Tracy Roles; Fire Chief David Topping; Deputy Police Chief Rocky Bevard; Captain Kelley Thomas; IAFF President, Josiah Rovenstine; Fire Training Officer Eric Monday; Captain Nathen Mellon, 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 was provided by Errol Hada, Director, The Lighthouse Outreach Center.**
- 4. Citizens to be heard.**

There were no citizens to be heard.

- 5. City Council Announcements, Commendations and Proclamations.**
 - Letter of Commendation and Life Saving Award presented to Officer Cody Loyd by Police Chief Tracy Roles.
 - Life Saving Award presented to Officers Michael Coates and Billy McCall by Police Chief Tracy Roles.
 - Meritorious Conduct Award presented to Officer Sierra Compton by Police Chief Tracy Roles.
 - Proclamation for Bartlesville Employer Support of the Guard and Reserve Week – August 15-21, 2021. Presented by Councilmember Dorsey.
 - Proclamation for Run the Streets Day – August 14, 2021. Presented by Councilmember Roane.
- 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 or at City Hall in the City Manager's Office.

7. Consent Docket

a. Approval of Minutes

- The Regular Meeting Minutes of July 6, 2021.

b. Approval of Agreements, Contracts, Leases, and Memorandums of Understanding

- LSTA Terms and Conditions Agreement for federally funded grants issued by the Oklahoma Department of Libraries.
- Contract between the City of Bartlesville/Bartlesville Public Library Literacy Services and the Oklahoma Department of Libraries that will provide the salary for the Literacy Assistant Position.
- Lease between Apple Studios and the City of Bartlesville extending the leasing of Hangar 7 beginning August 16, 2021 through approximately September 17, 2021 (subject to change due to production exigencies).
- Memorandum of Understanding between the City of Bartlesville and Churches United for Community CONCERN, Inc. setting out the roles and responsibilities for implementing the 2021 CDBG-Coronavirus Relief Program Grant.
- Lease between the City of Bartlesville and R.K. Black, Inc. for a printer/coper for the Bartlesville Municipal Airport.
- Lease amendment between the City of Bartlesville and Washington County for additional space on the 4th floor of City Hall and changing their terms to a fiscal year.
- Approval of the 309-311 South Dewey Avenue HUD Hope VI Main Street Grant Redevelopment Agreement.

c. Receipt of Financials

- Interim Financials for the twelve months ending June 30, 2021.

Mayor Copeland read the consent docket in its entirety. Vice Mayor Curd pulled Item 7.b.iv. for further discussion.

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

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

Nay: None

Motion: Passed

Consent Agenda Item 7.b.iv.

Memorandum of Understanding between the City of Bartlesville and Churches United for Community CONCERN, Inc. setting out the roles and responsibilities for implementing the 2021 CDBG-Coronavirus Relief Program Grant.

Ms. Warring came forward at Vice Mayor Curd's request and provided a review of the Memorandum of Understanding. She reported that \$936,000 was provided to the City of Bartlesville to assist with rental and utility assistance. There is specific criteria required to be

eligible, such as proof of being a Bartlesville citizen; proof of rental/utilities; bills must be dated no earlier than January 21, 2020; proof of low to moderate range income per HUD guidelines; proof that the inability to pay rent or utilizes are due to COVID-19; and that you cannot claim the same assistance from any other source.

The MOU is with CONCERN as they will be assisting with the receipt of the required documents and distribution of funds. Once an applicant is approved by CONCERN, a statement is then provided from CONCERN to the City who will provide the funds to be paid to the applicant. The statement will then be forwarded by the City to the State for reimbursement to the City.

Vice Mayor Curd stated his appreciation of Ms. Warring's work on bringing this assistance to Bartlesville, and encouraged citizens to apply. Ms. Warring asked that citizens contact CONCERN at 918-214-8945 and make an appointment.

Vice Mayor Curd moved to approve Item 7.b.iv, seconded by Mr. Dorsey.

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

- 8. A public hearing on and possible action to adopt an Ordinance annexing a 10-acre, more or less, tract of land legally described as the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 5, Township 26 North, Range 13 East of the Indian Base Line and Meridian, Washington County, Oklahoma, located in the northeast corner of the Price Fields Sports Complex. Presented by Greg Collins, Assistant Director of Community Development.**

Mr. Collins reported that the City of Bartlesville owns 10 acres located in the northeast corner of the Price Fields Sports Complex, used for four ball fields including lighting, structures, and parking. The property was conveyed to the city from Washington County in February 2010 for the purpose of continued use for baseball and softball. The property adjoins property to the east, south, and west that I already included in the Bartlesville city limits. Oklahoma State Law permits the governing body to annex by ordinance and since the City is the owner of all of the land included in the annexation, the City Council can approve the proposed annexation. He concluded that a public hearing is required.

Mayor Copeland opened the public hearing at 7:29 p.m. Appearing to speak was Steve Beavers who stated his concern about how the annexation would affect his property who lies north east of annexed property in the County. There being no one further appear to speak, Mayor Copeland closed the public hearing at 7:30 p.m.

Mr. Collins reported that there would be no adverse issues that would affect Mr. Beavers' property. A brief discussion covered how the annexation provides for emergency personnel access; that no additional annexation is expected; and how there is space within the complex to add additional fields if needed.

Ms. Roane moved to adopt the Ordinance annexing the 10-acre, more or less, tract of land legally described as the SE4 NE4 SW4 of S5 T26N R13E of the Indian Base Line and Meridian, Washington County Oklahoma as presented, seconded by Vice Mayor Curd.

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

9. Discuss and take possible action to adopt an amendment to City of Bartlesville Ordinance Chapter 19, Article XI, adding Section 423 prohibiting use of compression braking or Jake brakes within the City of Bartlesville. Presented by Deputy Police Chief Rocky Bevard.

Deputy Chief Bevard reported that the proposed added language to City Ordinance Chapter 19, Article XI would allow for enforcement action by the police department and penalties of a person unlawfully using compression or Jake brakes within the City. This action would address complaints and take enforcement action on violators who disrupt the peace and tranquility of citizens affected by the noise created by such braking systems.

A brief discussion was held on how compression brakes work; the noise Jake breaking makes; and that signs will be posted in appropriate places stating that Jake breaking is prohibited.

Mr. Dorsey moved to adopt the Ordinance adding Section 423 to Chapter 19, Article XI of the Bartlesville Municipal Code as presented, seconded by Ms. Roane.

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

10. Discuss and take possible action on Request for FAA Approval of Agreement for Transfer of Entitlements. Presented by Micah Siemers, Director of Engineering.

Mr. Siemers reported that rehabilitating and expanding a portion of the taxiway and apron immediately south of the FBO had been planned in early 2021. The project was to be funded by a FY 21 grant for FAA. With the elimination of the ConocoPhillips shuttle service, it is anticipated that ore transient aircraft will be able to park in front of the terminal building, and the FBO services (fuel sales) will take place at the terminal building instead of the existing FBO building. While a portion of the project will still be necessary, staff desires to re-evaluate the scope of the apron expansion, as the operations at the airport shift from the historical patterns, and construct the project under a FY 22 FAA grant. The City has \$117,902 of FY 2018 Non-Primary Entitlements (federal funds) available at FAA, that must be under grant in FY 2021, or they will expire. To prevent this, the FAA has suggested arranging for a funding swap with another Oklahoma airport, under which the other airport will utilize the expiring funds on their project under a FY 21 grant, and transfer an equal amount back to Bartlesville in FY 22, that will comprise part of the funding of the FY 22 FAA grant for Bartlesville. The FAA Program Manager that oversees Bartlesville Municipal Airport also oversees the Eufaula Municipal Airport and has identified them as a willing funding swap partner, as the additional funds will allow them to complete more of their FY 21 project than currently possible, due to bid prices. The City of Eufala is considering a similar agreement at their meeting on this date as well.

Mr. Siemers and Mr. Richardson, Airport Director, provided information on how the funding/shared grant works, as well as the upcoming repairs and renovations.

Vice Mayor Curd moved to approve the Request for FAA Approval of Agreement for Transfer of Entitlements as presented, seconded by Ms. Roane.

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

Nay: None

Motion: Passed

11. Discuss and take possible action to enter into a five year contract between the City of Bartlesville and Phillips 66 to continue the Phillips 66 Aviation branding for the Bartlesville Municipal Airport providing Aviation Fuels (Jet and Avgas) for resale to the public. Presented by Mike Richardson, Airport Director, Bartlesville Municipal Airport.

Mr. Bailey formally introduced Mr. Richardson who will become a City employee on August 16, when the airport is officially transferred to the City. He thanked ConocoPhillips for all they have provided at the airport over the years, and stated his appreciation that Mr. Richardson was willing to come to work for the City as the Airport Director.

Mr. Richardson reported that the City of Bartlesville is taking over operational control of the Airport on August 16, 2021 and will need a reputable marketer to supply on-spec aviation grade fuel with a robust quality assurance program at a competitive price. The proposed Agreement also includes supplying one Jet and one Avgas leased refuelers, consignment and contract fuel (Into-Plane), Co-op funds, 50MM excess liability insurance, FBO Feature advertising), AvPOS software/hardware for ticket entry, fuel quality assurance support and signage. He provided detailed information on fuel pricing and vendors, fuel transportation; fuel under contract annually, price and freight equalization, consignment fuel, contract fuel, co-op funds, \$50MM excess liability insurance provided by Phillips 66, featured FBO on the Phillips66avaition.com website, refuelers, electronic point of sale, quality control, signs, the WingPoints loyalty program, and credit card fees.

Ms. Roane and Vice Mayor Curd both expressed their appreciation to Mr. Richardson, as well as to the team who pulled off a smooth transition between ConocoPhillips and the City.

Vice Mayor Curd moved to approve a five-year contract between the City of Bartlesville and Phillips 66 to continue the Phillips 66 Aviation branding for the Bartlesville Municipal Airport providing Aviation Fuels (Jet and Avgas) for resale to the public as presented, seconded by Mr. Dorsey.

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

Nay: None

Motion: Passed

12. Presentation of a periodic report on the status of Collective Bargaining and Outstanding Grievances between the City of Bartlesville and Bartlesville Fraternal Order of Police, Lodge 117 and the City of Bartlesville and the Bartlesville Professional Firefighters, Local 200, with possible action to enter into an executive session to discuss outstanding grievances and/or ongoing collective bargaining agreement negotiations pursuant to 25 O.S., Sec. 307(B). Presented by Jess Kane, City Attorney.

Mr. Kane reported that in regard to current grievances that not much has changed from last month. There is a serious issue with one FOP grievance regarding the arbitration, but can

only be discussed in executive session should the Council desire to do so. Regarding one of the IAFF grievances, the City is awaiting an arbitrator decision at this time.

He continued that there has been very little movement in regards to the IAFF Agreement. A meeting with the IAFF has been scheduled for Thursday but the IAFF has not provided insight as to what the meeting might entail. Mr. Kane had asked them early on in negotiations that a heads up prior to meetings would be appreciated, as would an agreement with red-lined proposed additions or changes. To-date, the IAFF has not provided either. There are arbitration dates pre-set at this time in the event an agreement cannot be obtained. Those dates are September 27 and 29 or October 25 and 26.

Mayor Copeland and Vice Mayor Curd both expressed their hopes for a quick resolution.

13. New Business.

There was no new business to address.

14. City Manager and Staff Reports.

Mr. Bailey reported that Frontier Pool was closed today due to a water leak. It has been repaired and the pool will open as usual tomorrow.

Mr. Bailey congratulated Chief Roles and his department on awards they received this past week. At his request, Chief Roles reported that the Oklahoma Association of Emergency Medical Technicians presented the Bartlesville Police Department their award for Agency of the Year for 2020. In addition, the Oklahoma Career Tech and Education Association presented the Bartlesville Police Department with their Partners in Excellence Award for the collaboration with Tri County Tech for the establishment of a substation on their campus. Mr. Bailey added how much he appreciates Tri County Tech for this collaboration, as well as providing public service training for the police and fire department. Vice Mayor Curd stated his appreciation for the Town Hall Meeting that was recently held by the Bartlesville Police Department.

15. City Council Comments and Inquiries.

Vice Mayor Curd inquired about the status of the City's recycling center. Mr. Bailey reported that the Tulsa processing plant is still under repair. He added that he and Keith Henry are scheduled to meet with Replenish representatives this week to review their proposal.

Ms. Roane stated that she attended the police department sponsored Town Hall last week and wanted to compliment the citizens who attended. She thanked them for their courteous, respectful and professional questions and behavior.

Mr. Dorsey encouraged citizens to vote on August 10 in the Bartlesville School Bond Election. Mr. Bailey added that early in-person voting will be held August 5 and 6 in Council Chambers here at City Hall.

Mayor Copeland stated it is an honor to witness so many City personnel doing good things in the community. He thanked the City Council, City staff and citizens for continuing to make Bartlesville a great community.

16. There being no further business to address, Mayor Copeland adjourned the meeting at 8:31 p.m.


Dale W. Copeland, Mayor


Jason Muninger, CFO/City Clerk

Gay Elaine Barnes
Deputy City Clerk

