



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

**THE MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Tuesday, September 7, 2021
Immediately following the
Bartlesville Education Authority
beginning 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 September 2, 2021 at 5:00 p.m.)

Present were Mayor Dale Copeland, Vice Mayor Jim Curd, Jr., Councilmembers Trevor Dorsey, Paul Stuart and Billie Roane.

City staff present were Mike Bailey, City Manager; Jess Kane, City Attorney; Jason Muninger, City Clerk/CFO; Kelli Williams, Chief Communications Officer; Laura Sanders, Director of Human Resources; Nancy Warring, Planner II; Greg Collins, Assistant Director of Community Development; Mike Richardson, Airport Director; Police Captain Jay Hastings, Security; Josiah Rovenstine, Firefighter and IAFF President; Eric Monday, Training Officer for the Fire Department; and Elaine Banes, Executive Assistant.

- 1. The business meeting of the Bartlesville City Council was called to order at 7:11 p.m. by Mayor Copeland.**
- 2. Roll call was held and a quorum established.**
- 3. Citizens to be heard.**

There were no citizens to be heard.

- 4. City Council Announcements, Commendations and Proclamations.**
 - Constitution Week September 17-23, 2021 proclamation was presented by Councilmember Roane.

Ms. Roane provided information regarding a six week class entitled Constitution Live which begins September 9 at 6:30, and will be held at Crossing 2nd. Information about the class can be found at PatriotAcademy.com. She encouraged anyone who is interested to attend.

- 5. Authorities, Boards, Commissions and Committee Openings**
 - Two openings on the Ambulance Commission
 - One opening on the Construction and Fire Codes Appeals Board
 - Two opening on the Street and Traffic Committee
 - 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 Regular Meeting Minutes of August 2, 2021.

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

- i. Appointment of Mr. Adam Hibdon for a three year term on the City Planning Commission at the recommendation of Councilmember Roane.
- ii. Reappointment of Mr. Bruce Kinkade to an additional three-year term on the Board of Adjustment at the recommendation of Mayor Copeland.
- iii. Reappointment of Ms. Andy Novak, Ms. Kay Little and Ms. Pat Wright for additional three-year terms on the Community Center Trust Authority at the recommendation of Mayor Copeland.
- iv. Reappointment of Ms. Jana Tresher and Mr. Matt Roark to additional three year terms on the Street and Traffic Committee at the recommendation of Councilmember Stuart.
- v. Ratification of the reappointment of Ms. Diana Adams and Mr. Chris Batchelder to additional three year terms on the Bartlesville Development Authority at the recommendation of Mayor Copeland.
- vi. Ratification of Ms. Diana Adams as the Chair and Dr. Jamie Bennett as the Secretary/Treasurer for FY 2021/2022 to the Bartlesville Development Authority.
- vii. Ratification of the reappointment of Ms. Blair Ellis and Mr. David Nelson to additional three year terms on the Bartlesville Redevelopment Trust Authority at the recommendation of Councilman Stuart.

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

- i. Contract between the Oklahoma Department of Libraries and the Bartlesville Public Library/City of Bartlesville to receive the Health Literacy Grant, #F-22-007 that provides funds for the Health and Wellness programs at the Library.
- ii. Contract between the Oklahoma Department of Libraries and the Bartlesville Public Library Literacy Services/City of Bartlesville and to receive the Citizenship Project Grant, #F-21-263 that provides the annual salary of the Immigration & Citizenship Literacy Assistant.
- iii. Annual subscriptions with WT Cox for the Bartlesville Public Library annual magazine/newspaper subscriptions for 2021/2022.
- iv. Contract between the City of Bartlesville/Bartlesville Public Library and the Oklahoma Department of Libraries Contract #F-22-041 Federal E-rate C-2 Funding for library equipment upgrades.
- v. Ratifying the Memorandum of Understanding between the City of Bartlesville and Grand Lake Mental Health Center, Inc. signed on May 27, 2021 that sets out their roles and responsibilities in implementing the 2021 CDBG-Coronavirus Relief Program Grant.
- vi. Contract with Service & Technology Corporation (STC) for General Engineering Services for Pathfinder Improvements and Assessment.
- vii. Contract with CEC Corporation for design services on the Shawnee Sidewalk Extension Project.
- viii. Contract Assignment from CEC Corporation to Parkhill, Smith & Cooper, Inc. for remaining work on the Amendment No. 5 to the Professional Services Agreement with CEC for airport consulting services.
- ix. Contract with Gorman Construction for ADA improvements to the Bartlesville Community Center Auditorium.

- x. Renew and extend the agreement between DB Squared and the City of Bartlesville for software that contains City of Bartlesville personnel information regarding job descriptions, job rating and pay grades.
- xi. Addendum to the Video Services Agreement with DIRECTV, LLC extending services until April 15, 2026.
- xii. Agreement to switch the City of Bartlesville stop loss carrier from Tokio Marine/HCC to Symetra.
- xiii. Contract with Infrastructure Management Services to update the City of Bartlesville pavement condition model and take inventory of the City of Bartlesville's street signs.
- xiv. Leases for T-Hangar 4A to Toby Lytle and T-Hangar 4D to Norval Gruver for the purposes of aircraft storage and aeronautical activity at the Bartlesville Municipal Airport.

d. Approval of Resolutions

- i. A resolution setting the Operating Budget Municipal Airport Operating Fund for FY 2021-22.
- ii. A resolution amending the Budget for the Golf Course Memorial Fund for FY 2021-22.

e. Receipt of Financials

- i. Interim Financials for the one month ending July 31, 2021.

f. Receipt of Bids

- i. Bid No. 2021-2022-004 for Concrete
- ii. Bid No. 2021-2022-005 for Asphaltic Concrete & Aggregate Base

Mayor Copeland read the consent docket in its entirety. Mr. Stuart pulled 6.c.vii., 6.c.ix., 6.c.xiii. and Vice Mayor Curd pulled 6.c.viii. 6.d.i. and 6.e.i for further discussion.

Ms. Roane moved to approve the consent docket with the exception of the items set out above, seconded by Mr. Dorsey.

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

Nay: None

Motion: Passed

Agenda Item 6.c.vii. Approval of Contract with CEC Corporation for design services on the Shawnee Sidewalk Extension Project.

Mr. Stuart inquired as to the mid-block crossing and how it crosses back over the same street - why a mid-block crossing. Ms. Beeman provided the answer stating that the plan was aligned based on the location right of ways.

Agenda Item 6.c.ix. Contract with Gorman Construction for ADA improvements to the Bartlesville Community Center Auditorium.

Mr. Stuart inquired if this is just adding seating or will it also add any other assistance such as for the hearing impaired. Mr. Bailey stated that this improvement is strictly to allow for wheelchairs to have seating next to them so those in wheelchairs can have family or friends sitting with them. Mayor Copeland stated that this particular improvement will allow at least

one person to sit with them. He added that additional improvements for the hearing impaired can be accomplished through personal technology.

Agenda Item 6.c.xiii. Contract with Infrastructure Management Services to update the City of Bartlesville pavement condition model and take inventory of the City of Bartlesville's street signs.

Mr. Stuart asked that if the results of this model will be placed on the City GIS system. Mr. Bailey stated that this could possibly be placed on the City's GIS system, but if not, the updated model will definitely be placed on the website.

Vice Mayor Curd stated that this item is noteworthy because Councilmembers, City staff and citizens often deal with street conditions. He read a portion of the staff comments and analysis submitted by Mr. Siemers in his staff report:

"One of the projects approved as part of the FY 21-22 capital budget is to contract with a consultant to update the pavement condition model the Engineering Department uses to evaluate potential street projects for capital funding consideration. The City originally contracted with Infrastructure Management Services (IMS) in 2006 to survey the condition of the streets and provided access to a software program that would allow the Engineering Department to run models each year that applied deterioration calculations to the pavement for each street based upon the type of pavement, age of pavement, starting condition, etc. This would provide an idea of the pavement condition of each street every year for use in selecting rehabilitation projects. IMS was hired to update the survey and model in 2011. Generally it is recommended to update the model with actual on the ground data every 5 years if possible since the deterioration rates are approximate and not exact."

He added that it's important to note that the City is continuing to improve the system that tells them which streets are in need of repair. Some streets get missed occasionally, but the City strives to keep current on what is needed and where. Mr. Bailey agreed that this allows for a scientific method in the selection of which street needs to be improved.

Agenda Item 6.c.viii. Contract Assignment from CEC Corporation to Parkhill, Smith & Cooper, Inc. for remaining work on the Amendment No. 5 to the Professional Services Agreement with CEC for airport consulting services.

Although this item was pulled for discussion, no discussion was held. The Mayor announced it, but Vice Mayor Curd spoke on the previous item instead, then moved on to Item 6.d.i.

Agenda Item 6.d.i. A resolution setting the Operating Budget Municipal Airport Operating Fund for FY 2021-22.

Mr. Curd stated that he felt it noteworthy to point out the Airport Budget. He added that the team that has met about this over the past several months have done a great job. Mr. Bailey stated that when the City's budget was approved in June, the budget included the \$250,000 deficit for the Airport. Over the course of the next year, staff will have a better idea of what is expected for airport expenses and revenue. Additional discussion covered the approximate \$500,000 to run the airport, and how Mr. Richardson will be focusing on revenue as well as operations. Vice Mayor Curd and Mr. Stuart both stated how beneficial the airport is to Bartlesville. Mr. Bailey stated that the airport provides great opportunity for the community.

Agenda Item 6.e.i. Interim Financials for the one month ending July 31, 2021.

Vice Mayor Curd pointed out how the General Fund's first month was pretty impressive. Mr. Muninger agreed saying that the first two months of the General Fund is reporting well. A brief discussion covered the new restaurants and businesses that are opening.

Vice Mayor Curd moved to approve Items 6.c.vii., 6.c.viii, 6.c.ix., 6.c.xiii., 6.d.i, and 6.e.i., seconded by Mr. Dorsey.

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

Nay: None

Motion: Passed

- 7. Consideration and possible action on a Resolution of the City Council of the City of Bartlesville, Oklahoma (the "City") approving the incurrence of indebtedness by the Bartlesville Education Authority (the "Authority") issuing its Lease Revenue Note, Series 2021A (Bartlesville Public Schools) (the "Note"); providing that the organizational document creating the Authority is subject to the provisions of the Note Indenture authorizing the issuance of said Note; waiving competitive bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; and containing other provisions relating thereto. Presented by Jon Wolff, Municipal Finance Services, Inc.**

Mr. Wolff reported that this is the companion item to the BEA item approved in the previous meeting. It is a requirement of State Law that before debt can be incurred by a Trust, it has to be approved by the beneficiary of the Trust which in this case is the City of Bartlesville.

Mr. Dorsey moved to approve the Resolution as presented, seconded by Ms. Roane.

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

Nay: None

Motion: Passed

- 8. Discuss and take possible action on a Bartlesville Development Authority proposal to provide up to 50 inbound HeraSoft employees with relocation incentives. Presented by David Wood, President, Bartlesville Development Authority.**

Mr. Wood reported that HeraSoft provides ransomware-proof, distributed software to solve the world's toughest cybersecurity, finance, gaming and logistics challenges. In March 2021, HeraSoft announced receipt of \$5 million in Series A financing led by United Capital Management of Kansas. The company is using the funding to scale the company, add to its sales and marketing, and for continued software development. Their diverse client base includes Holland-based Gold-florin, the Tourism Board of Qatar, as well as a partnership with Caper labs. This is being built as the first block chain for enterprise adoption. They are actively building relationships with government and private sector clients worldwide. The principals, Anthem and Cynthia Blanchard have purchased a home here and have recently acquired the historic Washington County Courthouse to serve as their corporate headquarters. Currently, ten employees have quietly relocated to Bartlesville, with expectations for an additional 10-50 Bartlesville based employees within the next two years. Mrs. Blanchard has ties to the community graduating from Dewey High School and her father and grandfather had lifelong careers with Phillips Petroleum Company.

From the BDA standpoint, HeraSoft brings a dream opportunity for Bartlesville providing a growing market for cyber security, inbound bright, young talent, their substantial investment purchasing the courthouse for their headquarters, and the principals have Bartlesville "roots". They would be a strong candidate for this incentive, such as Concho was. Should anyone from their widespread, diverse employee base want to move here, the incentive is a successful way to encourage them. With Concho, the incentive was successful as 100% of their employees are now Bartlesville residents. The proposed relocation incentive offered is \$10,000 cash assistance for the purchase of a primary residence within the City of Bartlesville; \$20,000 cash assistance for new construction of a primary residence within the City of Bartlesville; and \$10,000 cash assistance for new construction of a primary residence outside the city limits but within the Bartlesville School District. The program will remain active for 36 months for up to 50 inbound employees currently residing outside of the Bartlesville market.

A brief discussion covered Concho and how 13 employees qualified, 2 are in process, with 2-3 outstanding; how new housing will contribute to Bartlesville's housing inventory; how this is a great approach to incentivizing people to move to Bartlesville; how this program is being discussed in other communities; good management of BDA funds in order to offer this to inbound employees; how HeraSoft has already invested in Bartlesville with their own personal funds; and the possible TIF incentives from the BRTA that may be available to the Blanchard's and their company.

Vice Mayor Curd moved to approve the relocation incentives to HeraSoft employees as presented, seconded by Mr. Dorsey.

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

Nay: None

Motion: Passed

9. Discuss and take possible action on the acceptance of a conveyance/in-kind donation from ConocoPhillips for two tracts of land and structures totaling approximately 8.099 acres including vehicles and equipment with an approximate market value of \$141,096.00 for the support of aviation operations at the Bartlesville Municipal Airport. Presented by Mike Richardson, Director, Bartlesville Municipal Airport.

Mr. Stuart recused himself from this item since ConocoPhillips is his employer.

Mr. Richardson stated that the City of Bartlesville and Airport staff are very appreciative of the equipment that is being donated by ConocoPhillips to the City of Bartlesville. The property and equipment will help make the transition more seamless and assist airport operations personnel to continue to provide a high level of service. The donation has essentially provided a turn-key operation to serve the approximately 25,000 visitors a year. He provided an overview of items donated. He then invited the Council to come to the airport and take a tour of the facility. He stated his appreciation to all of the City staff for their assistance in transitioning in a variety of areas. Mr. Bailey agreed with Mr. Richardson and thanked his department heads for their assistance as well. He also stated his appreciation to ConocoPhillips for their donation. Mr. Richardson addressed the first year projected a deficit but pointed out the intangibles gained by having an airport, such as emergency services, tech services, and those visiting Bartlesville and Pawhuska which brings money into the community. He stated that he and his staff are now focusing in airport growth and development. The Mayor also expressed his appreciation to ConocoPhillips for the donation and many years of management of the airport. Vice Mayor Curd stated that the airport the

City has inherited is in great shape and thanked ConocoPhillips for their donation. Ms. Roane agreed and stated her appreciation of ConocoPhillips.

Mr. Dorsey moved to accept the conveyance/in-kind donation as presented, seconded by Ms. Roane.

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

Mr. Stuart re-entered the meeting after the vote was taken.

10. Discuss and take possible action to adopt an Ordinance granting a non-exclusive permit to Clarity Telecom, LLC for the construction and Operation of a Cable System (Franchise Agreement). Presented by Jason Muninger, CFO/City Clerk.

Mr. Muninger reported that Mr. Desi Stoops, Vast Broadband, contacted the City of Bartlesville expressing his interest in establishing competition in the cable television and internet market with the City. Staff was presented with projects currently under development and recently completed projects demonstrating their experience with cities of like size and populations. The majority of their business is in South Dakota but they are looking to spread out. They are proposing a Franchise Agreement with their affiliate company, Clarity Telecom, LLC. The language contained is standard language and is very similar to our current active cable franchise agreements. The franchise fee is set at 5% of the gross revenues that Clarity and its affiliates collect from each subscriber to clarity's cable services and 5% of the portion of gross revenues from advertising, which are defined as a permit fee.

Discussion covered how the type of internet will be fiber; how Clarity is a cable franchise but their primary market is data; how they have very high internet speeds; that construction will begin in Spring of 2022; how if approved tonight, there would be a two-year build-out; how this request was unsolicited by the City; how competition is good for the citizens using these services; how their infrastructure will be separate from those already in place; and that Mr. Stoops has offered to provide a presentation to the City Council at a later date if so desired. Mr. Stuart provided information how a faster, fiber internet provider could motivate employees who work from home to live and work in Bartlesville.

Vice Mayor Curd moved to adopt the Ordinance as presented, seconded by Mr. Stuart.

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

11. 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 the City currently has a two year contract with the FOP, but negotiations with the IAFF are still ongoing. He provided an update on an IAFF grievance received today which was favorable for the City, adding that if the Council wants details of this particular grievance, an Executive Session will need to be called. He did say that with this particular grievance, Laura Sanders, H.R. Director, and Police Chief Tracy Roles were instrumental in educating the IAFF on the effect of the new marijuana laws to the City's marijuana policy, which was mentioned twice by the arbitrator. This mention is a big deal, and he hoped the City Council knows what a good job Ms. Sanders does for the City. He said that he has come to rely on her a great deal, calling her a top hand.

Regarding the status on the IAFF negotiation- there were several in-person sessions between City staff and the IAFF in which the City made several additional concessions. The last meeting on August 24, the IAFF rejected every single proposal the City has offered this year. Offers that included \$527,000 in raises for their department, and included an 11.5% pay increase for more than 50% of that department. The IAFF did email Mr. Kane today asking for another meeting which is scheduled for the end of the month. Arbitration is set for October 25 and 26.

Mr. Stuart moved to enter into an executive session at 8:25 p.m., seconded by Ms. Roane.

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

Nay: None

Motion: Passed

Executive Session began at 8:22 p.m. in the City's First Floor Conference Room and ended at 9:00 p.m. Mayor Copeland reconvened the open meeting in Council Chambers at 9:03 p.m. Mayor Copeland stated that no action was taken in Executive Session.

12. New Business.

There was no new business to report.

13. City Manager and Staff Reports.

There were no City Manager or staff reports.

14. City Council Comments and Inquiries.

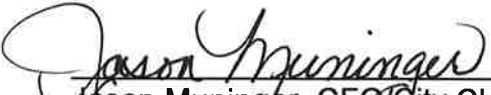
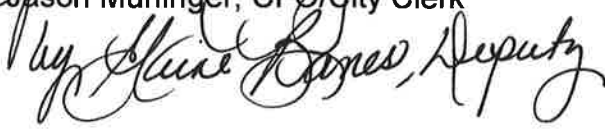
Vice Mayor Curd stated his appreciation of Grand Lake Mental Health for assisting with COVID Relief Funds, as well as for all of the services they provide.

Mayor Copeland reminded citizens that Monday trash pickup will occur tomorrow, Wednesday, Sept. 8.

He added that he was pleased that HeraSoft and the Blanchard family chose Bartlesville, and for Clarity bringing their business here.

15. There being no further business to address, Mayor Copeland adjourned the meeting at 9:03 p.m.


Dale W. Copeland, Mayor


Jason Muninger, CFO/City Clerk

Kay Anne Jones, Deputy

