



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

**MINUTES OF THE
REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL
Monday, June 6, 2022
Immediately following the
Bartlesville Municipal Authority
Special Meeting that begins at 7 p.m.**

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

MINUTES

(The Notice of Meeting was posted December 15, 2021
and the Agenda was posted June 2, 2022 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; Terry Lauritsen, Director of Water Utilities; Micah Siemers, Director of Engineering; Kelli Williams, Chief Communications Officer; Nancy Warring, Planner II; Laura Sanders, Director of Human Resources; Greg Collins, Assistant Community Development Director; Deputy Fire Chief Jerry Berry; Police Chief Tracy Roles; Officer Daniel Elkins; Alicia Shelton and Julie Brewer, Accounting; Lt. Chris Mims, Security; and Elaine Banes, Executive Assistant.

- 1. The business meeting of the Bartlesville City Council was called to order at 7:05 p.m. by Mayor Copeland.**
- 2. Roll call was held and a quorum established.**
- 3. Citizens to be heard.**

Mr. Allen Aker, 909 S. Wyandotte commented on how the utility bills are too high, and if any could be refunded due to the alleged faulty meter readers. Mr. Bailey took his contact information so staff could look into his questions.

- 4. City Council Announcements and Proclamations.**
 - Flood Insurance Month Proclamation – June 2022 presented by Vice Mayor Curd.
- 5. Authorities, Boards, Commissions and Committee Openings**
 - One opening on the City Planning Commission

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 May 2, 2022.
 - ii. The Special Meeting Minutes of May 23, 2022.

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

- i. Appointment of Ms. Kathryn Hadden to a three year term on the Bartlesville Area History Museum at the recommendation of Councilmember Roane.
- ii. Appointment of Dr. Jon Lindblom to fill an unexpired term on the Park Board at the recommendation of Vice Mayor Curd.
- iii. Ratify Diana Adams as BDA Chairman for FY 2022-2023, Dr. Jamie Bennett as Secretary/Treasurer for FY 2022-2023, and the reappointment of Mr. Drew Ihrig as a Trustee for an additional three-year term at the recommendation of Mayor Copeland.

c. Approval of Resolutions

- i. Directing filing and notification of the publication of the 2022 Printed Supplement to the Bartlesville City Code.
- ii. Amending the Budget for FY 2021-2022 appropriating ARPA Funds in the ARPA Fund.

d. Approval of Agreements, Contracts, Engagement Letters and Change Orders

- i. Interlocal Agreement between the Board of County Commissioners of Osage County, on behalf of the Osage County Sheriff and the Bartlesville Police Department, a department of the City of Bartlesville, in order to enter into Osage County boundaries to perform law enforcement actions.
- ii. Amendment to Contract #F-21-245 between the Bartlesville Public Library Literacy Services/City of Bartlesville and the Oklahoma Department of Libraries for additional funds that are still available as part of the 2022 Community Literacy Grant.
- iii. T-Hangar aircraft storage agreement between the Bartlesville Municipal Airport/City of Bartlesville and Sam Sparks to lease T-Hangar 105 for the purposes of aircraft storage and aeronautical activity.
- iv. Lease Agreement for Hangar 1 between the Bartlesville Municipal Airport/City of Bartlesville and Dream Aviation LLC for the purposes of aircraft storage and aeronautical activity.
- v. Amendment to the existing service agreement between the City of Bartlesville and Neutron Holidays, Inc. dba Lime to increase the maximum number of mobility devices to 100, including e-bicycles.
- vi. Change Order #1 from Gorman Construction Company for the Bartlesville Public Library 2nd Floor Remodel.
- vii. Change Order #1 from Paragon Contractors/KSL Dirtworks JV Company for the Effluent Reuse Pipeline and Outfall Cascade Project.
- viii. Amendment to a memorandum of Understanding between the City of Bartlesville and Churches United for Community CONCERN, Inc.
- ix. Amendment of the City's 457 Plan and resolution through Nationwide.
- x. The 2022 Addendum to the Administrative Services Agreement between the City of Bartlesville and RxBenefits.

e. Approval of Real Estate Purchase

- i. Purchase of two platted lots totaling 0.40-acres in size located adjacent to Johnstone Park from Bruce G. and Michelle M. Ganze for future park use.

f. Receipt of Financials

- i. Interim Financials for the ten months ending April 30, 2022.

g. Receipt of Bids

- i. Bid No. 2021-2022-010 for Self-Contained Breathing Apparatus (SCBA) Filling Station

Mayor Copeland read the consent docket in its entirety. Ms. Roane pulled Item 6.b.i and Vice Mayor Curd pulled Item 6.b.ii. from the consent docket for further discussion.

Vice Mayor Curd moved to approve the consent docket with the exception of Items 6.b.i. and ii., seconded by Mr. Stuart.

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

Item 6.b.i. Appointment of Kathryn Hadden to the Bartlesville Area History Museum Trust Authority.

Ms. Roane provided information about Ms. Hadden and how she will be a good asset as a Trustee on the Bartlesville Area Museum Trust Authority.

Ms. Roane moved to approve the Item 6.b.i. as presented, seconded by Mr. Stuart.

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

Item 6.b.ii. Appointment of Dr. Jon Lindblom to the Park Board.

Vice Mayor Curd provided information about Dr. Lindblom and how he will be a good asset serving on the Park Board.

Vice Mayor Curd moved to approve Item 6.b.ii. 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. 2021-2022-010 for Self-Contained Breathing Apparatus (SCBA) Filling Station. Presented by Mayor Copeland.

Mayor Copeland moved to award the bid to Northern Safety & Industrial in the amount of \$56,449.50 as presented, seconded by Mr. Stuart.

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

8. A public hearing and possible adoption of an ordinance to approve a request by Jennifer Estes-Randall and Eric Randall to close a portion of a drainage easement described in Book 687, Page 323 and lying within Lots 10 and 11, Block 2, Beall Valley Subdivision, Bartlesville, Washington County, Oklahoma, also known as 1761 Orchard Lane. Presented by Micah Siemers, Director of Engineering.

Mr. Siemers reported that the applicant is requesting the closure to provide adequate room on their property to construct a swimming pool. The City of Bartlesville made improvements to the open channel drainage system located adjacent to this property in 2004. The drainage improvements essentially rendered this portion of a larger drainage easement as unnecessary. The path of flow no longer crosses Lots 10 and 11 as it did before the work was completed. Staff has received no objections from Police, Fire, Planning, Public Works, Water Utilities or Engineering departments. This portion of the drainage easement is no longer needed due to previous improvements made to the open channel system. While private utility companies were notified of the easement closure request, this is not a utility easement and therefore none of the utility companies have facilities within the easement and there were received no objections to the request.

Mayor Copeland opened the public hearing at 7:27. There being no one appear to speak, the Mayor closed the public hearing at 7:27 p.m.

Mr. Stuart moved to adopt the ordinance closing the drainage easement located at 1761 Orchard Lane as presented, seconded by Mr. Dorsey.

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

9. Public hearing and possible action on a Resolution adopting the City of Bartlesville Budget for Fiscal Year 2022-2023 and establishing budget amendment authority, authorizing the cancellation of encumbrances which are not due and payable as of June 30, 2022, and re-appropriating amounts of cancelled encumbrances to the same fund and department for Fiscal Years 2022-2023. Presented by Jason Muninger, CFO/City Clerk.

Mr. Muninger described the process of developing the annual budget, and also provided budget recap including changes made since the City Council workshop on May 23 regarding ARPA funds. He reviewed the proposed resolution recommending the adoption of the FY 2022-23 Budget with total resources available in the amount of \$122,666,236 and total fund/departmental expenditure and reserve appropriations in the amount of \$103,731,687.

Discussion cover that the budget is available on line at the City website should anyone like to see it, and how Ms. Roane appreciated the preparations and explanations included in the budget.

Mayor Copeland opened the public hearing at 7:36 p.m. There being no one appear to speak, the Mayor closed the public hearing at 7:36 p.m.

Vice Mayor Curd moved to approve the Resolution adopting the City of Bartlesville Budget for FY 2022-2023 as presented, seconded by Mr. Stuart.

Vice Mayor Curd expressed his appreciation to all entities involved in preparing the budget including Bartlesville Public School Superintendent regarding the addition of the school resource officers. Mr. Bailey stated that the Police Chief is hoping to get officers hired and trained as soon as possible.

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

Mr. Bailey stated his appreciation and thanks to Mr. Muninger and his accounting staff who work many hours to prepare the budget. Mr. Muninger also expressed his thanks to his staff and others who worked to bring the budget together.

10. Discuss and take possible action to approve the Capital Improvements Program (CIP) Budget for Fiscal Year 2022-2023. Presented by Micah Siemers, P.E., Director of Engineering.

Mr. Siemers provided a PowerPoint with the opening slide showing G.O. Bond and Sales Tax Projects since 1999 in the total amount of \$81.04 million on Streets, Facilities/Equipment, Sanitary Sewer, Drainage, Parks and Water. The August 2020 Bond election is not shown yet so there will be an additional funds in the amount of \$9.5 million in Capital Projects that will be brought back to the Council for project approval at a later date. He also reported on new projects from the Storm Water Fund, the Capital Reserve Fund and the ½ Cent Sales Tax Fund. Storm Sewer/Water Fund will use \$51,962 to hire a consultant to assess the condition of the City's underground storm sewer system to assist with the rehabilitation program; the Capital Reserve will use \$1,755,500 for the building, IT and equipment needs of several City facilities; and \$2,667,960 will be used out of \$3,105,249 from the ½ Cent Sales Tax to purchase a variety of needs – vehicles, office equipment, mowing equipment; IT needs; air conditioner upgrades for City Hall; miscellaneous building improvements, preventative maintenance street and bridges repair; park and recreation needs, and drainage needs. The remaining unallocated fund from the ½ Cent Sales Tax fund will provide a security cushion for needs that may come up unexpectedly.

Discussion covered how funding is used for the City overall, not just in one area or another; good to see the planned paving of Douglass and Johnstone Parks; and the City has been successful in not only completing the required 70% projects, but the 30% projects as well over the years. Appreciation was given to Mr. Siemers for the good job he does keeping all of the projects funding allocated and completed. Mr. Bailey recognized Mr. Siemers for the tremendous effort he makes to manage the CIP projects.

Mr. Dorsey moved to approve the City of Bartlesville Capital Improvements Program (CIP) for FY 2022-2023 as presented, seconded by Ms. Roane.

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

11. Presentation of the Annual Financial Statements and Independent Auditor's Reports as of and for the Fiscal Year ended June 30, 2021. Presented by Kency Duarte, Senior Manager, Arledge and Associates PC.

Mr. Duarte reported that in both the audit and the single audit, no material statements and no significant weaknesses were found. He added that he is required to report on findings from previous years and if they have been corrected. In the City's case, lateness of audit, has been corrected. There were no difficulties in dealing with management and no disagreements arose regarding the audit and single audit. He also commended the tremendous work by Mr. Muninger and his team for the speed in which he completed their work that enables the audit to be completed on time this year.

Discussion covered that past findings had to do with the new Tyler software and that it is now back on track due to the City's accounting staff, as well as Arledge and Associates who

have been great to work with in order to get back on track. No action was required on this item as it was only a presentation.

12. Presentation and receipt of the City of Bartlesville's Fiscal Year 2021 Single Audit. Presented by Kency Duarte, Senior Manager, Arledge and Associates PC.

Mr. Duarte referred to his presentation in Item 11 as being the same for this item. Mr. Bailey stated that the audit was approved in May with an abbreviated presentation by Mr. Muninger, but that a vote to receive FY 2021 Single Audit is required at this meeting.

Mr. Stuart moved to receive the City of Bartlesville's FY 2021 Single Audit as presented, seconded by Ms. Roane.

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

13. Receive the year-end performance report and take possible action to approve the Fiscal Year 2022-23 Business Plan and Operating Budget for the Bartlesville Development Authority, allocating \$1,048,000 from the Economic Development Fund plus cash carryover estimate of \$307,618. Presented by David Wood, President, Bartlesville Development Authority.

Mr. Wood provided the primary industry summary covering businesses in the old Siemens facility (both buildings), airport businesses, and the success of the Industrial Park businesses. He continued that the BDA is currently receiving more prospecting activity this year than in the past 12 years. In addition, the move to offer the home building incentive to employees rather than employers has been successful. It addresses the company's need to recruit workers and also increases tax collection for Bartlesville. Projections show that there will soon be 700 new houses on the market. In the retail arena, Bartlesville continues to grow with the new Luigi's, Schlotzky's, Tropical Smoothie, Scooters, a new Wendy's and a new McAlisters. The Shops at Turkey Creek is fully leased with Bricktown Brewery nearing completion. This 100,000 square feet of retail space was empty and now completely rehabilitated, and has been the greatest return on investment that the BDA has experienced to-date. Silver Lake Village has out-performed original conservative expectations due to the TIF established for its development. The 15 year loan is expected to pay off 3-5 years early, so with the accelerated pay down, Bankfirst was comfortable releasing the sales tax sequestered as additional collateral in the amount of \$557,000 which was returned to the City. Mr. Wood stated that he would not trade Bartlesville's position with anywhere else at this time. He attributes the City's economic development success to three things: 1) the community's support of the economic development program; 2) the success of the incentive policies; and 3) a decade of cohesion between the economic development team, the City and the City Council. The successful results of Bartlesville's economic development are exceptionally rare, and 2023 is shaping up to be an exceptional year for Bartlesville.

At this time, Mr. Wood provided information regarding how the BDA budget is derived, concluding with the annual appropriation request for FY 2022-2023 for \$1,048,000 plus cash carryover estimated at \$307,618. The increase of 17% increase is due to mostly personnel costs which was determined using the CPI Inflation Calculator. He added that Visit Bartlesville is even stronger this year as well and provided their budget which is included in the BDA budget.

Discussion covered the explanation of the Silver Lake Village Conservation Fund and what it is used for; how a home buying incentive for telecommuters is not deemed productive use of the incentive at this time; and the Council's appreciation for the work that the BDA team does for the community.

Mr. Dorsey moved to approve the FY 2022-2023 Business Plan and Operating Budget for the Bartlesville Development Authority as presented, seconded by Ms. Roane.

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, 2022 through June 30, 2023. Presented by David Wood, President, Bartlesville Development Authority.

Mr. Wood reported that the Economic Development annual contract is the same as previous years except for the amount requested and the dates changed. He is requesting that the City pay to BDA the sum of \$1,050,000 which shall be paid 1/12 of said amount by no later than the 15th day of each month starting July 2022, and appropriate to BDA the unrestricted funds remaining with BDA on June 30, 2022 which is estimated to be approximately \$307,618 in order to fund the budget presented.

Mr. Stuart moved to approve the annual contract between the City of Bartlesville and the Bartlesville Development Authority for Economic Development Services as presented, seconded by Mr. Dorsey.

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

15. Discuss and take possible action to approve a recommendation from the Bartlesville Development Authority to appropriate development assistance of \$37,264 from the Economic Development Fund for construction of an HTeaO store at the NE corner of Highway 75 and Price Road, payable upon Certificate of Occupancy no later than July 2023. Presented by Chris Batchelder, Vice President Business Development, Bartlesville Development Authority.

Mr. Batchelder provided background history on the company and how Layne Jones, prospective franchisee, approached the BDA about development assistance in Bartlesville. He reported that based on Bartlesville's established incentive policy for General Merchandise and the store's projected sales, total development assistance would top-out between \$30,000-\$40,000 (subject to actual average store sales history) payable upon Certificate of Occupancy. Jones was advised that formal approvals would have to be obtained. Jones purchased the purchase and has expectations of opening in late 2022, with approval of the anticipated incentive package. Based on same size store locations, an annualized pro-forma was provided for incentive calculation as follows: average annual store sales-\$1,096,000, 80% discount for non-targeted brand-Net New sales \$219,200, annual sales tax revenue based on 3.4% tax rate-\$7,452, total 10-year tax revenue-\$74,528, and max incentive per 50% incentive cap-\$37,264.

Vice Mayor Curd moved to approve appropriation of development assistance of \$37,264 for construction of an HTeaO store on the specified tract, payable upon Certificate of Occupancy within 24 months as presented, seconded by Ms. Roane.

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

16. Discuss and take possible action to approve an agreement between the City of Bartlesville and the Bartlesville Professional Fire Fighters, Local 200, Bargaining Agent International Association of Fire Fighters for FY 2022-2023. Presented by Jess Kane, City Attorney.

Mr. Kane reported that staff reached an agreement with the IAFF which will last through June 30, 2023. Major negotiated revisions to the proposed contract are changes to the pay scale, 5% wage adjustments to the pay scale effective July 1, 2022 and 2.5% step increase given on established review dates for all contract covered firefighters. In addition, the IAFF agreed to remove Article 34, Section 11 which related to the closure of City Hall. That provision required that if City Hall was closed for any reason, that firefighters would be compensated with a day of vacation. The City requested the change, and the IAFF agreed to its removal.

Mr. Stuart moved to approve the Agreement between the City of Bartlesville and the Bartlesville Professional Fire Fighters, Local 200 as presented, seconded by Vice Mayor Curd.

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

17. New Business.

Mayor Copeland introduced a scout from Troop 5 which is sponsored by St. John's Church who was in attendance for his Citizenship and Communications Badge.

18. City Manager and Staff Reports.

Mr. Bailey provided a report on the Strategic Planning progress stating how the exercise has been a fascinating process. He feels that developing the plan will enable city leadership to be proactive instead of reactive to the needs of the City and citizens. The Strategic Planning Task Force has developed a Vision Statement, "A Leading Community by Choice"; a Mission Statement, "Through collaboration we provide exceptional public services and enhance the distinctive character of our community"; and the development of Core Values such as integrity, community, service, teamwork, communication, and innovation. Mr. Bailey provided how each subject was researched, vetted, and developed. He added that although the Task Force is well involved, they welcome input from everyone through June 15. The adoption of the completed plan will be submitted to the City Council for approval at the regular meeting on July 5. The Mayor added that the Task Force worked very hard in the meetings held with the consultant Patrick Ibarra, and he is excited about the culmination of the project and how it will enhance the City in a variety of areas.

Mr. Bailey added his appreciation to the City Council for their input and work on the budget.

19. City Council Comments and Inquiries.

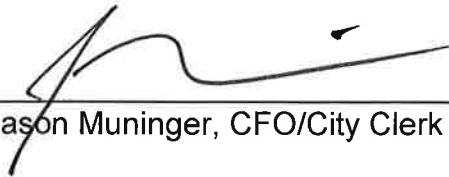
Mr. Siemers provided an update on Hillcrest Drive at Mr. Stuart's request. Barring any weather interruptions, the repair will be completed by the end of this week if not earlier.

Mr. Stuart also inquired if McAlister's would be required to install sidewalks along Highway 75 along with the new construction of the restaurant. Mr. Siemers stated they would not due to the fact the ODOT will be installing sidewalks in the Fall between Camelot north to Highway 60.

Ms. Roane provided history on the 78th anniversary of D-Day reminding everyone to be appreciative of what has been sacrificed in order for everyone to live in a wonderful community such as Bartlesville. The Mayor concurred.

20. There being no further business to discuss, Mayor Copeland adjourned the meeting at 8:57 p.m.


Dale W. Copeland, Mayor


Jason Muninger, CFO/City Clerk

