



Council Chambers and
First Floor Conference Room
401 S. Johnstone Avenue
Bartlesville, OK 74003

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

**Monday, August 15, 2022
12:00 NOON**

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

MINUTES

(The Notice of Meeting and the Agenda was posted Thursday, August 11, 2022 at 12:00 p.m.)

Present were Mayor Dale Copeland, Vice Mayor Jim Curd, Jr. (arriving at 12:25 p.m.), Councilmembers Trevor Dorsey (arriving at 12:07 p.m.), Paul Stuart and Billie Roane.

City staff present were Mike Bailey, City Manager; Jess Kane, City Attorney; Jason Muninger, CFO/City Clerk; Kelli Williams, Chief Communications Officer; Greg Collins, Assistant Director of Community Development; Deputy Chief Rocky Bevard, Security; and Elaine Banes, Executive Assistant.

- 1. The business meeting of the Bartlesville City Council was called to order at 12:00 p.m. by Mayor Copeland.**
- 2. Roll call was held and a quorum established.**
- 3. The Invocation was provided by Mayor Copeland.**
- 4. Citizens to be heard.**

There were no citizens to be heard.

- 5. Discuss and take possible action to participate in the Oklahoma Opioid Distributor Settlement authorizing the Mayor to execute the Subdivision Settlement Participation Form submitted by the Oklahoma Attorney General's office. Presented by Jess Kane, City Attorney.**

Mr. Kane, joined by Jessica Underwood and Nathan Hall attorneys with Nix Patterson, LLP via telephone, reported that The Oklahoma Office of the Attorney General recently agreed to a historic settlement in the State's litigation against three opioid distributors for their role in Oklahoma's opioid crisis. The settlement will result in payments over time to the State and to certain Oklahoma counties and cities. Eighty-five percent of the funds distributed must be used for the abatement of the opioid crisis. It is estimated that Bartlesville may receive up to \$1 million. Ms. Underwood added that the funds must be used for approved opioid purposes which include a wide range of opioid-related issues such as treatment, prevention, education, awareness, efforts to decrease opioid supplies, law enforcement intervention and support programs such as drug court. Participating municipalities and counties are also required to release any claims against McKesson Corporation, Cardinal Health Inc., and AmerisourceBergen Corporation to receive the funding. Additional funding could be available in the future from other organizations,

as the settlement funds in question pertain only to specific distributors. Mr. Kane concluded stating that the Subdivision Settlement Participation Form must be submitted in order for Bartlesville to participate in the settlement.

Mr. Stuart moved to participate in the Oklahoma Opioid Distributor Settlement and authorize the Mayor to execute the Subdivision Settlement Participation Form as presented, seconded by Ms. Roane.

Voting Aye: Ms. Roane, Mr. Stuart, Mr. Dorsey, Mayor Copeland

Voting Nay: None

Motion: Passed

6. City Manager Comments and Staff Reports.

There were no comments or reports.

7. City Council Comments and Inquiries.

There were no comments or reports.

8. Recess in order to relocate into the 1st floor conference room for the workshop portion of the meeting.

Mayor Copeland recessed the meeting at 12:12 p.m.

9. Reconvene and open the workshop meeting.

Mayor Copeland reconvened the workshop portion of the meeting at 12:17 p.m.

10. Citizens to be heard specific to Agenda Item 11.

Loren Roszel inquired if citizens who have existing natural landscape yards can be grandfathered since they comply with the current ordinance.

Mayor Copeland read an email from a citizen stating his position on the natural landscape subject.

11. Discuss regulations for natural landscape areas. Presented by Lisa Beeman, Director of Community Development.

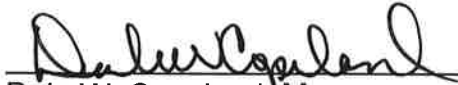
Ms. Beeman was unable to attend the meeting, therefore, City Manager Mike Bailey provided the presentation. Prior to his presentation, he addressed Mr. Roszel's question about grandfathering yards that already have natural landscaping. He stated that the amendments to the ordinance would likely cover what the existing yards already have in place, but in the event additional action is required, staff may consider approving a period of time to bring the yards up to code. He stated that in those cases, individual attention and direction would be provided should there be a need by the Community Development Director.


Using his PowerPoint, Mr. Bailey provided a brief history of the current ordinance and the natural landscape pilot policy; the major components of the proposed ordinance; the definition of a managed natural landscaping area; criteria for ears visible from the public right-of-way; and a link to an OSU website that provides what plants will be approved for natural landscaping.

Summarized, the proposed amendments included: 1) required transition areas between streets, sidewalks and side yards, containing either turf grass defined as types of grasses that spread naturally to form a dense, continuous sod mass or plants not exceeding 12 inches in height and must be at least 10 feet from the edge of a roadway, or, secondarily, five feet from the inside edge of the sidewalk, whichever distance is greater; 2) required borders, i.e., edging, rock, brick, fence or similar material (plant borders not acceptable); 3) no more than 50 percent of the portion of the yard visible by the public will be permitted to contain vegetation taller than 12 inches in height; 4) plants that are contained behind an opaque wall will not be subject to regulations; 5) plants exceeding four feet in height must be located within 15 feet of a building or fence (does not include trees or shrubs); and 6) enforcement of non-compliance would be investigated by City codes enforcement generally only upon complaint, except in cases where a fire or traffic hazard or interference or obstruction of sidewalk, street, or highway exists.

Discussion covered home owners associations vs. neighborhood/subdivision covenants; clarity on Zone 5 requirements; how additional time should be granted to those citizens who are currently using the natural landscape plan to comply if needed; that yards currently using the natural landscaping could possibly be grandfathered if no complaints had been received regarding their landscaping; the definition of flowerbeds and how they are not included in natural landscaping; the definition of noxious weeds; the City's hay permit requirements; how borders are defined; transition zones for sidewalk locations which can vary; how additional OSU Extension lists of permissible plants could be used; and that with the information gathered at this meeting, the proposed amended Ordinance will be brought forward for approval at the September 6 Regular Meeting. No action was taken on this item.

12. There being nothing further to discuss, Mayor Copeland adjourned the meeting at 1:09 p.m.


Dale W. Copeland, Mayor


Jason Muninger, CFO/City Clerk

