



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

**REGULAR MEETING OF THE
BARTLESVILLE CITY COUNCIL**

**Monday, December 5, 2022
7 p.m.**

**City Attorney, Jess Kane
918-338-4282**

MINUTES

(The Notice of Meeting was posted December 15, 2021
and the Agenda was posted December 1, 2022 at 5:00 p.m.)

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

City staff present were Mike Bailey, City Manager, Jason Muninger, City Clerk/CFO; Jess Kane, City Attorney; Terry Lauritsen, Director of Water Utilities; Micah Siemers, Director of Engineering; Laura Sanders, Director of Human Resources; Matt McCollough, Director of IT; Kelli Williams, Chief Communications Officer; Greg Collins, Assistant Community Development Director; Fire Chief David Topping; Police Chief Tracy Roles; Deputy Police Chief Rocky Bevard; Captain Kevin Ickleberry, Security; and Elaine Banes, Executive Assistant.

- 1. The business meeting of the Bartlesville City Council was called to order at 7:00 p.m. by City Attorney, Jess Kane.**
- 2. The Oath of Office was administered by Mr. Kane to Mr. Dale Copeland, Ward 1, Mr. Loren Roszel, Ward 2, Mr. Jim Curd, Jr., Ward 3, Ms. Billie Roane, Ward 4, and Mr. Trevor Dorsey, Ward 5.**
- 3. Roll Call was held and a quorum established.**
- 4. The invocation was provided by Pastor Jason Elmore, Friday Nite Church/President Bartlesville Ministerial Association.**
- 5. Citizens to be heard.**

There were no citizens to be heard.

- 6. Discuss and take action on the election of Mayor.**

Mr. Dorsey moved to elect Dale Copeland as Mayor, seconded by M. Roane.

Voting Aye: Mr. Roszel, Ms. Roane, Mr. Dorsey, Mr. Curd, Mr. Copeland

Voting Nay: None

Motion: Passed

- 7. Discuss and take action on the election of Vice Mayor.**

Ms. Roane moved to elect Jim Curd, Jr. as Vice Mayor, seconded by Mr. Dorsey.

Voting Aye: Ms. Roane, Mr. Dorsey, Mr. Curd, Mr. Roszel, Mayor Copeland

Voting Nay: None

Motion: Passed

8. City Council Announcements and Proclamations.

Mayor Copeland announced that prior to the meeting, a reception was held in honor outgoing Ward 2 City Councilmember Paul Start who has been a tremendous asset to the Council and community. Mayor Copeland welcome Mr. Roszel to the City Council.

9. Authorities, Boards, Commissions and Committee Openings

- One opening on the Bartlesville Area History Museum Trust Authority.
- One opening 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.

10. Consent Docket

a. Approval of Minutes

- i. The Regular Meeting Minutes of November 3, 2022.

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

- i. Appointment of Mr. Alexander Johnson to a three-year term on the Community Center Trust Authority at the recommendation of Mayor Copeland.

c. Approval of Agreements, Contracts, Engagement Letters, Leases, MOU's and Proposals.

- i. Consulting Contract with Dan Keleher for City Hall Renovations Design in the amount of \$33,000.
- ii. Software License and Support Agreement with DB Compensation (DB Squared) for software assisting the City of Bartlesville Human Resources Department with job positions, job ratings and pay grades.

d. Approval of Resolutions

- i. Amending the Budget of the City of Bartlesville, Oklahoma for Fiscal Year 2022-2023, appropriating FAA Grant Revenue for Municipal Airport Fund.
- ii. Amending the Budget of the City of Bartlesville Oklahoma for Fiscal Year 2022-2023, appropriating unbudgeted Sales Tax Revenue for the Legal Department in the General Fund.

e. Receipt of Annual Report

- i. 2021-2022 Annual Report for the Chickasaw Wastewater Treatment Plant.

f. Receipt of Bids

- i. Bid No. 2022-2023-013 Tools and Equipment for a 95" Aerial Platform Firefighting apparatus.

Mayor Copeland read the consent docket in full.

Mr. Dorsey moved to approve the consent docket as presented, seconded by Vice Mayor Curd.

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

11. Discuss and take possible action to award Bid No. 2022-2023-013 for Tools and Equipment for a 95” Aerial Platform Firefighting apparatus. Presented by Mr. Curd.

Vice Mayor Curd moved to award Bid No. 2022-2023-013 to Banner Fire Equipment for \$71,551.00, to NAFECO for \$6,369.85, and to Northern Safety Industrial for \$63,406.10, all bids totaling in the amount of \$141,326.95, seconded by Mr. Dorsey.

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

Mr. Bailey reported that the new truck will be available for viewing prior to the January 3, 2023 City Council meeting.

Vice Mayor Curd recused himself from the following item and left the room prior to presentation and vote.

12. Public hearing and possible action to adopt an Ordinance on a request by Landon Curd to close a portion of a 15’ utility easement lying along the west side of Lot 4, Block 1 Colonial Estates 12th Addition, Section 1, Bartlesville, Bartlesville, Washington County, Oklahoma. Presented by Micah Siemers, Director of Engineering.

Mr. Siemers reported that the applicant is requesting the closure to facilitate construction of a 13’x24’ storage building. The building was constructed in 2021 without proper permitting and when this was brought to the City’s attention, it was also revealed that the building had been constructed over a portion of the existing utility easement. City staff corresponded with utility companies to verify whether it would be possible to vacate the portion of utility easement with the new encroachment and all agreed that the building was not constructed on top of any utilities, although there were utilities in the easement. A partial closure was acceptable to the utility companies and the property owner was notified that they needed to proceed with an application to vacate a portion of the easement. Once received, the application was circulated to utility companies and city staff for review receiving no objections from Police, Fire, Planning, Public Works, Water Utilities or Engineering departments. Staff received no objections from ONG or Sparklight as they do not have facilities located within this easement but PSO and AT&T do have facilities located within the easement. Both PSO and AT&T stated that they would agree with vacating a section of easement that will only cover the exact footprint of the building. The request by the applicant would vacate the east 7.5 feet of the easement from the north side of the building to the south property line. PSO and AT&T will permit closure of a 7’x24’ section of the easement. The proposed ordinance has a modified legal description that is in line with the request from PSO and AT&T, therefore they have no objections to the modified request.

Mayor Copeland opened the public hearing at 7:21 p.m. There being no one appear to speak, the Mayor closed the public hearing at 7:21 p.m.

Mr. Dorsey moved to adopt the Ordinance as presented, seconded by Ms. Roane.

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

Voting Nay: None

Absent: Vice Mayor Curd

Motion: Passed

Vice Mayor Curd returned to the City Council meeting following the vote.

13. Discuss and take possible action to approve a proposal from Motorola Solutions for an 800MHz radio upgrade to be utilized by Bartlesville Police Department for \$1,999,875. Presented by Matt McCollough, Director of Information Technology.

Mr. McCollough reported that for several years, the Bartlesville Police Department has been having communication issues with officers' handheld radios in the field due to the lower frequency range of the VHF frequency band. Additionally, the dispatch facility, built in 2012, has end of life equipment from the same 10-year-old timeframe. In addition to the communication issues, the analog system does not have the ability to connect to other statewide agencies. By building an 800MHz Radio System in Bartlesville, the lack of communications would be addressed as well as gaining critically important mutual aid with more communities, the Oklahoma Highway Patrol, the Oklahoma State Bureau of Investigation and the Oklahoma Department of Transportation, extending the statewide radio network to the northeastern corner of the state.

Mr. McCollough continued stating that Motorola Solutions offers the public safety communication system needed by the City of Bartlesville via the State of Oklahoma contract. They are the only vendor who offers a direct connection to the current statewide safety communication system with full functionality, making them a sole source vendor. The State and Motorola have agreed upon both equipment and services. Utilizing the state contract bidding system has proven effective in previous City purchases with money saving opportunities, as well as efficiencies with the purchase of City technology needs (both hardware and software alike) as well as City vehicles, etc. It is important to note that the City has had great success with the Motorola radio communications equipment that has been in use by dispatchers 24/7 for the last ten years. Motorola is also the current provider of the City's Bodycams for Patrol Officers, In-Car Camera Systems in Patrol Units, as well as the 911 Phone System.

Funding for the system comes from a vote by citizens who passed a GO bond in 2020, which approved \$2,000,000 for an emergency communication infrastructure system. At that time, staff began review of purchase options for this project, however due to many economic and environmental factors, the costs continued to climb causing the project to be inflated over \$2,500,000. Motorola has since offered discounts, which bring the total project cost within budget. By utilizing the GO bond funds previously passed, the City is now able to consider the purchase of a new 800MHz digital system to mitigate our critical communication issues for the community's local public safety. The necessary upgrade and purchase of this system will provide the City of Bartlesville via the Bartlesville Police Department with 1) a direct connection to the existing State of Oklahoma, OKWIN APCO Project 25 (P25) core or master site located in Tulsa; 2) upgraded backend radio equipment at the current dispatch location; 3) replacement of the dispatch radio computers; 4) eighty officer handheld radios; 5) forty-five patrol car radio units; 6) replacement of the east side repeater site; 7) replacement of all downtown radio site equipment; and 8) A critical network connection between the 800MHz local system with the statewide system mutual aid system.

A short discussion covered the appreciation for all parties involved who assisted in research for the system; that Washington County could participate if they choose to; and that the East Side Police location and officers will benefit from the system as well.

Mr. Dorsey moved to approve the proposal from Motorola Solutions in the amount of \$1,999,875, seconded by Vice Mayor Curd.

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

Voting Nay: None

Motion: Passed

14. Receive a presentation on the status of Bartlesville's water supply. Presented by Terry Lauritsen, Director of Water Utilities.

Mr. Lauritsen reported that drought conditions across the region have local water supply levels dropping below a comfortable level, prompting City staff to encourage Bartlesville residents to conserve wherever possible. Using a PowerPoint, he explained the basin area and reported that the City's overall water supply is currently at 69 percent, including Hulah Lake, Copan Lake, Hudson Lake and the Caney River. However, with the Caney River pump station temporarily out of commission due to an ongoing renovation, usable levels are at 60 percent. With the levels at 69 percent of the City's available water supply, the City just barely falls into Stage Two of the City's Drought Contingency Plan, developed in 2002. He explained that with the Caney River pump station offline, the Caney River and Copan Lake are unavailable for use lowering the percentage to 60 percent. Parts to complete the pump station renovation should arrive in early February 2023, and the station should be operational in April 2023. Mr. Lauritsen reports that in the drought contingency plan, most of the water restrictions at the 60-70 percent level are geared around limiting outside watering, filling swimming pools and other non-essential water use, however, because it is wintertime and this is basically in effect already, public education and outreach will be the focus to let citizens become aware of the situation and ask that they conserve water the best they can. He concluded that average water usage over the previous 10 days was 4.26 million of gallons per day, which is typical for winter months, but encouraged citizens to do their best to conserve until the severity of the drought lessens and the water supply sources are reestablished back to optimal levels.

A brief discussion covered that a two-to-three-inch rain over the entire basin could reestablish the water supply; that the resolution covering actions included in the Drought Contingency Plan needs to be updated since it is several years old; that there will be no penalties at this time; and how the citizens have always been good to conserve in times of need.

15. Discuss and take possible action to approve a Resolution establishing a format and rules of order for the conduct of City Council Meetings and repealing conflicting resolutions. Presented by Mike Bailey, City Manager.

Mr. Bailey reported that reaffirming the Resolution establishing a format and rules of order are addressed with each new Council. The rules have been in place for a number of years, with this year's resolution slightly modified. The proposed modifications consolidate two existing resolutions into one; clarifies that "Citizens to be Heard" is for citizens of Bartlesville or those living within 10 miles of City Hall; and the restructured layout of Section 1 made easier to understand. Mr. Bailey explained that the 10-mile radius was chosen to allow citizens from surrounding areas to participate while using the same radius as that is allowed for a City manager's residence.

A brief discussion was held regarding the restriction on "Citizens to be Heard" and if the change was due to recent speakers who were from out of town and out of state; and how local citizens benefit and contribute to this particular area while those from out of town do not.

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

Voting Aye: Mr. Roszel, Ms. Roane, Mayor Copeland

Voting Nay: Vice Mayor Curd, Mr. Dorsey

Motion: Passed

16. Discuss and take possible action to review and reaffirm Resolution No. 3326 Current Code of Ethics Policy. Presented by the Mayor.

Mayor Copeland reported that Resolution No. 3326 is reviewed and affirmed with each new Council. There were no changes nor discussion.

Vice Mayor Curd moved to affirm the Resolution as presented, seconded by Mr. Dorsey.

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

Voting Nay: None

Motion: Passed

17. Discuss and take possible action regarding City Council liaisons to Authorities, Boards, Commissions and Committees. Presented by the Mayor.

Mayor Copeland reported that City Councilmembers are liaisons to certain Authorities, Boards, Commissions and Committees. Former City Councilor Stuart was the liaison to the Bartlesville Redevelopment Trust Authority, the Bartlesville Library Trust Authority and the Street and Traffic Committee. Mr. Roszel agreed to be the liaison to those vacated by Mr. Stuart. There were no other changes.

Mr. Dorsey moved to approve City Council liaisons as presented, seconded by Vice Mayor Curd.

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

Voting Nay: None

Motion: Passed

18. Discuss and take possible action to amend the starting time for the Regular City Council Meetings. Presented by Mike Bailey, City Manager.

Mr. Bailey reported the City's Charter requires the City Council regular meetings to be held the first Monday of the month, except when a holiday falls on it. Then, it is to be held the next day. The Charter does not require a specific time for the meetings to begin. For many years, City Council regular meetings have started at 7 p.m. but an earlier start time would be beneficial for staff, constituents and for the City Councilors as well. Mr. Bailey suggested that a 5:30 p.m. start time would be favorable, and with a general consensus, it was agreed that Regular City Council meetings will now begin at 5:30 p.m.

Prior to the next item, Mr. Bailey introduced the City Council and public to the new Community Development Director, Larry Curtis. Mr. Curtis will begin January 3, 2023.

19. Take possible action to enter into an Executive Session to discuss outstanding grievance and litigation relating to former employee, Brian Brewington, pursuant to 25 O.S. Section 307(B).

Ms. Roane moved to enter into Executive Session at 8:06 p.m., seconded by Vice Mayor Curd.

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

Voting Nay: None

Motion: Passed

20. Return to open meeting, discuss and take possible action to approve a resolution delegating settlement authority to the City Manager to approve settlement of pending litigation. Presented by Jess Kane, City Attorney.

Mayor Copeland announced that no action was taken in Executive Session. Mr. Kane presented the resolution that will delegate settlement authority to the City Manager to approve settlement of pending litigation.

Mr. Dorsey moved to approve the Resolution as presented, seconded by Vice Mayor Curd.

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

Voting Nay: None

Motion: Passed

21. New Business

There was no new business to report.

22. City Manager and Staff Reports.

Mr. Bailey provided the City of Bartlesville holiday hours for December and the trash schedule for those holidays. He also reminded citizens that the free grass and leaf pickup is underway this week. He wished everyone a Merry Christmas and Happy New Year.

23. City Council Comments and Inquiries.

Mr. Dorsey welcomed Mr. Roszel to the City Council and thanked Mr. Stuart for his service.

Mr. Roszel thanked the City Council and staff for their assistance in preparing him for his term, and stated that he looked forward to filling the position to represent Ward 2 and the community.

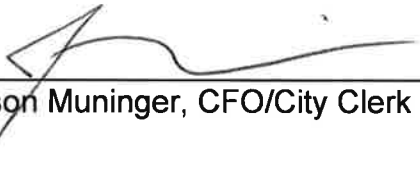
Vice Mayor Curd stated that it was a good night, and he was happy to see the Police and Fire Departments receiving the equipment they need.

Ms. Roane stated this is the time of the year to be thankful, and that she is thankful for her fellow City Council members, City staff and citizens.

Mayor Copeland agreed with all the above and added that if citizens need additional information about the City Council, City projects, etc., that the City website is a great resource. He also encouraged subscription to City Beat, the City newsletter that provides a great deal of information on current events, projects, and sales tax information. He stated his appreciation

of Mr. Stuart and his commitment to the community, and welcomed Mr. Roszel. He concluded wishing everyone Happy Holidays.

24. There being no further business to address, Mayor Copeland adjourned the meeting at 8:42 p.m.



Jason Muninger, CFO/City Clerk



Mayor Dale W. Copeland

