



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

**Monday, November 4, 2024
5:30 p.m.**

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

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

MINUTES

(The Notice of Meeting was posted December 15, 2023 and the Agenda was posted October 31, 2024 at 5:30 p.m.)

City Council present were Mayor Dale Copeland, Vice Mayor Jim Curd, Jr., Councilmembers Trevor Dorsey, and Quinn Schipper. Loren Roszel was absent.

City staff present were Mike Bailey, City Manager; Jess Kane, City Attorney; Jason Muninger, CFO/City Clerk; Laura Sanders, Assistant City Manager; Micah Siemers, Director of Engineering; Kelli Williams, Chief Communications Officer; Kiley Roberson, Library and Museum Director; Fire Chief H.C. Call; Police Chief Kevin Ickleberry; Deputy Police Chief Andrew Ward, Greg Collins, Special Projects Manager; Alicia Shelton, Internal Finance Supervisor; Tammy Hudgins, External Finance Supervisor; Steve Roper, Engineer; and Elaine Banes, Executive Assistant.

- 1. The business meeting of the Bartlesville City Council was called to order by Mayor Copeland at 5:30 p.m.**
- 2. Roll call was conducted and a quorum established.**
- 3. The Invocation will be provided by Dr. Bill Shupe, Pastor of Redeemer Lutheran Church.**
- 4. Citizens to be heard.**

Larry Murray, Chairman of the Washington County GOP, read a WC GOP Resolution that requests the approval of the comprehensive plan be tabled until it can be further reviewed by citizens. He asked that the resolution be included in the minutes and to be read again at the next meeting.

Sarah Burnett, WC GOP, stating her opposition to the Endeavor 2025 Comprehensive Plan, presenting specific concerns, and presented a 78 signature petition from the WC GOP members requesting that the comprehensive plan be tabled until it can be further reviewed by citizens.

Eddie Collins, resident and member of the WC GOP, spoke against Flock Cameras being installed and used in Bartlesville. He read a WC GOP resolution entitled, "Against the Use of Surveillance Cameras". He asked that the resolution be included as a matter of record and to be read again at the next City Council meeting.

Raymond Crow addressed his request for an easement closing referring to Item 10. He pointed out that other residents in his neighborhood had a similar situation and the closing of their easements had been approved. He asked the City Council to approve his request as well.

Homer Heffington provided his concerns about the Endeavor 2045 Comprehensive Plan citing specific issues. He also provided a word of caution to attending journalists regarding statements

made by the City Manager regarding the drag queen event that was more cautionary than the article implied.

Larry East requested that he would like to see the approval of the comprehensive plan be tabled to allow further review from citizens.

5. City Council Announcements and Proclamations.

- Veterans and Military Families Month-November 2024 presented by Councilman Dorsey,
- Homeless Awareness Month – November 2024 presented by Councilman Schipper.
- Community Foundation Week – November 12-18, 2024 presented by Councilman Schipper.
- Small Business Saturday – November 30, 2024 presented by Vice Mayor Curd.
- Lung Cancer Awareness Month – November 2024 presented by Mayor Copeland.

6. Authorities, Boards, Commissions and Committee Openings

- One opening on the Ambulance Commission
- One opening on the Bartlesville Library Board
- One opening on the Bartlesville Museum Trust Authority
- One opening on the Bartlesville Water Resources Committee (Ward 4 Representative)

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

- i. The Regular Meeting Minutes of October 7, 2024.
- ii. The Special Workshop Meeting Minutes of the Bartlesville City Council and the City Planning Commission of October 14, 2024.

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

- i. Appointment of Ms. LeAnne DeLapp to a three year term on the White Rose Cemetery Board at the recommendation of Mayor Copeland.

c. Approval and/or Ratification of Agreements, Contracts, Engagement Letters, Proposals, Memorandums of Understanding, and Change Orders.

- i. Emergency Facilities and Land Use Agreement between BIA, Eastern Oklahoma Regional Office, Branch Forestry and the City of Bartlesville/Municipal Airport for use of space at the airport to run aerial fire-fighting operations.
- ii. Letter of Agreement with BKL for engineering design of the Downtown Landscaping Phase 3 Project.
- iii. Contract between the Bartlesville Community Foundation and the City of Bartlesville/Bartlesville Public Library Literacy Services for the Washington County Healthy Living Fund Grant.
- iv. Contract between the Oklahoma Department of Libraries and the City of Bartlesville/Bartlesville Public Library Literacy Services for health and wellness programs.
- v. Change Order No. 1 from Brent Bell Construction, LLC for the Bond Park Improvements Project.

d. Approval of Resolutions

- i. Amending the Budget for FY 2024-2025 appropriating unanticipated revenue in the 208 fund of the Library (421) Department for the use of health education programming.

e. Receipt of Annual Report

- i. The Annual Report for FY 2023-2024 Chickasaw Wastewater Treatment Plant.

f. Receipt of Bartlesville NEXT Progress Report

- i. Bartlesville NEXT Progress Report – October 2024.

g. Receipt of Financials

- i. Interim Financials for three months ending September 30, 2024.

Mayor Copeland read the consent docket in its entirety. Vice Mayor Curd removed Item 7.c.ii. removed for further discussion.

Mr. Dorsey moved to approve the consent docket with the exception of Item 7.c.ii., seconded by Mr. Schipper.

Voting Aye: Mr. Schipper, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland
Voting Nay: None
Motion: Passed

- Item 7.c.ii. Letter of Agreement with BKL for engineering design of the Downtown Landscaping Phase 3 Project.

Vice Mayor Curd provided information from the staff report describing the project. A brief discussion was held with Mr. Siemers, with Vice Mayor Curd inquiring about the Osage Street landscaping. Mr. Bailey said that the Osage portion was not in the original scope but was discussed as an alternate. Mr. Siemers stated that he could look into including Osage Street, but the plan was for it to be addressed later. Additional discussion covered both phases, electrical work, eliminating some of the landscaping beds on each block with trees that are more acceptable in the downtown area.

Vice Mayor Curd moved to approve Item 7.c.ii. as presented, seconded by Mr. Dorsey.

Voting Aye: Mr. Schipper, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland
Voting Nay: None
Motion: Passed

8. Presentation on the results of the Wastewater Treatment Plant Expansion pilot study for Indirect Potable Reuse. Presented by Terry Lauritsen, P.E., Director of Water Utilities.

Mr. Lauritsen introduced the presentation reporting that one of the planned improvements in the Wastewater Treatment Plant expansion project includes additional treatment for up to 4.1 million gallons of water per day for Indirect Potable Reuse (IPR) to help augment the Caney River during Times of severe drought. IPR is a water recycling method that incorporates an environmental buffer before the water is treated at the water treatment plant and utilized as potable water. The City's proposed IPR will discharge treated water seven river miles upstream of the raw water intake structure located at Johnstone Park. Mr. Lauritsen provided the drivers of the project such as the DEQ Consent Order to achieve compliance; the plant expansion plans that will accommodate the required lift stations; the concept study began in 2015 that was predicated by change in the law for nonconventional use of waste water; and how the City worked with ODEQ and was able to get the concept and model approved. Using a Federal grant from Bureau of Reclamation provided funding assisting with the affluent pump station buildout.

Mr. Sundaramoorthy, Engineer, S2 Engineering PLLC, reported that a IPR Pilot Study is required by the Oklahoma Department of Environmental Quality (ODEQ) regulations to demonstrate compliance with IPR Regulations, water quality standards, and provide filtration with Chemical Addition unless demonstrated otherwise through the pilot study. The Pilot Study Work Plan was approved by ODEQ in December 2023, the pilot study was conducted February through June 2024, and the Pilot Study report was submitted to ODEQ in October 2024. He provided information about the equipment and process with a PowerPoint. He reviewed the IPR Pilot Study findings reporting it was found that chemical addition is not necessary for tertiary filters; how the dual GAC post-filter contactors act as

effective barriers to CECs (Constituents of Emerging Concern) and pollutants; and he covered the sampling results of which all were positive. Mr. Sundaramoorthy reported that next steps are: 2025 Detailed Design Phase, and 2026-2030 Construction Phase.

Discussion covered regulations and the lack thereof in Oklahoma for this type of system; how the process actually improves the quality of the river water; the water reuse system would be for emergency water supply only (water supply less than 50%); cost of using the reuse system is high; approximately \$15 million has been invested to-date; the reuse system is less expensive than a pipeline to another water source; the reuse system provides Bartlesville with an emergency supply and a grant was available and used; and how this process is not new and is used in the western US States and is considered viable and safe. Further discussion covered how it took nine years due to the legal process and DEQ to approve and test; and that getting regulations passed by legislature and the Corp of Engineers take time - for example, the many years involved for obtaining reduced water pricing for Copan Lake. The late Senator Inhofe was instrumental in assisting with lowering water pricing after many years of meetings and negotiating with the Corp. Vice Mayor Curd stated how he was in favor of the reuse system for emergency use, due to knowing how long it will take, from previous experience, to obtain and establish an additional water source.

9. Presentation on the results of the Lead Service Line Inventory. Presented by Terry Lauritsen, P.E., Director of Water Utilities.

Mr. Lauritsen reported that on January 15, 2021, the EPA issued revisions to the Lead and Copper Rule (LC) requiring every water utility in the United States to inventory every water service line connected to the distribution system, both on the public (City) and customer side of the water by October 16, 2024. The rule also requires an annual update of the inventory, development of strategies to identify unknown services lines as well as public outreach and education. Mr. Lauritsen provided the Lead and Copper Rule History beginning in 1986 which requires a complete inventory of every customer's water line. There is a 2024 proposed rule which may be adopted in 2025 that may reduce some of the requirements. He noted that the City of Bartlesville has utilized a corrosion control treatment since the early 1990's, and that results from testing have never exceeded the action levels for lead or copper, even compared to the proposed 2024 rule. If a lead or galvanized service line is discovered on either the public or customer portion of the water service line, the City must notify the property owner of this finding and any available financing programs to replace this service line. At this time, there is no state or federal program/financing available. If the water service line material on either the City's or customer side of the meter cannot be confirmed, the City must notify the property owner that the service line material is unknown but may be lead.

Mr. Lauritsen continued reporting that the City completed the record review/initial inventory. Of the 16,412 service line connections, 2,338 were confirmed to be non-lead or galvanized. One was confirmed as galvanized requiring replacement on the customer's side of the meter, and 14,073 could not be determined from a record review, which is classified as unknown. In accordance with the EPAs rule the City will provide a notification to the properties that have either a galvanized or unknown service line. The results will be published on-line through the City's GIS website. In addition to the notification, the City will send out a questionnaire to the unknown service lines to aide in the determination of the material for these service lines which will go out next week. The letters may cause alarm, but he reiterated that the City has never exceeded the action levels for lead or copper. Information and a questionnaire will be included with the letter. Once completed, staff will present the results of the lead line inventory to the Council. Determinations of material of unknowns and replacement of galvanized services lines owned by the City must be completed within seven years. Annual testing must include 20% of schools and child care facilities by 2026. Questions and information will be available by calling 918-338-4116.

A brief discussion confirmed that the section of line from the City meter to the house is the homeowner's responsibility to replace; copper lines are allowed, galvanized and lead is not allowed; if the citizen's line is galvanized, they have to replace; the action is a Federal mandate with no funding;

there is no requirement for the homeowners to replace their pipes, but it is the City's responsibility to educate homeowners about the results of the tests and potential presence of lead.

10. Discuss and take possible action on a request by Raymond Crow to close a portion of a 20-foot-wide utility easement located on the south side of Lot 1, Block 4, Corrected Plat for Covington Park, Bartlesville, Washington County, Oklahoma. Presented by Micah Siemers, Director of Engineering.

Mr. Siemers reported that action was not taken in the October 7 City Council meeting at the request of Councilman Roszel, who desired additional information. The public hearing was held with not comments from the public. The staff recommendation was to deny the request because PSO did not concur with the closure. Their equipment placement was unclear based upon the utility locate called in by the applicant prior to submitting the application. There were no PSO lines identified in the easement though the PSO maps showed their facilities being present. There is also a 20' wide easement on the adjacent property, so the line could potentially be located within that easement instead of the one in question. Following the inaction on October 7, staff reached out to PSO asking them to verify their facilities in the easement and potentially reconsider the request. While it is still not clear if PSO has facilities in that easement, or the easement adjacent to the property, they cannot concur with the request. Their stance is that this is a platted easement and the property owner should be made aware of such an easement with the purchase of the property. Since the closure request is for a new structure and not an existing encroachment, they do not wish to concur with the closure to keep options open for future expansion and ingress/egress to maintain their facilities. Therefore, staff recommend denial of the request to vacate the north 10 feet of the 20-foot utility easement based upon the additional input received from PSO.

Discussion ensued taking into account the comments provided by the property owner during Citizens to be Heard in Item 4. Mr. Crow had stated that other residents in his neighborhood had a similar situation and the closing of their easements had been approved. He had asked the City Council to approve his request as well. The Council noted that they would like to know more about the other closings in the neighborhood and if those closings had caused any issues before making a determination on Mr. Crow's request.

No action was taken.

11. Presentation, discussion and possible action to approve a resolution of the City Council adopting the Endeavor 2045 Comprehensive Plan for the City of Bartlesville. Presented by Greg Collins, Special Projects Manager, Community Development Department.

Mr. Collins reported that the City's Comprehensive Plan, Endeavor 2045, is one of the action steps in the City's Strategic Plan, Bartlesville NEXT, to accomplish the strategic priorities of Economic Vitality and Community Character for the community. The Comprehensive Plan is the blueprint for guiding and facilitating the future growth and development of the community over the next 20 years. It covers topics including land use, transportation, infrastructure, housing, parks, economic development, and more. Comprehensive plans are required by State law (Title 11, Oklahoma Statutes, Section 43-103) to provide the basis for a city's municipal land use regulations, including its zoning and subdivision regulations. City staff and consultant, Half Associates, over the last 12 months, conducted wide-ranging, in-depth community meetings, extensive community engagement, and received public input on drafting the comprehensive plan. The Plan is before the Council for their adoption and consideration by resolution, as well as a summary of community engagement. The Plan was unanimously approved by the City Planning Commission for adoption recommendation to the City Council. He introduced Christian Lentz with Half to make the final presentation.

Mr. Lentz provided background on comprehensive plans and how they have evolved over the years. He provided the planning hierarchy which begins with the plan serving as the basis for a variety of implementation codes. An advisory committee was developed and approved by the City Council who oversaw each step of the development of the Plan. The committee approved the draft being

presented tonight. The Comprehensive Plan provides an overview of community context, including Bartlesville's history, people, community services, economy, housing, parks, quality of life, land, mobility and natural resources. In addition to zoning guidance and design considerations for particular areas in the city, the Plan identifies more than 129 action steps for the City and its partners. Those action steps are based around four guiding principles: Future Bartlesville, Prosperous Bartlesville, Livable Bartlesville and Natural Bartlesville.

Mr. Lentz continued providing the Endeavor 2045 vision statement; the development map; future thoroughfare plan; the multiple chapters of the implementation framework; and the administration of the Plan. He stated that the staff members he worked with were extremely professional, conscientious, and talented. He feels the citizens of Bartlesville are very fortunate to have this staff working for the City. He reiterated that the Comprehensive Plan is the blueprint for guiding and facilitating the future growth and development of the community over the next 20 years. The plan can be altered by a vote of the City Council at any point in the future.

Mr. Dorsey commended Mr. Lentz, his staff and City staff on the development of the plan. He added that he sits on the Comprehensive Plan Advisory Committee and wanted to recognize the many people involved in preparing the Plan, which includes citizens who have provided input. He reported that he has been contacted by citizens with concerns about the plan and did not mind if additional time was provided for continued research regarding their concerns. He added that there were several community leaders who participated as well and thanked them for their input.

Mr. Schipper stated that he too had sat on the Comprehensive Plan Advisory Committee and thanked everyone who participated in the development of the Plan. He pointed out that the Plan has been available for review for some time; that this is part of the Strategic Plan; the Plan has been available for public review and input for several months; that the Plan is adaptive and that there will be regulatory reviews. He stated his preference is to adopt the plan and allow the staff to begin implementation. He added that the City Planning Commission reviewed the input and comments that were provided at a previous City Council meeting and implemented some of them.

Mayor Copeland stated that he had not previously witnessed a study that had provided so much community input over such a considerable amount of time. Plans are needed that allows the City to grow and prosper. He stated that it is frustrating that the concerns surfaced in the last week but not over the past several months when input was requested. He feels that there has been considerable input from many leaders and citizens. He added that the Plan has required reviews built in to it allowing for change as change merits. He stated that he leans toward approving the plan at this meeting.

Mr. Schipper moved to approve the resolution adopting Endeavor 2045 Comprehensive Plan as presented, seconded by Vice Mayor Curd.

Vice Mayor Curd stated he had concerns regarding the medical side of the plan, as well as the traffic plan in regards to downtown. Additionally, parking is a considerable issue and he would like to see it further addressed. He stated that he wanted his concerns and others who stated concerns addressed in a quicker amount of time than two – five years for a review. He feels that 95% of the plan is what is needed, but just want the questions answered within a quicker time-frame.

Mr. Curtis stated there are actions items in the plan regarding medical, traffic and parking through ordinance updates and plan updates. Mr. Lentz stated that some items/ordinances are recommended to be updated within the Plan. Vice Mayor Curd stated that he did understand that the plan is not set in stone and can be amended. Mayor Copeland agreed and stated that medical needs are expanding and changing always. Transportation issues are ongoing.

There was a discussion among the Council members that the plan could be approved, but allow an additional 30 days be made available to citizens who wish to study it further and provide input to the City Council. Mr. Dorsey stated that he is good with allowing a 30 day window to allow additional

review and input to alleviate any concerns. Mr. Schipper stated that there has been a very clear timeline that has been followed, and he feels that citizens had many opportunities to engage. Mr. Bailey clarified options for action. Mr. Curtis stated that 30 days would be a good time frame and would allow the City Planning Commission to review further recommendations from the City Council.

Mr. Schipper agreed to amend his motion to approve the resolution adopting Endeavor 2045 Comprehensive Plan, to allow 30 days for City Council input/comments, and to bring a review of such input back to the City Council as soon as possible, seconded by Vice Mayor Curd.

Voting Aye: Mr. Dorsey, Vice Mayor Curd, Mr. Schipper, Mayor Copeland
Voting Nay: None
Motion: Passed

Mr. Curtis stated his appreciation of Mr. Collins for his keen insight, commitment and diligence in working with consultant, the public, City officials and City Council in developing and preparing the comprehensive plan.

12. Discuss and take possible action on a request for final plat approval of 10.84 acres, zoned C-5 (General Commercial) and O (Office), located on the northwest corner of Stonewall Drive and Washington Boulevard/US Hwy 75, from Todd Cone on behalf of Bartlesville Ford Company, Inc. Presented by Larry Curtis, Director of Community Development.

Mr. Curtis reported that Todd Cone submitted an application on behalf of the property owner Bartlesville Ford Company Inc. requesting approval of a Final Plat for 10.884 acres located on the northwest corner of Stonewall drive and Washington Blvd/US Hwy 75. The subdivision is to be known as Bartlesville Ford Addition. The property is currently one unplatted lot zoned primarily C-5 (General Commercial) with approximately one acre of O (office) on the northern portion. There are three existing structures on the site used for automobile sales, service and a body shop. The owners would like to split the lot into two. Platting the property in accordance with the Subdivision Regulations will accomplish his. The existing building and the proposed lots will comply with zoning requirements for these districts. The lots to be created will be adequately served by water, sewer, and fire safety access. No additional public infrastructure is needed aside from completing the sidewalk to the western property line on the south end of the proposed Lot 2. The City Planning Commission reviewed and voted unanimously to approve the preliminary plat of the property subject to completion of the sidewalk.

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

Voting Aye: Vice Mayor Curd, Mr. Schipper, Mr. Dorsey, Mayor Copeland
Voting Nay: None
Motion: Passed

13. Discuss and take possible action on an appeal by Jay A. Mitchell, II of the Hearing Examiner's Order of Abatement, demolition and removal of dilapidated structures at 421 SW Cheyenne Avenue, legally described as Lot 5, Block 3, Overlees Addition, Bartlesville, Washington County, Oklahoma (Code Enforcement Case Number DS-0824-0325). Presented by Larry Curtis, Director of Community Development.

Mr. Curtis provided a full report complete with the dilapidated structure history of the property dating back to 2014 when the first complaints were taken and processed. The current case started in August 2024 when police received a citizen complaint of suspicious activity and unsecured door/openings in the structures. The police investigated, and seeing that the property was unoccupied and unsecured, the police contacted Code Enforcement, who with police present, investigated the interior and exterior of the structures, took photos, and opened the current case on the property. The police had been previously called to the property in March 2024 and witnessed a trespasser escaping out the back door of one of the houses. The property has a long history of being unoccupied since at least 2009,

with repeated police and code enforcement responses. Mr. Mitchell made prior appeal to the City Council in 2014 after the City had an order to demolish issued to him. The City Council on 5/19/14 granted Mr. Mitchell a stay of 90 to make the structures habitable. Ten years later, he still has not made repairs. Instead, he repainted the exteriors and made non-permitted, nominal attempts at porch repair or installation. The occasional little work he has done on the property over the past 15 years, including to-date, has focused on exterior aesthetics, rather than fundamental mechanical, electrical, plumbing, and structural repairs necessary to make the homes actually habitable. No building permit for mechanical, electrical, plumbing, or structural work has been applied for on these structures.

Mr. Curtis provided a timeline of events beginning in 2009. Staff is recommending that the Hearing Examiner's order to remove should be affirmed by the City Council for several independent, separate reasons, any one of which alone is a sufficient basis to uphold the order: the properties are dilapidated and unfit for human occupancy, the properties have been boarded and secured for longer than six consecutive months; the properties are a public nuisance as dangerous, deteriorated, abandoned, partially destroyed or unfinished building, and the properties are a public nuisance as attractive nuisance and dangerous condition. Each issue is substantiated by State Statute and the City of Bartlesville Municipal Code. It is staff's position that the allegations Mr. Mitchell lists in his appeal are false and are proven by stated and presented case law.

Mr. Mitchell provided a packet of information to the Council members with pictures of the most recent improvements and proceeded to speak at great length defending his position and claim that the property was owned by the outlaw Emmitt Dalton, therefore historical. Ultimately, he claims that the City did not provide proper notice, conducted an improper hearing, structures do not meet requirements for demolition, structures have historic significance, and option to repair was not given so the properties should not be demolished.

A discussion ensued covering Mr. Mitchell's claims that the house has historical relevance; that the property is not considered nor has been established as historical; options the owner could establish the property to be used for such as a museum type or art type situation; zoning usage may or may not comply for a change in usage; the owner has had 15 years to bring the buildings on the property up to code and it has not been accomplished; the small amount of improvements were made without proper permitting and inspection; and that the City has provided proof of proper procedure. Possible council actions were discussed with the City Attorney who advised that the action at his time is to either approve or deny Mr. Mitchell's appeal, and that Mr. Mitchell can appeal the City Council's decision to Washington County District Court should he so desire.

Vice Mayor Curd moved to deny Mr. Mitchell's appeal, thereby upholding the Hearing Examiner's Order of Abatement, Demolition and Removal of the dilapidated structures at 421 SW Cheyenne Avenue, seconded by Mr. Dorsey.

Voting Aye:	Mr. Schipper, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland
Voting Nay:	None
Motion:	Passed

14. Discuss and take possible action to approve a resolution of the City Council of the City of Bartlesville creating the Unsheltered Homeless Task Force to address the rise in unsheltered homelessness and associated issues in the City of Bartlesville. Presented by Mike Bailey, City Manager.

Mr. Bailey reported that at the City Council regular meeting in October a resolution was passed directing the City manager to formulate a plan for a task force to address the rise in unsheltered homelessness and the issues associated with this. The proposed resolution outlines a specific plan for the makeup and responsibility of the task force, but it leaves open certain details that are best established by the task force itself. The resolution does specify the goals and types of solutions upon which the task force should focus itself. The proposed resolution does specify the goals and types of solutions upon which the task force should focus which are: Primary Goal – reduction in the

unsheltered homeless population in Bartlesville; Secondary Goals – Reduce vandalism littering, and other illegal acts associated with the unsheltered homeless population, increase confidence in public safety of and increase utilization of public spaces by addressing concerns linked to homelessness, address public health concerns while improving conditions for unsheltered individuals; and Tertiary Goal – determine the value of an ongoing committee once the task force accomplishes its purpose and make an appropriate recommendation.

He added that proposed resolution specifies the members that are to be included on the task force. There will be 13 voting members and one non-voting staff liaison as follows: City Manager or designee (non-voting staff liaison), one City Council member, one ex-officio member of OK House or Senate, one mental health professional with experience serving Bartlesville's unsheltered population, one medical professional with experience serving Bartlesville's unsheltered population, one law enforcement official with experience addressing criminal and safety issues related to Bartlesville's unsheltered population, one nonprofit expert with experience serving Bartlesville's local unsheltered population, one church representative with experience serving Bartlesville's local unsheltered population, one local business owner whose place of business is adversely affected by Bartlesville's unsheltered population, one citizen whose primary residence is adversely affected by Bartlesville's unsheltered population, one representative from Bartlesville public school system who is familiar with the issues related to homelessness in our schools; one person who has experienced homelessness in Bartlesville, one veteran who is knowledgeable about homelessness among veterans, and at least one at-large representative with knowledge, training, or experience that is relevant to the task force's mission. Mr. Bailey stated that a member may meet more than one of these criteria, and the Council may add more than one at large member in order to reach the number of members designated by the resolution. The Council will need to appoint a Councilmember to serve on the task force who shall serve as the Council liaison and shall make recommendations to the Council for the rest of the committee after soliciting applications from the public. After the Council seats the members, then the task force can begin meeting in earnest in order to meet the six month deadline established by the resolution. Two actions are needed of approving the resolution and to appoint a City Council member to the task force. He added that a questionnaire will be included with the application to serve and reviewed the questionnaire.

Mr. Schipper thanked Mr. Bailey for getting the task force shaped and appreciates the questionnaire to gain additional information about the applicants.

Mr. Dorsey moved to approve the resolution as presented and to appoint Mr. Schipper as the City Council member/liaison to the task force, seconded by Vice Mayor Curd.

Vice Mayor Curd extended his appreciation to Mr. Schipper for his efforts and commitment to this issue, as well as to other community issues. He also stated his appreciation to Mr. Bailey for his efforts in getting the task force formed.

Voting Aye: Mr. Dorsey, Vice Mayor Curd, Mr. Schipper, Mayor Copeland
Voting Nay: None
Motion: Passed

- 15. Discuss and take possible action to move to Executive Session authorized under 25 O.S. Sec. 307(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.**

Vice Mayor Curd moved to enter into Executive Session at 9:00 p.m., seconded by Mr. Dorsey.

Voting Aye: Mr. Dorsey, Vice Mayor Curd, Mr. Schipper, Mayor Copeland
Voting Nay: None

Motion: Passed

- 16. Return from Executive Session at 9:24 p.m. No action taken in Executive Session.**
- 17. Discuss and take possible action approve a Settlement Agreement between the IAFF Local 200 and the City of Bartlesville which fully and finally resolves the Released Claims of failure to properly pay Local Members' overtime under the FSLA, liquidated damages under the FLSA, and attorneys' fees that had accrued within the last three years. Presented by Jess Kane, City Attorney.**

Mr. Kane reported that late last year the City was served with a demand letter from a Washington D.C. based law firm representing IAFF Local 200 contending that the City was underpaying overtime to its members in violation of the Fair Labor Standards Act of 1938. The November 7, 2023 letter was the City's first notification of this problem and upon receipt, staff began investigating the claim in an effort to determine if the City's payroll procedures violated the FLSA. Over the course of many decades (the Oklahoma Fire & Police Arbitration Act was passed in 1977), the City and Local 200 had negotiated and agreed upon various stipends which were added to an employee's monthly salary as an incentive. Examples of these stipends included incentives for CLEET certification, EMT certification, and longevity. The City had processed its payroll in this manner, in accordance with the express terms of various collective bargaining agreements and with the full agreement of the IAFF for decades, as have many other municipalities across the nation. Nonetheless, after investigation and consultation with outside counsel Staff concluded that the contract likely violated the FLSA requirement that such incentives be added to the hourly rate paid each employee, and overtime calculated based on the gross amount after inclusion of the stipend

Mr. Kane continued that based on this conclusion, the City sought to cooperate with the IAFF in hopes of reaching a settlement. Following an enormously time-consuming accounting effort, Staff provided the IAFF's counsel with a spreadsheet detailing all overtime amounts paid on February 16, 2024. IAFF's counsel did not respond to the City for five (5) months. During that time, City staff worked to fix the underlying problem. In the IAFF's 2024-2025 Collective Bargaining Agreement all stipends were converted to hourly rates to comply with the FLSA. Likewise, Staff negotiated, and the City Council approved a Memorandum of Understanding that modifies multi-year contract for Fraternal Order of Police Lodge 117 (the "FOP") in the same fashion. The problem has also been fixed for general employees, so all City employees been paid in accordance with FLSA requirements since July 1, 2024. AFF's counsel responded to Staff's overtime calculation on July 16, 2024. There was significant back and forth between City Staff and IAFF's counsel tweaking and finalizing overtime numbers and negotiating a settlement agreement. The parties agreed to the attached Settlement Agreement on September 20, 2024. At that point, Staff did not yet have a resolution of this same issue for FOP or general employees. Resolutions of the problem for all employee groups are now ready for consideration by the City Council.

Mr. Kane concluded that this problem is hardly unique to Bartlesville. Dozens of municipalities across the state and nation are dealing with this same issue. The problem predates the tenure of any City Council member or City employee who is currently serving.

Vice Mayor Curd moved to approve the IAFF Settlement Agreement as presented, seconded by Mr. Schipper.

Voting Aye: Vice Mayor Curd, Mr. Schipper, Mr. Dorsey, Mayor Copeland
Voting Nay: None
Motion: Passed

- 18. Discuss and take possible action to move to Executive Session authorized under 25 O.S. Sec. 307(2) to discuss negotiations concerning employees and representatives of employee groups.**

Mr. Dorsey moved to enter into Executive Session at 9:31 p.m., seconded by Mr. Schipper.

Voting Aye: Mr. Schipper, Mr. Dorsey, Vice Mayor Curd, Mayor Copeland
Voting Nay: None
Motion: Passed

19. Return from Executive Session at 9:37 p.m. No action taken in Executive Session.

20. Discuss and take possible action approve a Settlement Agreement between the Fraternal Order of Police Lodge #117 and the City of Bartlesville which fully and finally resolves the Released Claims of failure to properly pay Lodge Members' overtime under the FSLA. Presented by Jess Kane, City Attorney.

Mr. Kane stated that his report is the same as he provided for Item 17 of this agenda.

Vice Mayor Curd moved to approve the FOP Settlement Agreement, seconded by Mr. Schipper.

Voting Aye: Mr. Dorsey, Vice Mayor Curd, Mr. Schipper, Mayor Copeland
Voting Nay: None
Motion: Passed

21. Discuss and take possible action to approve a resolution authorizing the City Manager to compensate General Employees for miscalculated overtime pay. Presented by Jess Kane, City Attorney.

Mr. Kane stated that his report is the same as he provided for Item 17 of this agenda.

Mr. Schipper moved to approve the resolution as presented, seconded by Mr. Dorsey.

Voting Aye: Mr. Dorsey, Vice Mayor Curd, Mr. Schipper, Mayor Copeland
Voting Nay: None
Motion: Passed

22. New Business.

No new business.

23. City Manager and Staff Reports.

Mr. Bailey reminded citizens that tomorrow is election day, and to be sure and get the City Council ballot for the City Council election.

He also provided a water supply update reporting that the supply is now at 94%.

24. City Council Comments and Inquiries.

Mr. Schipper reminded citizens about the Veteran's Memorial dedication Nov. 11 at 10 a.m.

Vice Mayor Curd thanked Mr. Curtis and Mr. Collins for their work on the Comprehensive Plan and the Code Enforcement appeal.


Mayor Copeland stated he was encouraged by the large number of early voters, and encouraged those who not voted to do so tomorrow.

25. There being no further business to address, Mayor Copeland adjourned the meeting at 9:45 p.m.

25. There being no further business to address, Mayor Copeland adjourned the meeting at 9:45 p.m.



Mayor



Jason Muninger, CFO/City Clerk



**RESOLUTION
AGAINST THE USE OF SURVEILLANCE CAMERAS**

WHEREAS, Surveillance camera companies, such as Flock, claim that that they exist to eliminate crime and keep communities safe. Flock cameras, or the like, and ALPR cameras do not solve or eliminate crime, the cameras merely capture acts of crime, as well as, capture movement of entire communities, including the vast majority (99.5%) of law-abiding citizens who pass by these cameras.

WHEREAS, the Oklahoma State Constitution, Article II. Bill of Rights, Section II.1 (Political power – Purpose of government – Alteration or reformation) declares, “All political power is inherent in the people; and government is instituted for their protection, security, and benefit, and to promote their general welfare; and they have the right to alter or reform the same whenever the public good may require it: Provided, such change be not repugnant to the Constitution of the United States.”

WHEREAS, the 4th Amendment of the U.S. Constitution **and** the Oklahoma Constitution, Article II. Bill of Rights, Section II-30 states that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches, seizures, shall not be violated, and no warrants shall issue but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

WHEREAS, **Maxim of Law**: “No right is held more sacred, or is more carefully guarded by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear or unquestionable authority of law.” *Union Pacific Railway Co. v Botsford*, 141, U.S. 250, 251

WHEREAS, the Washington County GOP (WCGOP) is dedicated to protecting the God-given rights and liberties of the citizens of this County, and we affirm the OKGOP Platform which states that “Our rights of life, liberty, and property are natural rights granted to us by God, protected by the Constitution, to be defended by our elected officials, even during a declared emergency.”

WHEREAS, Benjamin Franklin stated, “They who can give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety.”

WHEREAS, Oklahoma State Representative Tom Gann stated that “When governments rely on unauthorized technology to surveil their citizens, policing methods become lazy. Gann also stated this technology...allows distant governments to track the movements of Oklahomans, with no recourse against abuses by politicized agencies who may have access, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives”.

WHEREAS, Representative Gann continues, “The CEO of Flock has openly stated his intent to place a scanner on every street corner. Many legislators understand that Oklahomans do not want this Orwellian approach. They recognize it as a breach of the Fourth Amendment and foresee future courts continuing to rule it unconstitutional, placing many criminal convictions into question.”

WHEREAS, the Deputy Director of Oklahoma Department Of Transportation has stated that Flock Cameras posted anywhere on state roads on the Oklahoma Right of Ways are illegal and break state law and cameras that are already surveilling State roadways should be removed.

NOW THEREFORE BE IT RESOLVED, that the WCGOP County Committee strongly condemns the usage thereof and urges our County, City and State elected officials to reject any of these types of Orwellian surveillance cameras on County, City and State roadways by not allowing placement of these surveillance cameras and remove existing cameras. The WCGOP demands the Board of Commissions and the Bartlesville City Council retract any current Flock Safety Resolutions or Agreements and commits to protecting the Constitutional rights of the citizens of Washington County and City of Bartlesville.

WE FURTHER RESOLVE, that the County Committee of the WCGOP directed the WCGOP Chairman to send this Resolution to all Washington County Commissioners, Sheriff, Bartlesville City Council members, and Police Department in a press release, and to the email list, and for this Resolution to be read into the minutes at the next meeting of the Commissioners, as well as, the next meeting of the City Council.

**WASHINGTON COUNTY REPUBLICAN PARTY
COUNTY COMMITTEE**

Resolution Urging Tabling of Bartlesville Comprehensive Plan

Whereas, the OKGOP Platform states: "The private sector and free market principles are the best to stimulate economic development not government programs." (Republican Principles, Line 5);

Whereas, the Platform further states: "We oppose public-private partnerships..." (Section III, A, iii, 'We Oppose' Line 2); and "We oppose... U.N. policies that are forced over the world's nations." (Section III, D, ii, 'We Oppose' Line 9);

Whereas, the Bartlesville Comprehensive Plan is formulated after the United Nations' Sustainable Development Goals, which the UN has stated include - gender equality, affordable and clean energy, decent work and economic growth, reduced inequalities, Sustainable cities and communities, and climate action, which violate the Republican Platform.

WHEREAS, the United Nations Agenda is being covertly pushed into local communities throughout the United States of America through local "sustainable development" policies;

WHEREAS, these so-called "sustainable development" goals view the American way of life of private property ownership, single family homes, private car ownership, individual travel choices and privately owned farms as destructive to the environment;

Whereas, adopting a Comprehensive Plan with UN terms and templates undermining the sovereignty of our city government to respond to the unique needs of this community;

Whereas, adopting the Comprehensive Plan is part of Endeavor 2045 which "will address...housing, economic development, infrastructure, parks and recreation, environmental sustainability, and more, with a strong emphasis on managing growth and enhancing quality of life", thus giving government authority over areas which should be left to individuals and the free market;

Whereas, the City Council should be focused on reducing government burden and intrusion into our daily lives, allowing the free market to thrive, and allowing the free market to find solutions to challenges in our city;

NOW THEREFORE BE IT RESOLVED by the County Committee of the Washington County GOP, that we urge the City Council to table the Bartlesville Comprehensive Plan.

WE FURTHER RESOLVE, that the WCGOP Chairman send this Resolution to all the Bartlesville City Council members and County Commissioners, issue a press release, send to the email list, and for this Resolution to be read into the minutes at the next meeting of the City Council.

We urge the City Council to table the Bartlesville Comprehensive Plan, due to the concerns regarding its ties to sustainable development goals and the promotion of more government control, which violate Republican principles.

NAME	ADDRESS	CITY
Grace Blackmon	254 SE Quail Ridge Loop	Bartlesville
RICHARRA FLY	1917 S. SANTA FE PL	BARTLESVILLE
Joe Blackmon	254 SE Quail Ridge Loop	Bartlesville
Cyndi Blackmon	..11 " " " "	Bartlesville
Alicia Smith	3212 Camelot Dr.	Bartlesville
Robert Veif	40235 W 22 nd Rd	Bartlesville
Jackson D. Burton	200 S. Fenway Ave.	Bartlesville
Debra Burton	" " " "	" "
Tim	1230 Dogwood Ct	Bartlesville
Paul Woodward	2588 N 3940 Rd	Ochelate
Sarah Anderson	244 NE Queenstown	Bartlesville
Linda Hselmann	4407 Grandview Place	Bartlesville
Larry Murray	724 Winding Way	Bartlesville
Michael L. Gaddis	4917 Brookline Dr	Bville 74006
Julia Tyn	4704 Cornell Dr	Bartlesville 74006
Lauren Murray	724 Winding Way, Bartlesville	74006
Damon Kimmer	2700 Claremont Dr.	74006
Danny Slavin	4233 FLEETWOOD DR. BARTLESVILLE	74006
Manahgn Earhart	5107 Tuxedo Blvd Bartlesville	74006
Dale Earhart	5107 Tuxedo Blvd Bartlesville	74006

We urge the City Council to table the Bartlesville Comprehensive Plan, due to the concerns regarding its ties to sustainable development goals and the promotion of more government control, which violate Republican principles.

NAME	ADDRESS	CITY
Tronis Herr	249 Turkey Creek Rd., Buile 74006	Bartlesville
Lynda Griffin	1730 S. John Stree	Bartlesville
Sarah Burnett	4733 Lewis Dr	Bartlesville
John Clay Burnett	4733 Lewis Dr	Bartlesville
Ashley Kaerber	21090 N 4011 DR	Bartlesville
Annette Maupin	1507 Prairie Heights	B'ville
Mark Keesling	2006 Neptune Ct.	Bville
Jul Hudd	1529 Winwood Dr	Bartlesville
MIKE VOORHEIS	1114 FLEETWOOD PL.	BARTLESVILLE
Louise Heyer	512 Cumberland Dr.	BARTLESVILLE
Dennis Waterman	1909 Barnett Pl	Bartlesville
L R Wilkie	1901 Windstone Dr	Bville 74006
Marcia K. Hoffman	2209 Heidi Ct.	Bartlesville 74006
Jim Day	1311 S. Madison	Bartlesville 74006
John Henry	1606 S. Oseg Ave Sville	Bartlesville
Charlotte Henry	1606 S Oseg Ave Sville	Bartlesville
Barbara Davidson	3609 E Mountain Rd	Bartlesville 74006
Katelyn Wright	560 SE Wilshire Ave	Bartlesville
Darren McInturff	2313 Windsor Way	Bartlesville
Cindy Deal	1080 Rolling Meadows Ct.	Bartlesville
Bobbie Watson	1637 King Rd. #111	Bartlesville
ANDREA Ruiz	2011 Nova Ave. #7	Bartlesville
Jeanina Vest	1902 Mesa Av	Bartlesville

We urge the City Council to table the Bartlesville Comprehensive Plan. due to the concerns regarding its ties to sustainable development goals and the promotion of more government control, which violate Republican principles.

NAME	ADDRESS	CITY
<i>Linda A Collins</i>	<i>5617 Steeper Drive</i>	<i>Bartlesville</i>
<i>Eddie Collins</i>	<i>5617 Steeper Drive</i>	<i>Bartlesville</i>