
Agenda posted on the front door of City Hall and the bulletin board in the lobby of City Hall at 5:00 P.M., Friday, May 11, 2018. The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if signing is not the necessary accommodation.

AGENDA

BETHANY CITY COUNCIL



TUESDAY, MAY 15, 2018
7:30 P.M.

BETHANY CITY HALL
6700 NW 36TH ST, BETHANY, OKLAHOMA

Call to Order
Invocation
Flag Salute

1. Consent Docket:
 - A. Approval of Minutes from the May 1, 2018 Regular Meeting.
 - B. Approval of Minutes from the April 27, 2018 Special Called Meeting and the continued Meeting on May 1, 2018.
 - C. Approval of Minutes from the May 7, 2018 Special Called Meeting.
 - D. Acceptance of Municipal Court Report.
 - E. Approval of Contract with Playwell Group/Playworks, Inc. for new Library Playground Equipment and Installation.
 - F. Adoption of Resolution No. 1506 setting the 911 Fee for Calendar Year 2019.
 - G. Approval of Claims: These claims have been found to be in order by staff and proper as to form and procedure and are recommended for payment. A copy of the Claims List is included in the agenda packet.
2. Special Presentation by Marcia Feisal, President of the Bethany Improvement Foundation.
3. Consideration and possible approval to authorize the Park, Recreation & Tree Board to solicit proposals for creating a Parks Master Plan.

4. **PROPOSED EXECUTIVE SESSION:** Discussion of FY 2019 Collective Bargaining Agreements between the City of Bethany and FOP Lodge 161. ***(Proposed Executive session as authorized by the Open Meeting Law in 25 O.S. 307 (b) 2.)***
5. **PROPOSED EXECUTIVE SESSION:** Discussion of FY 2019 Collective Bargaining Agreements between the City of Bethany and IAFF Local 2085. ***(Proposed Executive session as authorized by the Open Meeting Law in 25 O.S. 307 (b) 2.)***
6. **PROPOSED EXECUTIVE SESSION:** Discussion of terms of employment agreement with benefits, responsibilities and terms of employment for Janet Smith as City Manager of Bethany **(Proposed Executive Session for purposes of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee as provided in the Oklahoma Open Meeting Act 25 Oklahoma Statutes Section 307B1.)**
7. **PROPOSED EXECUTIVE SESSION:** Discussion and update from attorneys concerning pending legal action and claims against the responsible parties concerning contamination of public water supply of the City of Bethany caused by contaminants migrating from the Oklahoma City Airport property. [City of Bethany vs. Gulfstream and Rockwell, Case Number 16-CV-10050, USDC, WD Oklahoma and planning for a path forward strategy for litigation. ***(Proposed Executive Session recommended by City Attorney for discussion as authorized by the Oklahoma Open Meeting Act Section 307B(4) which provides that executive sessions are permitted for 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.)***
8. **PROPOSED EXECUTIVE SESSION:** Consideration and possible action to enter into Executive Session to discuss pending claims of a possible adverse work environment and to discuss process to address the claims pursuant to the City Charter and City Ordinances as authorized by 25 O.S. § 307 (B) (4).
9. Consideration and possible approval of Employment Agreement with Janet Smith as City manager.
10. Consideration and possible approval of a Service Agreement with Wood Environment & Infrastructure Solutions Inc. for engineering and related services pertaining to methods for remediation of water well pollution.
11. Consideration of issues addressed in Executive Session and including possible vote to retain outside legal counsel to assist in the process.

12. Call to the public.
13. City Attorney's Report.
14. City Manager's Report.
15. Council Members Announcements, Comments, and Proposals.
16. New Business.
17. Adjourn until June 5, 2018.

BETHANY PUBLIC WORKS AUTHORITY

1. Consent Docket:
 - A. Approval of Minutes from the May 1, 2018 Regular Meeting.
 - B. Approval of Claims: These claims have been found to be in order by staff and proper as to form and procedure and are recommended for payment. A copy of the Claims List is included in the agenda packet.
2. New Business.
3. Adjourn until June 5, 2018.

BETHANY HOSPITAL TRUST

1. Consent Docket:
 - A. Approval of Minutes from the May 1, 2018 Regular Meeting.
 - B. Approval of Claims: These claims have been found to be in order by staff and proper as to form and procedure and are recommended for payment. A copy of the Claims List is included in the agenda packet.
2. New Business.
3. Adjourn until June 5, 2018.

BETHANY DEVELOPMENT AUTHORITY

1. Consent Docket:
 - A. Approval of Minutes from the May 1, 2018 Regular Meeting.
 - B. Approval of Claims: These claims have been found to be in order by staff and proper as to form and procedure and are recommended for payment. A copy of the Claims List is included in the agenda packet.
2. New Business.
3. Adjourn until June 5, 2018.

NOTICE: Agenda posted on the front door of City Hall and on the bulletin board in the lobby of City Hall at 5:00 P.M., Friday, April 27, 2018.

MINUTES

BETHANY CITY COUNCIL

TUESDAY, MAY 1, 2018

7:30 P.M.

MEMBERS PRESENT:	KP Westmoreland	Mayor
	Curtis Moore	Councilmember
	Paul Todd	Councilmember
	Arlita Harris	Councilmember
	Steve Palmer	Councilmember
	John Herren	Councilmember
	Robert McCutchen	Councilmember
	Phill Shirey	Councilmember
	Jeff Knapp	Councilmember

OTHERS PRESENT:	Steve Katen	Acting City Manager
	Steve Harzman	Assistant City Manager
	David Davis	City Attorney
	Susan Tate	City Clerk
	Amanda McCellon	Community Dev. Dir.
	(See Roster)	

Mayor Westmoreland called the Bethany City Council meeting to order at 7:32 P.M.

The Flag Salute was conducted by Councilmember Herren.

The Invocation was given by Councilmember Moore.

ITEM NO. 1 on the agenda was **CONSENT DOCKET:**

- A. Approval of Minutes from the April 17, 2018 Regular Meeting.
- B. Approval of Minutes from the April 13, 2018 Special Called Meeting.
- C. Approval of Minutes from the April 19, 2018 Special Called Meeting.
- D. Approval of Claims.
- E. Approval of Mayors vote for nominee's Jason Orr and Craig Stephenson to the Oklahoma Municipal Assurance Group Board of Trustees.

Motion was made by Councilmember Palmer, seconded by Councilmember Todd to approve the consent docket as submitted. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

ITEM NO. 2 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF A REQUEST FROM CRB COMPANIES, LLC AND AT&T TO INSTALL CELLULAR PHONE ANTENNA(S) AND ASSOCIATED EQUIPMENT ON EXISTING TOWER LOCATED AT 7270 NW 36TH STREET.**

Motion was made by Councilmember Todd, seconded by Councilmember Palmer to approve request from CRB Companies, LLC and AT&T to install cellular phone antenna(s) and associated equipment on existing tower located at 7270 NW 36th Street. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

ITEM NO. 3 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF FIFTH AMENDMENT TO COMMUNICATION LEASE AGREEMENT WITH NEW CINGULAR WIRELESS (AT&T).**

Motion was made by Councilmember Palmer, seconded by Councilmember McCutchen to approve Fifth Amendment to Communication Lease Agreement with New Cingular Wireless (AT&T). Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

ITEM NO. 4 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL TO PURCHASE 13 PORTABLE POLICE RADIOS FROM HARRIS COMMUNICATIONS FOR A TOTAL PRICE OF \$33,624.50.**

Police Chief Cole presented a staff report and answered questions.

Motion was made by Councilmember McCutchen, seconded by Councilmember Palmer to approve purchase of 13 Portable Police Radios from Harris Communications for a total price of \$33,624.50. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

ITEM NO. 5 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF LIBRARY CHANGE ORDER NO. 6 WITH SHILOH ENTERPRISES, INC. FOR \$8,974.76 PERTAINING TO DIRT WORK, CARPET, DRYWALL SOFFIT CHANGES, AND REVISIONS TO THE STREET CURB AND GUTTER WORK.**

Todd Olberding, Bethany Library Project Manager presented the staff report.

Motion was made by Mayor Westmoreland, seconded by Councilmember Moore to approve Library Change Order No. 6 with Shiloh Enterprises, Inc. for \$8,974.76 pertaining to dirt work, carpet, drywall soffit changes, deleting revisions to the street curb and gutter work from the change order. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Abstain votes: Shirey. Motion passed.

ITEM NO. 6 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF LIBRARY CHANGE ORDER WITH TERRACON FOR ADDITIONAL TESTING NEEDED FOR THE PLAYGROUND AND PARK AMENITIES WORK.**

Todd Olberding, Bethany Library Project Manager presented the staff report.

Motion was made by Councilmember Harris, seconded by Councilmember Herren to approve Library Change Order with Terracon for additional testing needed for the playground and park amenities work. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Abstain votes: Shirey. Motion passed.

ITEM NO. 7 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT TO DEWBERRY ARCHITECTURAL CONTRACT TO ADD SERVICES FOR LIBRARY OUTDOOR SCULPTURE.**

Motion was made by Councilmember Harris, seconded by Councilmember McCutchen to approve amendment to Dewberry Architectural Contract to add services for library outdoor sculpture. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Abstain votes: Shirey. Motion passed.

ITEM NO. 8 on the agenda was **CALL TO THE PUBLIC.**

Dale & Evelyn German, 3001 Oakridge Drive.

ITEM NO. 9 on the agenda was **CITY ATTORNEY'S REPORT.**

Nothing was presented.

ITEM NO. 10 on the agenda was **CITY MANAGER'S REPORT.**

ITEM NO. 11 on the agenda was **COUNCIL MEMBERS
ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

ITEM NO. 12 on the agenda was **NEW BUSINESS.**

ITEM NO. 13 on the agenda was **ADJOURN UNTIL MAY 15, 2018**

Mayor Westmoreland adjourned the Bethany City Council meeting at 8:13 P.M.
until May 15, 2018.

MAYOR

CITY CLERK

NOTICE: Agenda posted on the front door of City Hall and the bulletin board in the lobby of City Hall at 5:00 P.M., Tuesday, April 24, 2018.

MINUTES
SPECIAL CALLED MEETING
OF THE
BETHANY CITY COUNCIL
FRIDAY APRIL 27, 2018
6:00 P.M.
Marchant Center
67009 N.W. 39th Expy., Bethany, Oklahoma

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| MEMBERS PRESENT: | KP Westmoreland | Mayor |
| | Curtis Moore | Councilmember |
| | Paul Todd | Councilmember |
| | Arlita Harris | Councilmember |
| | Steve Palmer | Councilmember |
| | Robert McCutchen | Councilmember |
| | Phill Shirey | Councilmember |
| | Jeff Knapp | Councilmember |
| MEMBERS ABSENT: | John Herren | Councilmember |
| OTHERS PRESENT: | David Davis | City Attorney |
| | Gary Holland | SRG |
| CANDIDATES: | Janet Smith | |
| | Jeremy Frazier | |
| | Mark Skiles | |

Mayor Westmoreland called the Special Called Meeting of the Bethany City Council to order at 6:15 P.M.

ITEM NO. 1 on the agenda was **CONDUCT INTERVIEWS IN EXECUTIVE SESSION WITH POTENTIAL CITY MANAGER CANDIDATES JANET SMITH, JEREMY FRAZIER AND MARK SKILES. (PROPOSED EXECUTIVE SESSION FOR PURPOSES OF DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE AS PROVIDED IN THE OKLAHOMA OPEN MEETING ACT 25 OKLAHOMA STATUTES SECTION 307 B1.)**

Motion was made by Councilmember Todd, seconded by Councilmember Knapp to enter into executive session. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, McCutchen, Shirey, Knapp. Motion passed.

Mayor Westmoreland recessed the Special Called Meeting at 6:30 P.M.
Mayor Westmoreland reconvened the Special Called Meeting at 10:00 P.M.

No action taken.

Motion was made by Councilmember Todd, seconded by Councilmember Moore to continue the Special Called Meeting to May 1, 2018, 7:30 P.M. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, McCutchen, Shirey, Knapp. Motion passed.

Mayor Westmoreland adjourned the Special Called Meeting of the Bethany City Council at 10:00 P.M.

MAYOR

CITY CLERK

NOTICE: Agenda posted on the front door of City Hall and the bulletin board in the lobby of City Hall at 5:00 P.M., Tuesday, April 24, 2018.

MINUTES
CONTINUATION OF
SPECIAL CALLED MEETING
OF THE
BETHANY CITY COUNCIL
FRIDAY APRIL 27, 2018
6:00 P.M.
TUESDAY MAY 1, 2018
7:30 P.M.
Bethany City Hall
6700 N.W. 36th Street, Bethany, Oklahoma

MEMBERS PRESENT:	KP Westmoreland	Mayor
	Curtis Moore	Councilmember
	Paul Todd	Councilmember
	Arlita Harris	Councilmember
	Steve Palmer	Councilmember
	John Herren	Councilmember
	Robert McCutchen	Councilmember
	Phill Shirey	Councilmember
	Jeff Knapp	Councilmember

OTHERS PRESENT:	David Davis	City Attorney
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Mayor Westmoreland called the Special Called Meeting of the Bethany City Council to order at 8:16 P.M.

ITEM NO. 1 on the agenda was **PROPOSED EXECUTIVE SESSION FOR PURPOSES OF DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE AS PROVIDED IN THE OKLAHOMA OPEN MEETING ACT 25 OKLAHOMA STATUTES SECTION 307 B1.**

Motion was made by Councilmember Palmer, seconded by Councilmember Harris to enter into executive session. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

Mayor Westmoreland recessed the Special Called Meeting at 8:16 P.M.
Mayor Westmoreland reconvened the Special Called Meeting at 8:55 P.M.

Motion was made by Councilmember Moore, seconded by Councilmember Todd to continue the Special Called Meeting to May 3, 2018, 8:00 P.M. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, McCutchen, Shirey, Knapp. Motion passed.

Mayor Westmoreland adjourned the Special Called Meeting of the Bethany City Council at 8:56 P.M.

MAYOR

CITY CLERK