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Agenda posted on the front door of City Hall and the bulletin board in the lobby of City Hall at 5:00 P.M., Wednesday, August 9, 2017. 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.

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# AGENDA

## BETHANY CITY COUNCIL



**TUESDAY, AUGUST 15, 2017**  
**7:30 P.M.**

**BETHANY CITY HALL**  
**6700 NW 36<sup>TH</sup> ST, BETHANY, OKLAHOMA**

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Call to Order  
Invocation  
Flag Salute

1. Consent Docket:
  - A. Approval of Minutes from the August 1, 2017 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.
  - C. Acceptance of Municipal Court Report.
  - D. Approval of Minutes from the July 25, 2017 Special Called Meeting.
  - E. Approval of Minutes from the July 19, 2017 Special Called Joint Meeting.
  - F. Approval of Resolution No. 1457 confirming Mayor's appointment of Phillip Suarez to BEDA.
  - G. Approval of Resolution No. 1456 accepting beneficial interest in the Bethany Economic Development Authority, a public trust of which the City is beneficiary; and declaring an emergency.
  - H. Public Improvement-Routine Action: Acknowledge receipt of ODEQ Permit to Construct library sewer relocation.
  - I. Approval of Resolution No. 1460 appointing Shiloh Enterprises, Inc. as a special purchasing agent to make such purchases necessary for construction and refurbishing of the Bethany Library Complex Project.

- J. Public Improvement-Routine Action: Accept dedication of Permanent Easement for library.
  - K. Approval of FY 2018 Collective Bargaining Agreement between the City of Bethany and IAFF Local 2085.
2. Appointment of Substitute Judge Terrell Monks.
  3. Approval of Resolution No. 1458 approving agreement with IBTS for City code rewrite.
  4. **PROPOSED EXECUTIVE SESSION** for discussion with City Attorney the defense to be raised in the case of Kliewer vs. City of Bethany, pertaining to vacating an alley in the Oldfield Addition to Bethany Oklahoma. (This action is authorized under the Oklahoma Open Meeting Act Section 307B4 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.)
  5. Proposed action directing City Attorney to present appropriate defense for preservation of the easement and right of way rights of the city in the easement sought to be vacated in Oldfield Addition to Bethany.
  6. Approval of appointment of April Collins as Deputy City Attorney and authorizing City Manager to approve contract for services.
  7. Call to the public.
  8. City Attorney's Report.
  9. City Manager's Report.
  10. Council Members Announcements, Comments, and Proposals.
  11. New Business.
  12. Adjourn until September 5, 2017.

## **BETHANY PUBLIC WORKS AUTHORITY**

1. Consent Docket:
  - A. Approval of Minutes from the August 1, 2017 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 September 5, 2017.

## **BETHANY HOSPITAL TRUST**

- 1. Consent Docket:
  - A. Approval of Minutes from the August 1, 2017 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. Approval of Resolution No. 1437 confirming and approving the tenant improvements for the Bethany Hospital Facility by UHS Oklahoma City, LLC and authorizing the Finance Director to prepare an amortization schedule reflecting the rent credit as provided for in the lease agreement.
- 3. Approval of Resolution No. 1459 approving the replacement of one Carrier Chiller for the Bethany Hospital Facility.
- 4. New Business.
- 5. Adjourn until September 5, 2017.

## **BETHANY DEVELOPMENT AUTHORITY**

- 1. Consent Docket:
  - A. Approval of Minutes from the August 1, 2017 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 September 5, 2017.

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., Wednesday, July 26, 2017.

**MINUTES**

**BETHANY CITY COUNCIL**

**TUESDAY, AUGUST 1, 2017**

**7:30 P.M.**

MEMBERS PRESENT:	KP Westmoreland	Mayor
	Paul Todd	Councilmember
	Arlita Harris	Councilmember
	Steve Palmer	Councilmember
	John Herren	Councilmember
	Robert McCutchen	Councilmember
	Jeff Knapp	Councilmember
MEMBERS ABSENT:	Curtis Moore	Councilmember
	Phill Shirey	Councilmember
OTHERS PRESENT:	J.D. Cox	City Manager
	Steve Harzman	Deputy City Manager
	David Davis	City Attorney
	Steve Katen	City Engineer
	Jon Robinson	Finance Director
	Susan Tate	Secretary
	(See Roster)	

Mayor Westmoreland called the Bethany City Council meeting to order at 7:31 P.M.

The Invocation was given by Councilmember Knapp.

The Flag Salute was conducted by Councilmember Todd.

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

- A. Approval of Minutes from the July 18, 2017 Special Called Meeting.
- B. Approval of Claims.
- C. Acceptance of Municipal Court Report.
- D. Approval of Fire Department Vehicle Purchase from State Contract Bid.

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

**ITEM NO. 2** on the agenda was **PRESENTATION OF 4<sup>th</sup> QUARTER FINANCIAL REPORT.**

Jon Robinson, Finance Director presented the 4<sup>th</sup> Quarter Financial Report.

Motion was made by Councilmember Todd, seconded by Councilmember Palmer to accept the Financial Report as submitted. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Motion passed.

**ITEM NO. 3** on agenda was **OMRF PRESENTATION.**

Jody Cox, OMRF presented Steve Harzman, Deputy City Manager the 2017 George F. Wilkinson Award for OKMRF outstanding agent.

**ITEM NO. 4** on the agenda was **APPROVAL OF RESOLUTION NO. 1453 GRANTING A TEMPORARY OCCUPANCY PERMIT TO SOUTHWESTERN CHRISTIAN UNIVERSITY FOR THEIR NEW DORMITORY FACILITY KNOWN AS “LEARNING AND LIVNG CENTER (LLC)”**

J.D. Cox presented the staff report.

Motion was made by Councilmember Palmer, seconded by Councilmember Harris to approve Resolution No. 1453 granting a Temporary Occupancy Permit to Southwestern Christian University for their new dormitory facility known as “Learning and Living Center (LLC)”. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Motion passed.

**ITEM NO. 5** on the agenda was **PROPOSED EXECUTIVE SESSION: DISCUSSION OF CREATION OF POSITION OF PART TIME DEPUTY CITY ATTORNEY AND DISCUSSION OF HIRING A PERSON TO FILL THAT POSITION. THIS EXECUTIVE SESSION IS AUTHORIZED UNDER THE OKLAHOMA OPEN MEETING LAW SECTION 307B2 WHICH PROVIDES AS FOLLOWS: AN EXECUTIVE SESSION IS AUTHORIZED FOR THE PURPOSE OF DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE.**

Motion was made by Councilmember Herren, seconded by Councilmember Todd to take Item No. 5 to executive session. Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Motion passed.

Mayor Westmoreland recessed the Council meeting at: 7:50 P.M.  
Mayor Westmoreland reconvened the Council meeting at: 8:08 P.M.

**ITEM NO. 6** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION NO. 1454.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BETHANY APPROVING FISCAL YEAR 2017-2018 GENERAL FUND BUDGET AMENDMENT NUMBER ONE TO INCLUDE THE ADDITION OF A POSITION OF DEPUTY CITY ATTORNEY AND PROVIDING FUNDS FOR THAT POSITION; DELETING THE POSITION OF PARKS AND CULTURE DIRECTOR; PROVIDING BUDGET FUNDS FOR OTHER RELATED COSTS FOR PERSONNEL IN THE MANAGEMENT AND GENERAL GOVERNMENT ACCOUNT; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO RECOMMEND THE APPOINTMENT OF DEPUTY CITY ATTORNEY SUBJECT TO APPROVAL OF THE CITY COUNCIL.**

Motion was made by Councilmember Palmer, seconded by Councilmember McCutchen to approve Resolution No. 1454. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Motion passed.

**ITEM NO. 7** on the agenda was **APPROVAL OF RESOLUTION NO. 1455 AUTHORIZING A PYROTECHNICAL DISPLAY FOR THE CHILDREN'S CENTER REHABILITATION HOSPITAL GRAND OPENING ON SEPTEMBER 30, 2017.**

S.R. Hunter addressed the Council.

Motion was made by Councilmember Harris, seconded by Councilmember Herren to approve Resolution N. 1455 authorizing a pyrotechnical display for The Children's Center Rehabilitation Hospital grand opening on September 30, 2017. Yes votes: Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Knapp. Motion passed.

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

Charles Peck, 6706 NW 31<sup>st</sup> Terrace

**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.**

J.D. Cox, City Manager presented the 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 AUGUST 15, 2017**

Mayor Westmoreland adjourned the Bethany City Council meeting at 8:26 P.M. until August 15, 2017.

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MAYOR

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CITY CLERK