

NOTICE: Agenda posted on the front door of City Hall and on the bulletin board in the lobby of City Hall at 9:00 A.M., Friday, January 12, 2018.

MINUTES

BETHANY CITY COUNCIL

TUESDAY, JANUARY 16, 2018

7:30 P.M.

MEMBERS PRESENT:	KP Westmoreland	Mayor
	Paul Todd	Councilmember
	Arlita Harris	Councilmember
	Steve Palmer	Councilmember
	John Herren	Councilmember
	Robert McCutchen	Councilmember
	Phill Shirey	Councilmember (left 9:33 P.M.)
MEMBERS ABSENT:	Curtis Moore	Councilmember
	Jeff Knapp	Councilmember
OTHERS PRESENT:	Steve Harzman	Acting City Manager
	David Davis	City Attorney
	April Collins	Deputy 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 7:30 P.M.

The Flag Salute was conducted by Ms. Adriane Work and her 2nd grade class from Bethany Elementary School.

The Invocation was given by Mayor Westmoreland.

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

- A. Approval of Minutes from the January 2, 2018 Regular Meeting.
- B. Approval of Minutes from the January 3, 2018 Special Called Meeting.
- C. Approval of Minutes from the January 4, 2018 Special Called Meeting.
- D. Approval of Minutes from the January 10, 2018 Special Called Meeting.
- E. Approval of Claims.
- F. Acceptance of Court Report.
- G. Acceptance of Certificate and Municipal Order to County Clerk and County Treasurer.

J.R. Robinson, Finance Director addressed the Council and announced that in the future he would be presenting a monthly financial flow report.

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

ITEM NO. 2 on the agenda was **PRESENTATION OF QUALIFICATIONS AND PROPOSAL BY CENTER FOR ECONOMIC DEVELOPMENT LAW FOR PROVIDING LEGAL SERVICES FOR TAX INCREMENT FINANCING DISTRICTS.**

Leslie Batchelor & Jeff Sabin, Center for Economic Development Law presented.

ITEM NO. 3 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF LEGAL SERVICES AGREEMENT WITH CENTER FOR ECONOMIC DEVELOPMENT LAW PERTAINING TO TAX INCREMENT FINANCING DISTRICTS.**

Motion was made by Councilmember Palmer, seconded by Councilmember Harris to approve legal services agreement with Center for Economic Development Law pertaining to tax increment financing districts. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

ITEM NO. 4 on the agenda was **UPDATE ON SAMARITAN EMERGENCY MEDICAL SERVICE (SEMS) BY FIRE CHIEF S.R. HUNTER.**

ITEM NO. 5 on the agenda was **PRESENTATION BY PUBLIC WORKS DIRECTOR DAVID BUCHANAN REGARDING AUTOMATED TRASH PROGRAM.**

ITEM NO. 6 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF LEASE AMENDMENT WITH SPRINT SPECTRUM REALTY COMPANY FOR TOWER LOCATED AT 2601 N WILBURN AVENUE.**

Motion was made by Councilmember Todd, seconded by Councilmember Palmer to approve lease amendment with Sprint Spectrum Realty. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

ITEM NO. 7 on the agenda was **CONSIDERATION AND POSSIBLE ACTION OF ADOPTING AN AMENDED ORDINANCE NO. 1952 GRANTING TO OKLAHOMA GAS AND ELECTRIC COMPANY A FRANCHISE FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF AN ELECTRIC DISTRIBUTION SYSTEM IN THE CITY OF BETHANY AND THE SELLING OF ELECTRICITY THEREIN FOR A TERM OF 25 YEARS.**

A. APPROVAL OF ORDINANCE NO. 1952 ON READING BY TITLE ONLY.

Motion was made by Councilmember Todd, seconded by Councilmember Palmer to approve Ordinance No. 1952 on reading by title only. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

Pat Lewis, Community Relations Manager OGE Energy Corp answered questions.

B. APPROVAL OF SECTIONS 1-11 OF ORDINANCE NO. 1952.

Motion was made by Councilmember Todd, seconded by Councilmember Harris to approve sections 1-11 of Ordinance No. 1952. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen. No votes: Shirey. Motion passed.

ITEM NO. 8 on the agenda was **CONSIDERATION AND POSSIBLE ACTION OF ADOPTING AN AMENDED RESOLUTION NO. 1496 CALLING AND HOLDING AN ELECTION IN THE CITY OF BETHANY ON APRIL 3, 2018 FOR THE PURPOSE OF GRANTING A FRANCHISE TO OKLAHOMA GAS AND ELECTRIC COMPANY FOR THE INSTALLATION OPERATION AND MAINTENANCE OF AN ELECTRIC DISTRIBUTION SYSTEM AND THE SELLING OF ELECTRICITY THEREIN FOR A TERM OF 25 YEARS.**

Motion was made by Councilmember Palmer, seconded by Councilmember Todd to adopt an amended Resolution No. 1496 calling and holding an election in the City of Bethany on April 3, 2018 for the purpose of granting a franchise to Oklahoma Gas and Electric Company for the installation operation and maintenance of an electric distribution system and the selling of electricity therein for a term of 25 years. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

ITEM NO. 9 on the agenda was **LET'S GET CONNECTED (TABLED FROM 11/21/2017 MEETING)**

I. APPROVAL OF ORDINANCE NO. 1942 ON READING BY TITLE ONLY.

II. PUBLIC HEARING ON ORDINANCE NO. 1942

III. APPROVAL OF SECTIONS 1-5 OF ORDINANCE NO. 1942

IV. APPROVAL OF SECTION 6 OF ORDINANCE NO. 1942, THE EMERGENCY SECTION.

B. APPROVAL OF RESOLUTION NO. 1468 ADOPTING SIDEWALK PERMIT FEE OF \$5 AND ADOPT REVISED STANDARD REQUIREMENT COMPLIANCE WITH ADA STANDARDS.

Motion was made by Councilmember Palmer, seconded by Councilmember McCutchen to remove Ordinance No. 1942 and Resolution No. 1468 from the agenda. Yes votes: Westmoreland, Todd, Palmer, Herren, McCutchen, Shirey. No votes: Harris. Motion passed.

ITEM NO. 10 on the agenda was **PROPOSED EXECUTIVE SESSION: FOR PURPOSES OF DISCUSSION OF APPOINTMENT OF STEVE HARZMAN AS INTERIM CITY MANAGER AND CONSIDERATION OF ADDITIONAL COMPENSATION FOR THE ADDITIONAL DUTIES AND REVISED AGREEMENT WITH APRIL COLLINS FOR REVISED DUTIES AS AUTHORIZED BY 25 OKLAHOMA STATUTES, SECTION 307 B1 OF THE OKLAHOMA OPEN MEETING ACT WHICH PROVIDES AUTHORIZATION FOR AN EXECUTIVE SESSION FOR PURPOSES OF DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT PROMOTION, DEMOTION, DISCIPLING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE.**

Motion was made by Councilmember Palmer, seconded by Councilmember Todd to take Item No. 10 to executive session. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

Mayor Westmoreland recessed the Council meeting at 9:33 P.M.
Mayor Westmoreland reconvened the Council meeting at 10:03 P.M.

ITEM NO. 11 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF AGREEMENT WITH STEVE HARZMAN PERTAINING TO HIS APPOINTMENT AS INTERIM CITY MANAGER AND ESTABLISHING ADDITIONAL COMPENSATION FOR THE EXTRA DUTIES.**

Motion was made by Councilmember Harris, seconded by Councilmember Todd to approve agreement with Steve Harzman pertaining to his appointment as Interim City Manager and establishing additional 10% compensation for the extra duties. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

ITEM NO. 12 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF AMENDED AGREEMENT WITH APRIL COLLINS FOR LEGAL SERVICES AND ESTABLISHING FEES FOR SUCH SERVICES.**

Motion was made by Councilmember Harris, seconded by Councilmember McCutchen to approve amended agreement with April Collins for legal services and establishing fees for such services. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen, Shirey. Motion passed.

ITEM NO. 13 on the agenda was **CALL TO THE PUBLIC.**

Dr. Wenyika, President Southwest Christian University.

ITEM NO. 14 on the agenda was **CITY ATTORNEY'S REPORT.**

David Davis, City Attorney presented the City Attorney's report.

ITEM NO. 15 on the agenda was **CITY MANAGER'S REPORT.**

Steve Harzman, Acting City Manager presented the City Manager's Report.

ITEM NO. 16 on the agenda was **COUNCIL MEMBERS ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

ITEM NO. 17 on the agenda was **NEW BUSINESS.**

ITEM NO. 18 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2018**

Mayor Westmoreland adjourned the Bethany City Council meeting at 10:14 P.M. until February 6, 2018.

MAYOR

CITY CLERK

MINUTES

BETHANY PUBLIC WORKS AUTHORITY

TUESDAY, JANUARY 16, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
 Paul Todd Trustee
 Arlita Harris Trustee
 Steve Palmer Trustee
 John Herren Trustee
 Robert McCutchen Trustee

MEMBERS ABSENT: Curtis Moore Trustee
 Jeff Knapp Trustee
 Phill Shirey Trustee

OTHERS PRESENT: Steve Harzman Acting City Manager
 David Davis City Attorney
 April Collins Deputy City Attorney
 Steve Katen City Engineer
 Jon Robinson Finance Director
 Susan Tate Secretary
 (See Roster)

Chairman Westmoreland called the Bethany Public Works Authority meeting to order at 10:14 P.M.

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

- A. Approval of Minutes from the January 2, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Palmer, seconded by Trustee Harris to approve the Consent Docket as submitted. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen. Motion passed.

ITEM NO. 2 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF LEASE AMENDMENT WITH SPRINT SPECTRUM REALTY COMPANY FOR TOWER LOCATED AT 2601 N WILBURN AVENUE.**

Motion was made by Trustee Palmer, seconded by Trustee Harris to approve lease amendment with Sprint Spectrum Realty Company for tower located at 2601 N Wilburn Avenue. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen. Motion passed.

ITEM NO. 3 on the agenda was **NEW BUSINESS.**

Nothing was presented.

ITEM NO. 4 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2018.**

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 10:15 P.M. until February 6, 2018.

CHAIRMAN

SECRETARY

MINUTES

BETHANY HOSPITAL TRUST

TUESDAY, JANUARY 16, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
 Paul Todd Trustee
 Arlita Harris Trustee
 Steve Palmer Trustee
 John Herren Trustee
 Robert McCutchen Trustee

MEMBERS ABSENT: Curtis Moore Trustee
 Jeff Knapp Trustee
 Phill Shirey Trustee

OTHERS PRESENT: Steve Harzman Acting City Manager
 David Davis City Attorney
 April Collins Deputy City Attorney
 Steve Katen City Engineer
 Jon Robinson Finance Director
 Susan Tate Secretary
 (See Roster)

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 10:15 P.M.

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

- A. Approval of Minutes from the January 2, 2015 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Palmer, seconded by Trustee Todd to approve the Consent Docket as submitted. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen. Motion passed.

ITEM NO. 2 on the agenda was **NEW BUSINESS**.

Nothing was presented.

ITEM NO. 3 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2018**.

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 10:16 P.M. until February 6, 2018.

CHAIRMAN

SECRETARY

MINUTES

BETHANY DEVELOPMENT AUTHORITY

TUESDAY, JANUARY 16, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
 Paul Todd Trustee
 Arlita Harris Trustee
 Steve Palmer Trustee
 John Herren Trustee
 Robert McCutchen Trustee

MEMBERS ABSENT: Curtis Moore Trustee
 Jeff Knapp Trustee
 Phill Shirey Trustee

OTHERS PRESENT: Steve Harzman Acting City Manager
 David Davis City Attorney
 April Collins Deputy City Attorney
 Steve Katen City Engineer
 Jon Robinson Finance Director
 Susan Tate Secretary
 (See Roster)

Chairman Westmoreland called the Bethany Development Authority meeting to order at 10:16 P.M.

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

- A. Approval of Minutes from the January 2, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Palmer, seconded by Trustee Harris to approve the Consent Docket as presented. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, McCutchen. Motion passed.

ITEM NO. 2 on the agenda was **NEW BUSINESS**.

Nothing was presented.

ITEM NO. 3 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2018**.

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 10:17 P.M. until February 6, 2018.

CHAIRMAN

SECRETARY