

NOTICE: Agenda posted on the front door of City Hall and on the bulletin board in the lobby of City Hall at 4:59 P.M., Thursday, January 16, 2020.

MINUTES

BETHANY CITY COUNCIL

TUESDAY, JANUARY 21, 2020

7:30 P.M.

- MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Council Member
Chris Powell Council Member
Matthew Goodwin Council Member
Amanda Sandoval Council Member
Jeff Knapp Council Member
John Herren Council Member
S.R. Hunter Council Member
Kathy Larsen Council Member
- MEMBERS ABSENT: None
- OTHERS PRESENT: Bradd Brown City Manager
Claudia Conner City Attorney
Michael Vaughn City Clerk/Treasurer
Lesa LaMar Deputy City Clerk
Steve Katen Deputy City Manager/City Engineer
David Paige Attorney
(See Roster)

Mayor Westmoreland opened the meeting with a Proclamation declaring January 26-February 1 as School Choice Week.

Mayor Westmoreland called the meeting to order at 7:32 p.m.

The Invocation was given by Mayor Westmoreland.

The Flag Salute was conducted by the 117 Boy Scout Troop.

ITEM NO. 1 on the agenda was CONSENT DOCKET:

- A. APPROVAL OF MINUTES FROM THE JANUARY 7, 2020 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.

Motion was made by Councilmember Knapp seconded by Councilmember Larsen to approve the Consent Docket. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 2 on the agenda CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1581, A RESOLUTION OF THE BETHANY CITY COUNCIL ADOPTING THE AGREEMENT ENTERED INTO ON NOVEMBER 1, 2019 AND DEALING WITH AMERICANS WITH DISABILITIES ACT.

Part of the mediation agreement involves moving the council meeting to another facility to meet the ADA requirements. The meetings will be moved until the renovation of the council chambers is complete. There was discussion about starting the meetings at 7:00 p.m. due to the library closing at 9:00 p.m. Another part of the agreement will be to continue to Facebook live the city council meetings.

Motion was made by Mayor Westmoreland to amend Resolution 1581 to move the council meetings to the Bethany Library beginning February 4th, 2020 seconded by Councilmember Knapp. Yes votes: Westmoreland, Palmer, Powell, Sandoval, Goodwin, Sandoval, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 3 on the agenda UPDATE AND POSSIBLE DISCUSSION REGARDING A RECENT SEWER ISSUE LOCATED ON NW 46TH STREET BETWEEN ASBURY AND MUELLER. (BRADD BROWN, CITY MANAGER)

City Manager Bradd Brown updated city council on the private sewer line that serves 4 houses and the maintenance facility for Bethany High School. This line taps into a manhole that is in the middle of NW 46th Street. A plumber was obtained by one of the homeowners and he discovered that the line was partially collapsed. A permit was not able to be obtained due to the noncompliance. An emergency exception was authorized by City Manager Bradd Brown to grant a special permit to replace that portion of the collapsed line. It was also discovered that a portion of the line that goes under the pavement also has some issues.

Deputy City Manager/City Engineer Steve Katen gave some details, recommendations and answered questions from the council.

Holly Anderson of 6720 NW 46th Street spoke on the history of this being an

issue for several years for homeowners. She explained that she has replaced the trunk line however, the part at the street is another \$6,000. She requests the city to take care of the part that runs under the street.

Mayor Westmoreland moved Item 6 up to have Executive Session on both Items 4 and 6 and to vote on both at the conclusion of Executive Session.

ITEM NO. 4 on the agenda PROPOSED EXECUTIVE SESSION: DISCUSSION AND UPDATE FROM ATTORNEY 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]; DISCUSSION OF SETTLEMENT AGREEMENT WITH RESPONSIBLE PARTIES REGARDING POLLUTION OF PUBLIC WATER SUPPLY. (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.) (CLAUDIA CONNER, CITY ATTORNEY)

ITEM NO. 6 on the agenda PROPOSED EXECUTIVE SESSION: DISCUSSION AND UPDATE FROM ATTORNEY CONCERNING PENDING INVESTIGATION CLAIM OR ACTION ON POSSIBLE ELECTION ISSUES AND BANKING RELATIONSHIPS. (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.) (CLAUDIA CONNER, CITY ATTORNEY)

Motion was made by Councilmember Palmer seconded by Councilmember Sandoval to enter Executive Session. Yes votes: Westmoreland, Palmer, Goodwin, Powell, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

Regular City Council recessed to Executive Session 7:54 p.m.

Regular City Council reconvened at 9:28 p.m.

ITEM NO. 5 on the agenda PROPOSED ACTION AFTER EXECUTIVE SESSION: CONSIDERATION AND POSSIBLE APPROVAL OF SETTLEMENT AGREEMENT WITH GULFSTREAM AND ROCKWELL REGARDING POLLUTION OF PUBLIC WATER SUPPLY. (CLAUDIA CONNER, CITY ATTORNEY)

Motion was made by Councilmember Knapp to accept the settlement offer in the case of City of Bethany vs Gulfstream and Rockwell and direct our attorney to review the costs as submitted. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 7 on the agenda PROPOSED ACTION AFTER EXECUTIVE SESSION: PROPOSED ACTION MAY BE TAKEN ON THE ABOVE MATTER FOLLOWING EXECUTIVE SESSION. (CLAUDIA CONNER, CITY ATTORNEY)

No action was taken. Discussion only.

ITEM NO 8 on the agenda UPDATE, DISCUSSION, AND POSSIBLE ACTION CONCERNING THE WATER CONTAMINATION/WATER WELL EFFORTS. (KP WESTMORELAND, MAYOR)

City Manager Bradd Brown informed council that with the settlement offer he believes staff will be able to move forward quickly in some areas.

ITEM NO. 9 CITIZEN'S OPPORTUNITY TO ADDRESS THE COUNCIL ON GENERAL TOPICS RELATED TO CITY BUSINESS OR SERVICES (3 MINUTE LIMIT-NO ACTION MAY BE TAKEN ON MATTERS UNDER THIS ITEM).

Marvel Whitehurst- 6600 NW 29th Street, Bethany.

ITEM NO. 10 on the agenda CITY ATTORNEY'S REPORT.

ITEM NO. 11 on the agenda CITY MANAGER'S REPORT.

Introduction of the new finance director, Michael Vaughn.

ITEM NO. 12 on the agenda COUNCIL MEMBERS ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.

ITEM NO. 13 on the agenda was NEW BUSINESS.

ITEM NO. 14 on the agenda was **ADJOURN UNTIL FEBRUARY 4, 2020.**

Mayor Westmoreland adjourned the Bethany City Council meeting at 9:37 P.M. until February 4, 2020.

MAYOR

CITY CLERK

MINUTES

BETHANY PUBLIC WORKS AUTHORITY

TUESDAY, JANUARY 21, 2020

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Trustee
Chris Powell Trustee
Matthew Goodwin Trustee
Amanda Sandoval Trustee
Jeff Knapp Trustee
John Herren Trustee
S.R. Hunter Trustee
Kathy Larsen Trustee

MEMBERS ABSENT: None

OTHERS PRESENT: Bradd Brown City Manager
Michael Vaughn City Clerk/Treasurer
Lesa LaMar Deputy City Clerk
Claudia Conner City Attorney
Steve Katen Deputy City Manager/City Engineer
David Paige Attorney
(See Roster)

Chairman Westmoreland called the Bethany Public Works Authority meeting to order at 9:37 P.M.

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

- A. APPROVAL OF MINUTES FROM THE JANUARY 7, 2020 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.**

Motion was made by Trustee Palmer and seconded by Trustee Hunter to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 2 on the agenda **CONSIDERATION AND POSSIBLE APPROVAL OF SETTLEMENT AGREEMENT WITH GULFSTREAM AND ROCKWELL REGARDING POLLUTION OF PUBLIC WATER SUPPLY.**

Motion was made by Trustee Palmer and seconded by Trustee Hunter to approve the settle agreement with Gulfstream and Rockwell regarding pollution of public water supply. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

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

ITEM NO. 4 on the agenda was **ADJOURN UNTIL FEBRUARY 4, 2020.**

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 9:37 P.M. until February 4, 2020.

CHAIRMAN

SECRETARY

MINUTES

BETHANY HOSPITAL TRUST

TUESDAY, JANUARY 21, 2020

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Trustee
Matthew Goodwin Trustee
Chris Powell Trustee
Amanda Sandoval Trustee
Jeff Knapp Trustee
John Herren Trustee
S.R. Hunter Trustee
Kathy Larsen Trustee

MEMBERS ABSENT: None

OTHERS PRESENT: Bradd Brown City Manager
Michael Vaughn City Clerk/Treasurer
Lesa LaMar Deputy City Clerk
Claudia Conner City Attorney
Steve Katen Deputy City Manager/City Engineer
David Paige Attorney
(See Roster)

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 9:37 P.M.

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

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Motion was made by Trustee Palmer seconded by Trustee Knapp to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 2 on the agenda was **ADJOURN UNTIL FEBRUARY 4, 2020.**

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 9:38 P.M. until February 4, 2020.

CHAIRMAN

SECRETARY

MINUTES

BETHANY DEVELOPMENT AUTHORITY

TUESDAY, JANUARY 21, 2020

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Trustee
Chris Powell Trustee
Matthew Goodwin Trustee
Amanda Sandoval Trustee
Jeff Knapp Trustee
John Herren Trustee
S.R. Hunter Trustee
Kathy Larsen Trustee

MEMBERS ABSENT: None

OTHERS PRESENT: Bradd Brown City Manager
Michael Vaughn City Clerk/Treasurer
Lesa LaMar Deputy City Clerk
Claudia Conner City Attorney
Steve Katen Deputy City Manager/City Engineer
David Paige Attorney
(See Roster)

Chairman Westmoreland called the Bethany Development Authority meeting to order at 9:38 P.M.

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

- A. APPROVAL OF MINUTES FROM THE JANUARY 7, 2020 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.**

Motion was made by Trustee Palmer seconded by Trustee Knapp to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Powell, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

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JANUARY 21, 2020

ITEM NO. 2 on the agenda was **ADJOURN UNTIL FEBRUARY 4, 2020.**

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 9:38 P.M. until February 4, 2020.

CHAIRMAN

SECRETARY