

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., Friday, March 1, 2019.

MINUTES

BETHANY CITY COUNCIL

TUESDAY, MARCH 5, 2019

7:30 P.M.

- | | | |
|------------------|------------------|---------------------------------|
| MEMBERS PRESENT: | KP Westmoreland | Mayor |
| | Steve Palmer | Council Member |
| | Paul Todd | 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 | Council Member |
| OTHERS PRESENT: | Beth Anne Childs | Acting City Attorney |
| | Berkeley Penner | City Clerk/Treasurer |
| | Lesa LaMar | Municipal Accountant |
| | Amanda McCellon | Director of CD & Planning |
| | Phil Stowell | Community Image & Services Dir. |
| | Shaum Jennings | Fire Chief |
| | (See Roster) | |

The Mayor presented Service Awards along with OML's representative Matt White.

Mayor Westmoreland called the Bethany City Council meeting to order at 7:37 P.M.

The Invocation was given by Council Member Herren.

The Flag Salute was conducted by Council Member Palmer.

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

- A. APPROVAL OF MINUTES FROM THE FEBRUARY 19, 2019 REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM THE FEBRUARY 19, 2019 SPECIAL CALLED MEETING.**

- C. **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.**
- D. **ACCEPTANCE OF PAYROLL REPORT.**
- E. **ACCEPTANCE OF BUDGET ADJUSTMENT REPORT.**

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

ITEM NO. 2 on the agenda was CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1536 OF THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA, DECLARING A PRIVATE SANITARY SEWER LINE GENERALLY LOCATED ON NORTH COLLEGE AVENUE BETWEEN NW 46TH STREET AND NW 48TH STREET, IN THE CITY OF BETHANY, OKLAHOMA, AND SPECIFICALLY THE PORTIONS OF THE LINE LOCATED AT 4809 NORTH COLLEGE AVENUE AND 4811 NORTH COLLEGE AVENUE, A PUBLIC NUISANCE; RATIFYING THE PUBLIC NUISANCE DECLARED BY THE CITY MANAGER ON MARCH 4, 2019; DECLARING AN EMERGENCY; AUTHORIZING THE CITY MANAGER TO ABATE THE NUISANCE THROUGH REPAIR OF THE SANITARY SEWER LINE OR OTHER MEANS REASONABLE AND PROPER; DECLARING AN EMERGENCY AND WAIVING THE PROVISIONS OF THE PUBLIC COMPETITIVE BIDDING ACT.

Interim Attorney Beth Anne Childs reported the details concerning the private collector line that is failing. A camera cannot get the line to see exactly what the problem is. Public Works has created a bypass system to stop the discharge of raw sewage into the neighborhood. By declaring this a public nuisance, the City can abate the nuisance and place a lien on the property where in it cannot be sold until the money is paid that is spent on the repair. Also, by declaring a public nuisance the City does not need the owner's permission to repair the sewer line. The repair is estimated at approximately \$2,500.00 unless there are further findings that are problematic. A licensed plumber will be used to make the repairs with some possible assistance by city crews.

Motion was made by Council Member Palmer, seconded by Council Member Knapp to adopt Resolution No. 1536 of the City Council of the City of Bethany, Oklahoma, declaring a private sanitary sewer line generally located on North College Avenue between NW 46th Street and NW 48th Street, in the City of Bethany, Oklahoma, and specifically, the portions of the line located at 4809 North College Avenue and 4811 North College Avenue, a public nuisance; ratifying the public nuisance declared by the City Manager on March 4, 2019; declaring an emergency; authorizing the City Manager to abate the nuisance through repair of the sanitary sewer line or other means reasonable and proper; declaring an emergency and waiving the provisions of the public competitive bidding act. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp,

Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 3 on the agenda was CONSIDERATION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH OKLAHOMA COUNTY EMERGENCY MANAGEMENT TO OUTFIT A CAB AND CHASSIS TRUCK WITH NEW EQUIPMENT TO MAKE A FULLY OPERATIONAL BRUSH/WILDLAND FIRE TRUCK.

Chief Jennings explained to the Council the need for having the brush/wildland fire truck. Bethany has green space that cannot be accessed without the brush/wildland fire truck. Bethany Fire Department also assists with Woodlawn Park, Warr Acres and the surrounding Counties. The current brush truck is 18 years old and will go back to County. County is funding the cab and chassis with Bethany uplifting to make it fully operational. The cab and chassis are still the Counties asset that we get to use. Bethany will remove anything that has been added to the old brush truck and it will be returned to County for disposal as they see fit. This uplifting cost is approximately \$70,000.00.

Motion was made by Council Member Larsen, seconded by Herren to approve an Agreement with Oklahoma County Emergency Management to outfit a cab and chassis truck with new equipment to make a fully operational brush/wildland fire truck. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 4 on the AGENDA CONSIDERATION AND POSSIBLE APPROVAL OF SPECIFICATIONS FOR A REPLACEMENT FIRE STATION BACK-UP GENERATOR AND TRANSFER SWITCH AND AUTHORIZE STAFF TO SOLICIT BIDS.

Chief Jennings reported that the current generator is a 1998 model. The generator went out the 1st of January and we are currently using one of our Water Department generators. There was discussion on the size of generator and on the bid process.

Motion was made by Council Member Larsen, seconded by Council Member Palmer. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 5 on the agenda was UPDATE FROM COMMUNITY DEVELOPMENT REGARDING THE TITLE 15 REWRITE FOLLOWED BY AN OPPORTUNITY FOR COUNCIL TO ASK QUESTIONS FROM STAFF. (MAYOR WESTMORELAND)

Amanda McCellon gave the update to Council. New Members were informed that along with the newly adopted Comprehensive Plan that was adopted in 2016 the City needed to update the Ordinances to support the plan. Title 15 is the land usage chapter of the Ordinances. On August 2017 the City entered into an agreement with IBTS (Institute for Building Technology and Safety) to rewrite Title 15. The final rewrite was received from IBTS in January of 2019. We did not adopt the Title 15 rewrite from IBTS the way it was. City of Bethany staff is currently working to complete the rewrite and will have something to present to Council in April. Staff is also working on a Food Truck Ordinance, Short Term Rental Ordinance, Sanitation Ordinance and working with Interim City Attorney Beth Anne Childs with some medical marijuana issues. There will be a

workshop for Council to review the Title 15 Rewrite and Ordinances.

ITEM NO. 6 on the agenda **HOUSING INSPECTION PROGRAM PRESENTATION BY AMANDA MCELLEN, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT. (PHIL COLE, STEVE PALMER)**

Amanda McCellon presented a slideshow. The Housing Inspection Program has been very effective in Del City since 2008. Del City has seen 700 plus homes upgraded with this program. With this program no resident can move in without a Certificate of Occupancy. Residents would apply for an Occupancy Inspection. The Inspection would be done by the City based on the International Property Code. After Certificate of Occupancy is issued you can have water, sewer and trash pickup to the residency. There would be 3 legislative changes to be made:

1. Ordinance to make it unlawful to occupy a residential structure without a Certificate of Occupancy.
2. Ordinance to make it unlawful for a utility provider to initiate utility services to a property without a Certificate of Occupancy.
3. A separate regulation that city utility accounts will only be opened in the name of the primary occupant of a structure.

Recommendation of an initial inspection fee of \$40.00 with reinspection provided at no charge, proving that work is progressing in good faith. Recommendation of a reinspection fee of \$100.00 that can be assessed for missed appointments or multiple failed inspections. All one- and two-family dwellings in the City of Bethany must be inspected every time a change of occupancy occurs. If an occupant change happens within 180 days of dwelling passing inspection (receiving a Full CO), a new inspection is necessary, but the fee will be waived. Occupancy of a dwelling for any length of time without a CO is a violation of the City Ordinances. The property owner, property manager and/or occupant are all responsible for such a violation. The City has adopted the 2015 International Building Code, including the 2015 International Property Maintenance Code. A Provisional Certificate of Occupancy could be granted based on the corrections being made and approved within a stated period. Amanda is checking to see if by not turning on utilities in Del City this includes lights and gas. It is noted also that without utilities turned on it would be impossible to do a thorough inspection. This program does not include apartments. This is the first draft of the program. Council Member Herren would like to see our existing Ordinances enforced over a period of time to see if that cleans up a lot of the problems before moving with such a large change.

ITEM NO. 7 on the agenda was **CITIZENS' OPPORTUNITY TO ADDRESS THE COUNCIL ON GENERAL TOPICS RELATED TO CITY BUSINESS OR SERVICES (NO ACTION MAY BE TAKEN ON MATTERS UNDER THIS ITEM).**

Charles Peck- 6706 NW 31 Terrace- Citizens need improved Code Enforcement with procedures and check system.

ITEM NO. 8 on the agenda **CITY ATTORNEY'S REPORT.**

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

ITEM NO. 10 on the agenda **COUNCIL MEMBERS ANNOUCEMENTS, COMMENTS, AND PROPOSALS.**

ITEM NO. 11 on the agenda was **NEW BUSINESS.**

ITEM NO. 12 on the agenda was **ADJOURN UNTIL March 19, 2019.**

Mayor Westmoreland adjourned the Bethany City Council meeting at 8:59 P.M. until March 19, 2019.

MAYOR

CITY CLERK

MINUTES

BETHANY PUBLIC WORKS AUTHORITY

TUESDAY, MARCH 5, 2019

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Council Member
Paul Todd 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: Beth Anne Childs Acting City Attorney
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Services Dir.
Shaum Jennings Fire Chief
(See Roster)

Chairman Westmoreland called the Bethany Public Works Authority meeting to order at 8:59 P.M.

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

- A. APPROVAL OF MINUTES FROM THE FEBRUARY 19, 2019 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 Larsen to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

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

ITEM NO. 3 on the agenda was **ADJOURN UNTIL MARCH 19, 2019.**

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 9:00 P.M. until March 19, 2019.

CHAIRMAN

SECRETARY

MINUTES

BETHANY HOSPITAL TRUST

TUESDAY, MARCH 5, 2019

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Council Member
Paul Todd 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: Beth Anne Childs Acting City Attorney
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Services Dir.
Shaum Jennings Fire Chief
(See Roster)

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 9:00 P.M.

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

- A. APPROVAL OF MINUTES FROM THE FEBRUARY 19, 2019 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 Hunter to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 2 on the agenda was **ADJOURN UNTIL MARCH 19, 2019.**

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 9:00 P.M. until March 19, 2019.

CHAIRMAN

SECRETARY

MINUTES

BETHANY DEVELOPMENT AUTHORITY

TUESDAY, MARCH 5, 2019

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Mayor
Steve Palmer Council Member
Paul Todd 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: Beth Ann Childs Acting City Attorney
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Services Dir.
Shaum Jennings Fire Chief
(See Roster)

Chairman Westmoreland called the Bethany Development Authority meeting to order at 9:00 P.M.

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

- A. APPROVAL OF MINUTES FROM THE FEBRUARY 19, 2019 REGUALR 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 Sandoval to approve the Consent Docket as submitted. Yes votes: Westmoreland, Palmer, Todd, Goodwin, Sandoval, Knapp, Herren, Hunter, Larsen. No votes: None. Motion passed.

ITEM NO. 2 on the agenda was **ADJOURN UNTIL MARCH 19, 2019.**

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 9:00 P.M. until March 19, 2019.

CHAIRMAN

SECRETARY