

NOTICE: Agenda posted on the front door of City Hall and on the bulletin board in the lobby of City Hall at 2:00 P.M., Monday, April 2, 2018.

**MINUTES**

**BETHANY CITY COUNCIL**

**TUESDAY, APRIL 3, 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 Harzman   | Acting City Manager |
|                 | David Davis     | City Attorney       |
|                 | Steve Katen     | City Engineer       |
|                 | Amanda McCellon | Community Dev. Dir. |
|                 | Jon Robinson    | Finance Director    |
|                 | Susan Tate      | City Clerk          |
|                 | (See Roster)    |                     |

Mayor Westmoreland called the Bethany City Council meeting to order at 7:30 P.M.

The Flag Salute was conducted by Councilmember Knapp.

The Invocation was given by Mayor Westmoreland.

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

- A. Approval of Minutes from the March 20, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Councilmember Knapp, seconded by Councilmember Herren 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 **RECEIVE COMMENTS AND RECOMMENDATIONS FROM THE BETHANY LIBRARY COMMITTEE FOR THE BETHANY LIBRARY PLAYGROUND BID AWARD AND THE BETHANY LIBRARY PARK AMENITIES CHANGE ORDER.**

Katie King presented the Library Committee report.

**ITEM NO. 3** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF AWARD OF THE BETHANY LIBRARY PLAYGROUND EQUIPMENT TO THE PLAYWELL GROUP/PLAYWORKS INCORPORATED, THE LOWEST AND BEST BIDDER.**

Motion was made by Councilmember Palmer, seconded by Councilmember Harris to approve award of the Bethany Library Playground Equipment to the Playwell Group/Playworks Incorporated. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. No votes: Shirey. Motion passed.

**ITEM NO. 4** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF SHILOH'S CHANGE ORDER 5 FOR THE BETHANY LIBRARY PARK AMENITIES.**

Motion was made by Councilmember Harris, seconded by Councilmember Knapp to approve Shiloh's Change Order 5 for the Bethany Library Park Amenities. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. No votes: Shirey. Motion passed.

**ITEM NO. 5** on the agenda was **REVIEW OF THE BETHANY LIBRARY BUDGET.**

Todd Olberding, Bethany Library Project Manager presented the review of the Bethany Library Budget.

**ITEM NO. 6 on the agenda was APPROVAL OF PROPOSED LOCATION OF PARK AMENITIES AND TREES WITHIN ELDON LYON PARK.**

Amanda McCellon, Community Development Director and Phil Stowell, Assistant Public Works Director presented the staff report.

Motion was made by Councilmember Palmer, seconded by Councilmember Todd to approve proposed location of park amenities and trees within Eldon Lyon Park. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 7 on the agenda was ADOPTION OF RESOLUTION NO. 1502 DESIGNATING THE WEEK OF APRIL 8<sup>TH</sup> THROUGH APRIL 14<sup>TH</sup> OF 2018 AS NATIONAL TELECOMMUNICATOR WEEK IN THE CITY OF BETHANY.**

Chief Cole presented Resolution No. 1502.

Motion was made by Councilmember Palmer, seconded by Councilmember Moore to adopt Resolution No. 1502 designating the week of April 8<sup>th</sup> through April 14<sup>th</sup> of 2018 as National Telecommunicator Week in the City of Bethany. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 8 on the agenda was ADOPTION OF RESOLUTION NO. 1503 CREATING A NON-FISCAL TRUST FUND TO RECEIVE AND ADMINISTER FUNDS FOR THE DESIGN, CONSTRUCTION, INSTALLATION AND RELATED ACTIVITIES PERTAINING TO A VETERAN'S MEMORIAL ON PUBLIC PROPERTY; AND PROVIDING RESTRICTINS ON EXPENDITURES AND USE OF FUNDS.**

Motion was made by Councilmember Knapp, seconded by Councilmember Shirey to adopt Resolution No. 1503 creating a non-fiscal trust fund to receive and administer funds for the design, construction, installation and related activities pertaining to a Veteran's Memorial on public property; and providing restrictions on expenditures and use of funds. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 9 on the agenda was ADOPTION OF RESOLUTION NO. 1504 APPROVING A WATER CONSERVATION POLICY/SCHEDULE AND DIRECTING THE CITY MANAGER TO IMPLEMENT THE WATER CONSERVATION SCHEDULE AS REQUIRED.**

Motion was made by Mayor Westmoreland, seconded by Councilmember Todd to table Item No. 9. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 10 on the agenda was ADOPTION OF RESOLUTION NO. 1505 EXPRESSING SUPPORT FOR STATE QUESTION 794, THE CRIME VICTIM RIGHTS AMENDMENT, ALSO KNOWN AS MARSY'S LAW FOR OKLAHOMA.**

Kim Moyer, Oklahoma State Director for Marsey's Law Campaign and Chief Phil Cole presented Resolution No. 1505 in support of State Question 794.

Motion was made by Councilmember Palmer, seconded by Councilmember Moore to adopt Resolution No. 1505 expressing support for State Question 794, the Crime Victim Rights Amendment, also known as Marsy's law for Oklahoma. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 11 on the agenda was ADOPTION OF ORDINANCE NO. 1955 AMENDING THE BETHANY CODE OF ORDINANCES PERTAINING TO LICENSES REQUIRED AND FEES PERTAINING TO ALCOHOLIC BEVERAGES.**

**A. APPROVAL OF ORDINANCE NO. 1955 ON READING BY TITLE ONLY.**

Motion was made by Councilmember Palmer, seconded by Councilmember Knapp to approve Ordinance No. 1955 on reading by title only. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**B. APPROVAL OF SECTIONS 1-4 OF ORDINANCE NO. 1955.**

Motion was made by Councilmember Shirey, seconded by Councilmember Knapp to approve sections 1-4 of Ordinance No. 1955. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**C. APPROVAL OF SECTION 5 OF ORDINANCE NO. 1955, THE EMERGENCY SECTION.**

Motion was made by Councilmember Moore, seconded by Councilmember Palmer to approve section 5 of Ordinance No. 1955, the emergency section. Yes votes: Westmoreland, Moore, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. No votes: Todd. Motion passed.

**ITEM NO. 12** on the agenda was **APPROVAL OF ARTIST CONTRACT WITH NICK BAYER FOR LIBRARY INTERIOR ART PROJECT.**

Motion was made by Councilmember Herren, seconded by Councilmember Palmer to approve Artist Contract with Nick Bayer for Library Interior Art Project. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 13** on the agenda was **APPROVAL OF RIGHT-OF-WAY AGREEMENT WITH MCL METRO ACCESS TRANSMISSION SERVICES CORP. DBA VERIZON ACCESS TRANSMISSION SERVICES.**

Motion was made by Mayor Westmoreland, seconded by Councilmember Palmer to table Item No. 13. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, McCutchen, Shirey, Knapp. No votes: Herren. Motion passed.

**ITEM NO. 14** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF GARVER ENGINEERS NON-REVENUE WATER LOSS STUDY – TASK 2.**

Steve Katen, City Engineer presented the staff report.

Motion was made by Councilmember Palmer, seconded by Councilmember Harris to approve Garver Engineers Non-Revenue Water Loss Study – Task 2. Yes votes: Westmoreland, Moore, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. No votes: Todd. Motion passed.

**ITEM NO. 15** on the agenda was **PLANNING AND ZONING COMMISSION WARD II APPOINTMENT OF STEPHANIE BERNETHY.**

Motion was made by Councilmember Palmer, seconded by Councilmember Herren to appoint Stephanie Bernethy to Planning and Zoning Commission Ward II. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 16** on the agenda was **REPORT FROM CHARTER REVIEW COMMITTEE CHAIRMAN RANDY LUINSTRA.**

**ITEM NO. 17** on the agenda was ***PROPOSED EXECUTIVE SESSION FOR THE PURPOSES OF DISCUSSION OF APPOINTMENT OF INTERIM CITY MANAGER 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 RESIGNATUION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE.***

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

Mayor Westmoreland recessed the City Council meeting at: 9:22 P.M.  
Mayor Westmoreland reconvened the City Council meeting at 9:37 P.M.

**ITEM NO. 18** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF APPOINTMENT OF INTERIM CITY MANAGER AND TO ESTABLISH COMPENSATION FOR INTERIM CITY MANAGER. .**

Motion was made by Councilmember Todd, seconded by Councilmember Harris to appoint Jon Robinson as Interim City Manager. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

**ITEM NO. 19** on the agenda was **CALL TO THE PUBLIC.**

**ITEM NO. 20** on the agenda was **CITY ATTORNEY'S REPORT.**

Nothing was presented.

**ITEM NO. 21** on the agenda was **CITY MANAGER'S REPORT.**

Nothing was presented.

**ITEM NO. 22** on the agenda was **COUNCIL MEMBERS ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

**ITEM NO. 23** on the agenda was **NEW BUSINESS**.

**ITEM NO. 24** on the agenda was **ADJOURN UNTIL APRIL 17, 2018**

Mayor Westmoreland adjourned the Bethany City Council meeting at 9:45 P.M. until April 17, 2018.

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MAYOR

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CITY CLERK

**MINUTES**

**BETHANY PUBLIC WORKS AUTHORITY**

**TUESDAY, APRIL 3, 2018**

**7:30 P.M.**

|                  |                  |          |
|------------------|------------------|----------|
| MEMBERS PRESENT: | KP Westmoreland  | Chairman |
|                  | Curtis Moore     | Trustee  |
|                  | Paul Todd        | Trustee  |
|                  | Arlita Harris    | Trustee  |
|                  | Steve Palmer     | Trustee  |
|                  | John Herren      | Trustee  |
|                  | Robert McCutchen | Trustee  |
|                  | Phill Shirey     | Trustee  |
|                  | Jeff Knapp       | Trustee  |

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| OTHERS PRESENT: | Steve Harzman   | Acting City Manager |
|                 | David Davis     | City Attorney       |
|                 | Amanda McCellon | Community Dev. Dir. |
|                 | Jon Robinson    | Finance Director    |
|                 | Susan Tate      | City Clerk          |
|                 | (See Roster)    |                     |

Chairman Westmoreland called the Bethany Public Works Authority meeting to order at 9:45 P.M.

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

- A. Approval of Minutes from the March 20, 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, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.



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

Nothing was presented.

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 17, 2018**.

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 9:46 P.M. until April 17, 2018.

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CHAIRMAN

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SECRETARY

MINUTES

BETHANY HOSPITAL TRUST

TUESDAY, APRIL 3, 2018

7:30 P.M.

|                  |                  |          |
|------------------|------------------|----------|
| MEMBERS PRESENT: | KP Westmoreland  | Chairman |
|                  | Curtis Moore     | Trustee  |
|                  | Paul Todd        | Trustee  |
|                  | Arlita Harris    | Trustee  |
|                  | Steve Palmer     | Trustee  |
|                  | John Herren      | Trustee  |
|                  | Robert McCutchen | Trustee  |
|                  | Phill Shirey     | Trustee  |
|                  | Jeff Knapp       | Trustee  |

|                 |                 |                     |
|-----------------|-----------------|---------------------|
| OTHERS PRESENT: | Steve Harzman   | Acting City Manager |
|                 | David Davis     | City Attorney       |
|                 | Amanda McCellon | Community Dev. Dir. |
|                 | Jon Robinson    | Finance Director    |
|                 | Susan Tate      | City Clerk          |
|                 | (See Roster)    |                     |

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 9:46 P.M.

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

- A. Approval of Minutes from the March 20, 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, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

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

Nothing was presented.

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 17, 2018**.

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 9:47 P.M. until April 17, 2018.

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CHAIRMAN

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SECRETARY

MINUTES

BETHANY DEVELOPMENT AUTHORITY

TUESDAY, APRIL 3, 2018

7:30 P.M.

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

|                 |                 |                     |
|-----------------|-----------------|---------------------|
| OTHERS PRESENT: | Steve Harzman   | Acting City Manager |
|                 | David Davis     | City Attorney       |
|                 | Amanda McCellon | Community Dev. Dir. |
|                 | Jon Robinson    | Finance Director    |
|                 | Susan Tate      | City Clerk          |
|                 | (See Roster)    |                     |

Chairman Westmoreland called the Bethany Development Authority meeting to order at 9:47 P.M.

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

- A. Approval of Minutes from the March 20, 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, Moore, Todd, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. Motion passed.

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

Nothing was presented.

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 17, 2018.**

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 9:48 P.M. until April 17, 2018.

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CHAIRMAN

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SECRETARY