

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., Friday, May 11, 2018.

**MINUTES**

**BETHANY CITY COUNCIL**

**TUESDAY, MAY 15, 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:	Janet Smith	City Manager
	Steve Harzman	Assistant City Manager
	David Davis	City Attorney
	Steve Katen	City Engineer
	Susan Tate	City Clerk
	Amanda McCellon	Community Dev. Dir.
	(See Roster)	

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

The Flag Salute was conducted by Mayor Westmoreland.

The Invocation was given by Councilmember Moore.

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

- A. Approval of Minutes from the May 1, 2018 Regular Meeting.
- B. Approval of Minutes from the April 27, 2018 Special Called Meeting and the continued Meeting on May 1, 2018.
- C. Approval of Minutes the May 7, 2018 Special Called Meeting.
- D. Acceptance of Municipal Court Report.
- E. Approval of Contract with Playwell Group/Playworks, Inc. for new Library Playground Equipment and Installation.
- F. Adoption of Resolution No. 1506 setting the 911 Fee for Calendar year 2019.
- G. Approval of Claims.

Motion was made by Mayor Westmoreland, seconded by Councilmember Palmer to approve Items A. thru G. amending Item E. to add alternate 1 to the reading area for a total cost of \$409,611.40. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp. No votes: Shirey. Motion passed.

**ITEM NO. 2** on the agenda was **SPECIAL PRESENTATION BY MARCIA FEISAL, PRESIDENT OF THE BETHANY IMPROVEMENT FOUNDATION.**

Marcia Feisal, The Bethany Improvement Foundation and Barbara Snotty, presented a check for \$14,864.00 to Mayor Westmoreland to be used for artwork inside the Bethany Library.

**ITEM NO. 3** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL TO AUTHORIZE THE PARK, RECREATION & TREE BOARD TO SOLICIT PROPOSALS FOR CREATING A PARKS MASTER PLAN.**

Amanda McCellon, Community Development Director presented the staff report.

Motion was made by Councilmember Palmer, seconded by Councilmember Todd to authorize the Park, Recreation & Tree Board to solicit proposals for creating a Parks Master Plan. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

**ITEM NO. 4** on the agenda was **PROPOSED EXECUTIVE SESSION: DISCUSSION OF FY 2019 COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY OF BETHANY AND FOP LODGE 161 (PROPOSED EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN MEETING LAW IN 25 O.S. 307 (b) 2.).**

**ITEM NO. 5** on the agenda was **PROPOSED EXECUTIVE SESSION: DISCUSSION OF FY 2019 COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY OF BETHANY AND IAFF LOCAL 2085 (PROPOSED EXECUTIVE SESSION AS AUTHORIZED BY THE OPEN MEETING LAW IN 25 O.S. 307 (b) 2.).**

**ITEM NO. 6** on the agenda was **PROPOSED EXECUTIVE SESSION: DISCUSSION OF TERMS OF EMPLOYMENT AGREEMENT WITH BENEFITS, RESPONSIBILITIES AND TERMS OF EMPLOYMENT FOR JANTET SMITH AS CITY MANAGER OF BETHANY (PROPOSED EXECUTIVE SESSION FOR PURPOSES OF DISCUSSING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLING OR RESIGNATION OF ANY INDIVIDUAL SALARIED PUBLIC OFFICER OR EMPLOYEE AS PROVIDED IN THE OKLAHOMA OPEN MEETING ACT 25 OKLAHOMA STATUTES SECTION 307B1)**

**ITEM NO. 7** on the agenda was **PROPOSED EXECUTIVE SESSION: DISCUSSION AND UPDATE FROM ATTORNEYS 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 AND PLANNING FOR A PATH FORWARD STRATEGY FOR LITIGATION. (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 APENDING 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.)**

**ITEM NO. 8** on the agenda was **PROPOSED EXECUTIVE SESSION: CONSIDERATION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING CLAIMS OF A POSSIBLE ADVERSE WORK ENVIRONMENT AND TO DISCUSS PROCESS TO ADDRESS THE CLAIMS PURSUANT TO THE CITY CHARTER AND CITY ORDINANCES AS AUTHORIZED BY 25 O.S. § 307(B) (4).**

Motion was made by Councilmember Knapp, seconded by Councilmember Palmer to take Item No. 4, Item No. 5, Item No. 6, Item No. 7, and Item No. 8 to executive session. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

Mayor Westmoreland recessed the Council Meeting at: 7:47 P.M.  
Mayor Westmoreland reconvened the Council Meeting at 9:12 P.M.

**ITEM NO. 9** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF EMPLOYMENT AGREEMENT WITH JANET SMITH AS CITY MANAGER.**

Motion was made by Councilmember Todd, seconded by Councilmember Moore to approve of Employment Agreement with Janet Smith as City Manager; David Davis will negotiate the Agreement with Janet Smith. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

**ITEM NO. 10** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF A SERVICE AGREEMENT WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS INC. FOR ENGINEERING AND RELATED SERVICES PERTAINING TO METHODS FOR REMEDIATION OF WATER WELL POLLUTION.**

Motion was made by Councilmember Shirey, seconded by Councilmember McCutchen to approve Service Agreement with Wood Environment & Infrastructure Solutions Inc. for engineering and related services pertaining to methods for remediation of water well pollution. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

**ITEM NO. 11** on the agenda was **CONSIDERATION OF ISSUES ADDRESSED IN EXECUTIVE SESSION AND INCLUDING POSSIBLE VOTE TO RETAIN OUTSIDE LEGAL COUNSEL TO ASSIST IN THE PROCESS.**

Motion was made by Councilmember Knapp, seconded by Councilmember Harris to obtain outside legal counsel with the assistance of Attorney Margaret Love. Yes votes: Westmoreland, Moore, Todd, Harris, Palmer, Herren, McCutchen, Knapp, Shirey. Motion passed.

**ITEM NO. 12** on the agenda was **CALL TO THE PUBLIC.**

**ITEM NO. 13** on the agenda was **CITY ATTORNEY’S REPORT.**

David Davis, City Attorney announced his resignation as of June 4, 2018.

**ITEM NO. 14** on the agenda was **CITY MANAGER’S REPORT.**

Janet Smith, City Manager introduced herself.

**ITEM NO. 15** on the agenda was **COUNCIL MEMBERS  
ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

**ITEM NO. 16** on the agenda was **NEW BUSINESS.**

**ITEM NO. 17** on the agenda was **ADJOURN UNTIL JUNE 5, 2018**

Mayor Westmoreland adjourned the Bethany City Council meeting at 9:30 P.M.  
until June 5, 2018.

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MAYOR

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CITY CLERK

**MINUTES**

**BETHANY PUBLIC WORKS AUTHORITY**

**TUESDAY, MAY 15, 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:	Janet Smith	City Manager
	Steve Harzman	Assistant City Manager
	David Davis	City Attorney
	Steve Katen	City Engineer
	Susan Tate	City Clerk
	Amanda McCellon	Community Dev. Dir.
	(See Roster)	

Chairman Westmoreland called the Bethany Public Works Authority meeting to order at 9:30 P.M.

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

- A. Approval of Minutes from the May 1, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Shirey, seconded by Trustee Palmer 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 JUNE 5, 2018**.

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 9:31 P.M. until June 5, 2018.

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CHAIRMAN

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SECRETARY

**MINUTES**

**BETHANY HOSPITAL TRUST**

**TUESDAY, MAY 15, 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:	Janet Smith	City Manager
	Steve Harzman	Assistant City Manager
	David Davis	City Attorney
	Steve Katen	City Engineer
	Susan Tate	City Clerk
	Amanda McCellon	Community Dev. Dir.
	(See Roster)	

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 9:31 P.M.

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

- A. Approval of Minutes from the May 1, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Palmer, seconded by Trustee Shirey 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 JUNE 5, 2018**.

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 9:32 P.M. until June 5, 2018.

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CHAIRMAN

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SECRETARY

**MINUTES**

**BETHANY DEVELOPMENT AUTHORITY**

**TUESDAY, MAY 15, 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:	Janet Smith	City Manager
	Steve Harzman	Assistant City Manager
	David Davis	City Attorney
	Steve Katen	City Engineer
	Susan Tate	City Clerk
	Amanda McCellon	Community Dev. Dir.
	(See Roster)	

Chairman Westmoreland called the Bethany Development Authority meeting to order at 9:32 P.M.

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

- A. Approval of Minutes from the May 1, 2018 Regular Meeting.
- B. Approval of Claims.

Motion was made by Trustee Palmer, seconded by Trustee Knapp 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 JUNE 5, 2018.**

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 9:33 P.M. until June 5, 2018.

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CHAIRMAN

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SECRETARY