

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., Monday, October 1, 2018.

MINUTES

BETHANY CITY COUNCIL

TUESDAY, OCTOBER 2, 2018

7:30 P.M.

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| MEMBERS PRESENT: | KP Westmoreland | Mayor |
| | Paul Todd | Council Member |
| | Arlita Harris | Council Member |
| | Steve Palmer | Council Member |
| | John Herren | Council Member |
| | Jeff Knapp | Council Member |
| | Curtis Moore | Council Member |
| MEMBERS ABSENT: | Phill Shirey | Council Member |
| | Robert McCutchen | Council Member |
| OTHERS PRESENT: | Phil Cole | Acting City Manager |
| | Anthony Rogers | Chief of Staff |
| | Amanda McCellon | Director of CD & Planning |
| | Phil Stowell | Community Image & Svcs. Dir. |
| | Berkeley Penner | City Clerk/Treasurer |
| | Lesa LaMar | Municipal Accountant |
| | Danielle Barker | Asst. Community Development Dir. |
| | (See Roster) | |

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

The Invocation was given by Mayor K.P. Westmoreland.

The Flag Salute was conducted by Acting City Manager Phil Cole.

Mayor Westmoreland moved Item 5 on the agenda to be considered first.

ITEM NO. 5 on the agenda was **CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1516 APPOINTING BETH ANNE CHILDS AS THE INTERIM CITY ATTORNEY UNTIL DECEMBER 31, 2018 OR AT SUCH TIME AS THE CITY COUNCIL APPOINTS A FULL TIME CITY ATTORNEY, WHICHEVER COMES FIRST; AND**

APPROVING AND AUTHORIZING THE EXECUTION OF A FIRST AMENDED PROFESSIONAL SERVICES AGREEMENT WITH THE CHILDS LAW FIRM, PLLC, SETTING FORTH THE TERMS OF THE REPRESENTATION AND COMPENSATION.

Motion was made by Council Member Moore and seconded by Council Member Knapp to approve adoption of Resolution No. 1516 appointing Beth Anne Childs as the Interim City Attorney until December 31, 2018 or at such time as the City Council appoints a full time City Attorney, whichever comes first; and approving and authorizing the execution of a first amended professional services agreement with the Childs Law Firm, PLLC, setting forth the terms of the representation and compensation. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

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

- A. APPROVAL OF MINUTES FROM THE SEPTEMBER 18, 2018 REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM THE SEPTEMBER 17, 2018 SPECIAL CALLED MEETING.**
- C. APPROVAL OF MINUTES FROM THE SEPTEMBER 21, 2018, SPECIAL CALLED MEETING.**
- D. 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.**
- E. ADOPTION OF RESOLUTION NO. 1517 AUTHORIZING A PYROTECHNICAL DISPLAY FOR BETHANY PUBLIC SCHOOLS ON OCTOBER 5, 2018 DURING THE ANNUAL FOOTBALL HALFTIME HALL OF HONOR CEREMONY.**

Motion was made by Council Member Palmer, seconded by Council Member Todd to approve the Consent Docket with Item 19-31187- Vendor 10-1069 pulled for further review. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Knapp. No votes: Moore. Motion passed.

ITEM NO. 2 on the agenda **CONSIDERATION AND POSSIBLE APPROVAL OF LEASE TERMINATION MEMORANDUM OF AGREEMENT WITH OKLAHOMA CITY AIRPORT TRUST (OCAT).**

Motion was made by Council Member Herren, seconded by Council Member Moore to approve Consideration and possible approval of Lease Termination

Memorandum of Agreement with Oklahoma City Airport Trust (OCAT). Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

ITEM NO. 3 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE No. 1960: AN ORDINANCE AMENDING TITLE XI, CHAPTER 110: GENERAL LICENSING PROVISIONS, SECTION 110.02 OF THE BETHANY CODE OF ORDINANCES PERTAINING TO LEVYING A LICENSE TAX AND SPECIFICALLY REMOVING ALL STATUTORY REFERENCES, INCLUDING THE REFERENCE TO ALCOHOLIC BEVERAGE SALES; AND AMENDING APPENDIX A TO CHAPTER 110 AND SPECIFICALLY REMOVING THE LICENSE TAXES PERTAINING TO ALCOHOLIC BEVERAGE SALES AND MIXED BEVERAGE ESTABLISHMENTS, INCLUDING BREWER, DISTILLER, WINEMAKER, OKLAHOMA WINEMAKER, RECTIFIER, WHOLESALER, CLASS B WHOLESALER, RETAIL PACKAGE STORE, RETAIL DEALERS OF NONINTOXICATING BEVERAGES, MIXED BEVERAGE ESTABLISHMENTS (INITIAL AND RENEWAL) AND CATERER (INITIAL AND RENEWAL); PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

A. APPROVAL OF ORDINANCE NO. 1960 ON READING BY TITLE ONLY.

Motion was made by Council Member Palmer, seconded by Council Member Moore to approve Ordinance No. 1960 on reading by title only. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

B. APPROVAL OF SECTIONS 1-4 OF ORDINANCE NO. 1960.

Motion was made by Council Member Palmer, seconded by Council Member Harris to approve Sections 1-4 of Ordinance No. 1960. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

C. APPROVAL OF SECTION 5 OF ORDINANCE NO. 1960, THE EMERGENCY SECTION.

Motion was made by Council Member Palmer, seconded by Council Member Harris to approve Section 5 of Ordinance No. 1960, the emergency section. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

ITEM NO. 4 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 1961: AN ORDINANCE AMENDING TITLE X1, CHAPTER 111:ALCOHOLIC BEVERAGES, OF THE BETHANY CODE OF ORDINANCES, SECTION 111.01 PERTAINING TO DEFINITIONS AND SPECIFICALLY ADDING DEFINITIONS SET FORTH IN THE OKLAHOMA ALCOHOLIC BEVERAGE CONTROL**

ACT; AMENDING SECTION 111.02, AUTHORITY, BY PROVIDING FOR LEVY OF AN OCCUPATIONAL TAX AND SPECIFICALLY PROVIDING FOR PAYMENT PRIOR TO OPERATING OR MAINTAINING A BREWPUB OR BREWERY, A BUSINESS SERVING MIXED BEVERAGES, BEER OR WINE, OR A RETAIL ESTABLISHMENT THAT SELLS, FOR OFF-PREMISES CONSUMPTION, ANY TYPE OF ALCOHOLIC BEVERAGE; AMENDING SECTION 111.03, COMPLIANCE WITH STATE AND CITY LAW, BY ESTABLISHING THE AMOUNT OF THE OCCUPATIONAL TAX RELATING TO THE SALE OF ALCOHOLIC BEVERAGES AS SET FORTH IN THE OKLAHOMA ALCOHOLIC BEVERAGE CONTROL ACT; AMENDING SECTION 111.04, SEPARATE PREMISES, BY ESTABLISHING HOURS OF OPERATION FOR BREWERIES, BREWPUBS, BUSINESSES SERVING MIXED BEVERAGES, BEER OR WINE FOR ON-PREMISES CONSUMPTION, RETAIL SPIRITS STORES, AND RETAIL BEER AND RETAIL WINE STORES; AMENDING SECTION 111.05, (RESERVED), BY REQUIRING A CERTIFICATE OF COMPLIANCE FOR A BUSINESS SELLING MIXED BEVERAGES, BEER OR WINE FOR ON-PREMISES CONSUPTION; AMENDING SECTION 111.06, ADVERTISING PROHIBITED, BY REQUIRING A CERTIFICATE OF COMPLIANCE FOR RETAIL SPIRITS STORES AND RETAIL BEER AND RETAIL WINE STORES; AMENDING SECTION 111.07, SALE AND DELIVERY RESTRICTED, BY ADDRESSING SALE OF MIXED BEVERAGES, BEER OR WINE BY PERSONS OF CERTAIN AGES; AMENDING SECTION 111.08, INTOXICATED PERSONS PROHIBITED IN CERTAIN PLACES, BY ADDRESSING SIGNS; PROVIDING FOR REPEALER OF SECTIONS 111.09 THROUGH 111.10, 111.20 THROUGH 111.29, AND 111.40 THROUGH 111.45 OF THE BETHANY CODE OF ORDINANCES; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

- A. APPROVAL OF ORDINANCE NO. 1961 ON READING BY TITLE ONLY.**
- B. APPROVAL OF SECTIONS 1-11 OF ORDINANCE NO. 1961.**

Motion was made by Council Member Palmer, seconded by Council Member Moore to approve Ordinance No. 1961 on reading by title only and approval of Sections 1-11 of Ordinance No. 1961. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

- C. APPROVAL OF SECTION 12 OF ORDINANCE NO. 1961, THE EMERGENCY SECTION.**

Motion was made by Council Member Palmer, seconded by Council Member Moore to approve Section 12 of Ordinance No. 1961, the emergency section. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

ITEM NO. 6 on the agenda was **PUBLIC HEARING ITEM: CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1515 APPROVING NEW SOLID**

WASTE RULES AND REGULATIONS FOR NEW SEMI-AUTOMATIC PICKUP OF SOLID WASTE.

After hearing from Acting Public Works Director Ronnie Bacon and Citizens:

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|-------------------------|---|
| Dale and Emmalyn German | 3001 Oakridge Drive, Bethany, OK |
| Richard Wood | 1912 Oakhill Rd., Bethany, OK |
| Derek Howard | 6904 NW 57 th , Bethany, OK |
| Alisha Malaska | 4700 N. Peniel, Bethany, OK |
| Zi Gauthier | 6601 NW 30 th St., Bethany, OK |
| Mark Pinion | 2201 N. Redmond, Bethany, OK |
| Don Richards | 4501 N. Willow Ave., Bethany, OK |

Motion was made by Mayor Westmoreland, seconded by Council Member Palmer to table the Consideration and possible adoption of Resolution No. 1515 approving new solid waste rules and regulations for new semi-automatic pickup of solid waste until further discussion at a Town Hall Meeting on this and recycling, October 23, 2018 at 7:00 p.m. and further research will be performed by staff. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

ITEM NO. 7 on the agenda was **CITIZENS' 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).**

ITEM NO. 8 on the agenda was **CITY ATTORNEY REPORT.**

Attorney Beth Anne Childs gave a report.

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

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

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

ITEM NO. 12 on the agenda was **ADJOURN UNTIL OCTOBER 16, 2018.**

Mayor Westmoreland adjourned the Bethany City Council meeting at 9:16 P.M.

MAYOR

CITY CLERK

MINUTES

BETHANY PUBLIC WORKS AUTHORITY

TUESDAY, OCTOBER 2, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
Paul Todd Trustee
Arlita Harris Trustee
Steve Palmer Trustee
John Herren Trustee
Jeff Knapp Trustee
Curtis Moore Trustee

MEMBERS ABSENT: Phill Shirey Trustee
Robert McCutchen Trustee

OTHERS PRESENT: Phil Cole Acting City Manager
Anthony Rogers Chief of Staff
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Svcs. Dir.
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Danielle Barker Asst. Community Development Dir.
(See Roster)

Chairman Westmoreland called the Bethany City Council meeting to order at 9:16 P.M.

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

- A. APPROVAL OF MINUTES FROM SEPTEMBER 18, 2018 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 Knapp to approve the Consent Docket as submitted. Yes votes: Westmoreland, Harris, Todd, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

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

ITEM NO 3. on the agenda was **ADJOURN UNTIL OCTOBER 16, 2018.**

Chairman Westmoreland adjourned the Bethany Public Works Authority meeting at 9:17 P.M. until October 16, 2018

CHAIRMAN

SECRETARY

MINUTES

BETHANY HOSPITAL TRUST

TUESDAY, OCTOBER 2, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
Paul Todd Trustee
Arlita Harris Trustee
Steve Palmer Trustee
John Herren Trustee
Jeff Knapp Trustee
Curtis Moore Trustee

MEMBERS ABSENT: Phill Shirey Trustee
Robert McCutchen Trustee

OTHERS PRESENT: Phil Cole Acting City Manager
Anthony Rogers Chief of Staff
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Svcs. Dir.
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Danielle Barker Asst. Community Development Dir.
(See Roster)

Chairman Westmoreland called the Bethany Hospital Trust meeting to order at 9:17 P.M.

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

- A. APPROVAL OF MINUTES FROM THE SEPTEMBER 18, 2018 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 Todd to approve the Consent Docket as submitted. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp. No votes: None. Motion passed.

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

ITEM NO. 3 on the agenda was **ADJOURN UNTIL OCTOBER 16, 2018**.

Chairman Westmoreland adjourned the Bethany Hospital Trust meeting at 9:17 P.M. until October 16, 2018.

CHAIRMAN

SECRETARY

MINUTES

BETHANY DEVELOPMENT AUTHORITY

TUESDAY, OCTOBER 2, 2018

7:30 P.M.

MEMBERS PRESENT: KP Westmoreland Chairman
Paul Todd Trustee
Arlita Harris Trustee
Steve Palmer Trustee
John Herren Trustee
Jeff Knapp Trustee
Curtis Moore Trustee

MEMBERS ABSENT: Robert McCutchen Trustee
Phill Shirey Trustee

OTHERS PRESENT: Phil Cole Acting City Manager
Anthony Rogers Chief of Staff
Amanda McCellon Director of CD & Planning
Phil Stowell Community Image & Svcs. Dir.
Berkeley Penner City Clerk/Treasurer
Lesa LaMar Municipal Accountant
Danielle Barker Asst. Community Development Dir.
(See Roster)

Chairman Westmoreland called the Bethany Development Authority meeting to order at 9:17 P.M.

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

- A. APPROVAL OF MINUTES FROM THE SEPTEMBER 18, 2018 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 Council Member Moore, seconded by Council Member Palmer to approve the Consent Docket with Item 19-31182- Vendor 10-005231 pulled for

further review. Yes votes: Westmoreland, Todd, Harris, Palmer, Herren, Moore, Knapp.
No votes: None. Motion passed.

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

ITEM NO. 3 on the agenda was **ADJOURN UNTIL OCTOBER 16, 2018**.

Chairman Westmoreland adjourned the Bethany Development Authority meeting at 9:17 P.M. until October 16, 2018.

CHAIRMAN

SECRETARY