

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., Thursday, October 25, 2018.

**MINUTES**

**SPECIAL MEETING**

**BETHANY CITY COUNCIL**

**MONDAY, OCTOBER 29, 2018**

**7:00 P.M.**

- MEMBERS PRESENT: KP Westmoreland Mayor  
Curtis Moore Council Member  
Arlita Harris Council Member  
Steve Palmer Council Member  
Jeff Knapp Council Member  
John Herren Council Member  
Robert McCutchen Council Member  
Phill Shirey Council Member
- MEMBERS ABSENT: Paul Todd Council Member
- OTHERS PRESENT: Phil Cole Acting City Manager  
Berkeley Penner City Clerk/Treasurer  
Beth Anne Childs Interim City Attorney  
Lesa LaMar Municipal Accountant  
Gilbert Carlson  
S.R. Hunter

Mayor Westmoreland called the Bethany City Council Special Meeting to order at 7:00 P.M.

**ITEM NO. 1** on the agenda was **CONSIDERATION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL COMMUNICATIONS WITH LEGAL COUNSEL TO DISCUSS THE EMPLOYMENT, DISCIPLINE, TERMINATION, OR RESIGNATION OF THE CITY MANAGER, INCLUDING TERMINATION WITH OR WITHOUT CAUSE, TO INCLUDE ACTION ON THE EMPLOYMENT AGREEMENT, AS AMENDED, AND AS AUTHORIZED BY 25 O.S. SECTION 307(B)(1).**

**ITEM NO. 2** on the agenda was **CONSIDERATION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION INCLUDING: A) TO TAKE ACTION ON THE CITY MANAGER’S EMPLOYMENT, INCLUDING TERMINATION WITH OR WITHOUT CAUSE, AND ON THE EMPLOYMENT AGREEMENT, AS AMENDED; AND/OR B) TO**

**APPROVE A POTENTIAL RELEASE AND SEPARATION AGREEMENT REGARDING THE EMPLOYMENT AGREEMENT, AND TO AUTHORIZE THE VICE-MAYOR TO EXECUTE THE SAME.**

**ITEM NO. 3** on the agenda was **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE APPLICATION FOR PLAT VACATION IN CASE NUMBER CV-2018-1933, FILED IN OKLAHOMA COUNTY DISTRICT COURT, AND IDENTIFIED AS APPLICATION OF KRAEG KRAGEL FOR PARTIAL VACATION OF LOT SIX (6) PLAT OF SNEED'S FIRST ADDITION TO THE CITY OF BETHANY, OKLAHOMA, OKLAHOMA COUNTY, STATE OF OKLAHOMA.**

**ITEM NO. 4** on the agenda was **CONSIDERATION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL COMMUNICATIONS WITH LEGAL COUNSEL REGARDING THE CASE OF *IN RE: APPLICATION OF KRAEG KRAGEL FOR PARTIAL VACATION OF LOT SIX (6) PLAT OF SNEED'S FIRST ADDITION TO THE CITY OF BETHANY, OK, OKLAHOMA COUNTY, STATE OF OKLAHOMA*, IN THE DISTRICT COURT OF OKLAHOMA COUNTY STATE OF OKLAHOMA, TO INCLUDE POSSIBLE SETTLEMENT, RESOLUTION, OR AUTHORIZATION TO OBJECT TO THE APPLICATION, WITH THE ADVICE OF LEGAL COUNSEL THAT PUBLIC DISCLOSURE WOULD SERIOUSLY IMPAIR THE ABILITY OF THE CITY COUNCIL TO PROCESS THE PENDING LITIGATION IN THE PUBLIC INTEREST AND AS AUTHORIZED BY 25 O.S. SECTION 307(B)(4).**

**ITEM NO. 5** on the agenda was **PROPOSED ACTION ITEMS FOR MATTER DISCUSSED IN EXECUTIVE SESSION: CONSIDERATION AND POSSIBLE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION INCLUDING: A) DIRECTION FOR THE INTERIM CITY ATTORNEY TO RESOLVE THE APPLICATION; B) DIRECTION FOR SETTLEMENT OF THE APPLICATION; OR C) DIRECTION TO OBJECT TO THE APPLICATION.**

Motion was made at 7:03 p.m. by Council Member Herren, seconded by Council Member McCutchen to enter executive session concerning Item No.1 and Item No. 4 on the agenda. Yes votes: Westmoreland, Harris, Palmer, Herren, McCutchen, Knapp. No votes: Moore. Motion passed.

The City Council reconvened at 7:59 p.m. and no action was taken in executive session.

Motion was made by Council Member Knapp, seconded by Council Member Herren to terminate the services of City Manager Janet Smith with an effective date of October 29, 2018, to terminate the employment agreement, as amended, and authorizing a lump sum cash payment equal to six months of her current salary, pursuant to Section 10 (A) (2) of the Employment Agreement. Yes votes: Harris, Herren, McCutchen, Shirey, Knapp. No votes: Moore. Abstain votes: Palmer. Motion passed.

Motion was made by Council Member Palmer, seconded by Council Member Herren to table Item No. 3 and Item No. 5 on the agenda until the next City Council meeting. Yes votes: Westmoreland, Moore, Harris, Palmer, Herren, McCutchen, Shirey, Knapp. No votes: None. Motion passed.

Mayor Westmoreland adjourned the Bethany City Council Special Meeting at 8:01 P.M.

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MAYOR

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CITY CLERK