

NOTICE: On Thursday, March 16, 2023, at or before 4:59 p.m., agenda was posted at the front doors of City Hall, on the bulletin board in the lobby of City Hall, and on the City of Bethany website: cityofbethany.org. The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

## **BETHANY CITY COUNCIL MEETING**

### **BETHANY CITY HALL**

**TUESDAY, MARCH 21, 2023**

**7:30 P.M.**

<b>MEMBERS PRESENT:</b>	Nikki Lloyd	Mayor
	Brian Magirowsky	Vice-Mayor
	Steve Palmer	Council Member
	Chris Powell	Council Member
	Marilyn McPhail	Council Member
	Kathy Larsen	Council Member
	Ken Smart	Council Member
	Jeff Knapp	Council Member
	Peter Plank	Council Member
<b>MEMBERS ABSENT:</b>	None	
<b>OTHERS PRESENT:</b>	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Joe Davis	TEIM Design, LLC
	(See Roster)	

**ITEM NO. 1** on the agenda Mayor **CALL TO ORDER.**

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

**ITEM NO. 2** on the agenda was **INVOCATION AND FLAG SALUTE.**

The Invocation was given by Council Member Smart.

The Flag Salute was conducted by Mayor Lloyd.

**ITEM NO. 3** on the agenda was **CONSENT DOCKET:**

- A. APPROVAL OF MINUTES FROM THE MARCH 7, 2023, 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.**
- C. PUBLIC IMPROVEMENT-ROUTINE ITEM: ACCEPT ODEQ PERMIT NO. WL000055220100 FOR THE CONSTRUCTION OF 46 LINEAR FEET OF WATERLINE AND APPURTENANCES TO SERVE BETHANY BUSINESS PARK, OKLAHOMA COUNTY, OKLAHOMA.**
- D. PUBLIC IMPROVEMENT-ROUTINE ITEM: ACCEPT ODEQ PERMIT NO. SL000055220101 FOR THE CONSTRUCTION OF 366 LINEAR FEET OF SANITARY SEWER LINE AND APPURTENANCES TO SERVE BETHANY BUSINESS PARK, OKLAHOMA COUNTY, OKLAHOMA.**
- E. PUBLIC IMPROVEMENT ROUTINE ITEM: ACCEPT ODEQ PERMIT NO. WL000055230107 FOR THE CONSTRUCTION OF 1,265 LINEAR FEET OF WATERLINE AND APPURTENANCES TO SERVE HOLLOWAY AVENUE BETWEEN NW 36TH STREET AND NW 32ND STREET, OKLAHOMA COUNTY, OKLAHOMA.**

Motion was made then amended by Vice-Mayor Magirowsky, seconded by Council Member Smart to approve the consent docket, and add the following comment by Mrs. McPhail to Item No. 17: Council Member McPhail wanted, “the 24,000.00 earmarked for a specific cause and not just be placed in the city general fund”. Yes votes: Plank, Palmer, Larsen, Smart, Lloyd, Magirowsky, Powell, Knapp, McPhail. No votes: None. Motion approved.

**ITEM NO. 4** on the agenda was **MAYORAL PROCLAMATION DECLARING APRIL 2023 AS AUTISM AWARENESS MONTH AND APRIL 2, 2023, AS WORLD AUTISM DAY.**

Michele DeBerry, Director of the Oklahoma Autism Network was presented with this proclamation.

**ITEM NO. 5** on the agenda was **MAYORAL PROCLAMATION – BETHANY HIGH SCHOOL LADY BRONCHOS STATE 4A BASKETBALL CHAMPIONS.**

Superintendent Drew Eichelberger, Head Coach Eric Sailer, Assistant Coach April Authur and Assistant Athletic Director Lisa Tackett were all present to receive a key to the city along with this proclamation.

**ITEM NO. 6** on the agenda was **PUBLIC COMMENT - ANY PERSON WISHING TO ADDRESS THE COUNCIL DURING PUBLIC COMMENT SHALL GIVE THEIR NAME, ADDRESS, AND CITY OF RESIDENCE TO THE CITY CLERK FOR THE RECORDS PRIOR TO THE START OF THE MEETING. (PER CHAPTER 30 OF THE BETHANY CODE OF ORDINANCES, THERE IS A FIVE-MINUTE LIMIT, AND NO ACTION OR DISCUSSION SHALL TAKE PLACE. ALL REMARKS SHALL BE ADDRESSED TO THE COUNCIL AS A BODY, AND NOT TO ANY MEMBER THEREOF.)**

None

**ITEM NO. 7** on the agenda was **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION TO HOLD CONFIDENTIAL COMMUNICATIONS BETWEEN THE CITY COUNCIL FOR THE CITY OF BETHANY AND ITS ATTORNEYS CONCERNING THE SETTLING OF CERTAIN CLAIMS IN PENDING LITIGATION (CITY OF BETHANY V. PURDUE PHARM, L.P., ET AL., CASE NO. 19-OP-46148-DAP, PENDING IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, AND CITY OF ADA, ET AL. V. WALMART INC., F/K/A WALMART STORES, INC., ET AL., CASE NO. CJ-22-250 FILED IN THE DISTRICT COURT OF POTTAWATOMIE COUNTY, OKLAHOMA), INCLUDING POTENTIAL RESOLUTION OF CERTAIN CLAIMS AGAINST WALMART, WALGREENS, CVS, TEVA, AND ALLERGAN, RELATED TO LAWSUITS AGAINST PHARMACEUTICAL SUPPLY CHAIN PARTICIPANTS OF OPIOID PRESCRIPTION DRUGS, AND TAKING APPROPRIATE ACTION IN OPEN SESSION, INCLUDING POSSIBLE AUTHORIZATION TO SETTLE CLAIMS, THE DISCLOSURE OF WHICH MAY SERIOUSLY IMPAIR THE LITIGATION IF KNOWN BY PUBLIC DISCLOSURE AS ALLOWED BY 25 O.S. § 307(B)(4). (RAY JONES, CITY ATTORNEY)**

**A. ENTER INTO EXECUTIVE SESSION**

Motion was made by Vice-Mayor Magirowsky, seconded by Council Member Larsen to enter executive session at 7:42 p.m. Yes votes: Powell, Palmer, Plank, McPhail, Larsen, Knapp, Lloyd, Magirowsky, Smart. No votes: None. Motion approved.

**B. EXIT EXECUTIVE SESSION.**

Motion was made by Vice-Mayor Magirowsky, seconded by Council Member Plank to exit executive session at 8:17 p.m. Yes votes: Powell, Palmer, Plank, McPhail, Larsen, Knapp, Lloyd, Magirowsky, Smart. No votes: None. Motion approved

**ITEM NO. 8** on the agenda was **CONSIDER APPROVING PARTICIPATION IN THE WALGREENS SETTLEMENT AGREEMENT DATED DECEMBER 9, 2022, AND THE**

**RETAILER STATE-SUBDIVISION AGREEMENT AS IT PERTAINS TO THE WALGREENS SETTLEMENT AGREEMENT, AS RECOMMENDED BY TODD COURT OR MATT SILL, LEGAL COUNSEL FOR THE CITY OF BETHANY AND OTHER LITIGATING OKLAHOMA SUBDIVISIONS, INCLUDING APPROVAL OF RESOLUTION NO. 1666, AND AUTHORIZE THE MAYOR OF THE CITY OF BETHANY TO EXECUTE THE SUBDIVISION PARTICIPATION FORM FOR THE CITY OF BETHANY'S PARTICIPATION IN THE WALGREENS SETTLEMENT AGREEMENT. (RAY JONES, CITY ATTORNEY)**

Motion was made by Council Member Larsen, seconded by Vice-Mayor Magirowsky to approve Resolution No. 1666 and the agreement with Walgreens. Also, approval to authorize the Mayor to sign the document on behalf of the City of Bethany. Yes votes: Knapp, Plank, Smart, Magirowsky, Palmer, Lloyd, McPhail, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 9 on the agenda was CONSIDER APPROVING PARTICIPATION IN THE WALMART SETTLEMENT AGREEMENT NOVEMBER 22, 2022, AND THE RETAILER STATE-SUBDIVISION AGREEMENT AS IT PERTAINS TO THE WALMART SETTLEMENT AGREEMENT, AS RECOMMENDED BY TODD COURT OR MATT SILL, LEGAL COUNSEL FOR THE CITY OF BETHANY AND OTHER LITIGATING OKLAHOMA SUBDIVISIONS, INCLUDING APPROVAL OF RESOLUTION NO. 1667, AND AUTHORIZE THE MAYOR OF THE CITY OF BETHANY TO EXECUTE THE SUBDIVISION PARTICIPATION FORM FOR THE CITY OF BETHANY'S PARTICIPATION IN THE WALMART SETTLEMENT AGREEMENT. (RAY JONES, CITY ATTORNEY)**

Motion was made by Council Member Larsen, seconded by Council Member Knapp to approve Resolution No. 1667 and the agreement with Walmart. Also, approval to authorize the Mayor to sign the document on behalf of the City of Bethany. Yes votes: Knapp, Plank, Smart, Magirowsky, Palmer, Lloyd, McPhail, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 10 on the agenda was CONSIDER APPROVING PARTICIPATION IN THE CVS SETTLEMENT AGREEMENT DATED DECEMBER 9, 2022, AND THE RETAILER STATE-SUBDIVISION AGREEMENT AS IT PERTAINS TO THE CVS SETTLEMENT AGREEMENT, AS RECOMMENDED BY TODD COURT OR MATT SILL, LEGAL COUNSEL FOR THE CITY OF BETHANY AND OTHER LITIGATING OKLAHOMA SUBDIVISIONS, INCLUDING APPROVAL OF RESOLUTION NO. 1668, AND AUTHORIZE THE MAYOR OF THE CITY OF BETHANY TO EXECUTE THE SUBDIVISION PARTICIPATION FORM FOR THE CITY OF BETHANY'S PARTICIPATION IN THE CVS SETTLEMENT AGREEMENT. (RAY JONES, CITY ATTORNEY)**

Motion was made by Council Member Larsen, seconded by Council Member Smart to approve Resolution No. 1668 and the agreement with CVS. Also, approval to authorize the Mayor to sign the document on behalf of the City of Bethany. Yes votes:

Knapp, Plank, Smart, Magirowsky, Palmer, Lloyd, McPhail, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 11** on the agenda was **CONSIDER APPROVING PARTICIPATION IN THE ALLERGAN SETTLEMENT AGREEMENT DATED NOVEMBER 22, 2022, AND THE ALLERGAN STATE-SUBDIVISION AGREEMENT, AS RECOMMENDED BY TODD COURT OR MATT SILL, LEGAL COUNSEL FOR THE CITY OF BETHANY AND OTHER LITIGATING OKLAHOMA SUBDIVISIONS, INCLUDING APPROVAL OF RESOLUTION NO. 1669, AND AUTHORIZE THE MAYOR OF THE CITY OF BETHANY TO EXECUTE THE SUBDIVISION PARTICIPATION FORM FOR THE CITY OF BETHANY'S PARTICIPATION IN THE ALLERGAN SETTLEMENT AGREEMENT. (RAY JONES, CITY ATTORNEY)**

Motion was made by Council Member Larsen, seconded by Vice-Mayor Magirowsky to approve Resolution No. 1669 and the agreement with Allergan. Also, approval to authorize the Mayor to sign the document on behalf of the City of Bethany. Yes votes: Knapp, Plank, Smart, Magirowsky, Palmer, Lloyd, McPhail, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 12** on the agenda was **CONSIDER APPROVING PARTICIPATION IN THE TEVA SETTLEMENT AGREEMENT DATED NOVEMBER 22, 2022, AS RECOMMENDED BY TODD COURT OR MATT SILL, LEGAL COUNSEL FOR THE CITY OF BETHANY AND OTHER LITIGATING OKLAHOMA SUBDIVISIONS, INCLUDING APPROVAL OF RESOLUTION NO. 1670, AND AUTHORIZE THE MAYOR OF THE CITY OF BETHANY TO EXECUTE THE SUBDIVISION PARTICIPATION FORM FOR THE CITY OF BETHANY'S PARTICIPATION IN THE TEVA SETTLEMENT AGREEMENT. (RAY JONES, CITY ATTORNEY)**

Motion was made by Council Member Larsen, seconded by Council Member Smart to approve Resolution No. 1669 and the agreement with Teva. Also, approval to authorize the Mayor to sign the document on behalf of the City of Bethany. Yes votes: Knapp, Plank, Smart, Magirowsky, Palmer, Lloyd, McPhail, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 13** on the agenda was **CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1671 APPROVING A PROJECT AGREEMENT BETWEEN THE CITY OF BETHANY AND THE STATE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR INTERSECTION MODIFICATION AT SH-66 BEGINNING AT N. DONALD AVENUE EXTENDING WEST THREE BLOCKS TO N. ASBURY AVENUE. (ELIZABETH GRAY, CITY MANAGER)**

The City Manager reminded council that this is a 25% match. The cost breakdown is \$365,289.22-SNU, \$142,112.48-COB from the Stabilization Reserve Fund and \$1,522,205.10-ODOT.

Motion was made by Vice-Mayor Magirowsky, seconded by Council Member Knapp to approve Resolution No. 1671 and the agreement with the State of Oklahoma Department of Transportation. Yes votes: Knapp, Plank, Smart, Magirowsky, Lloyd, McPhail, Larsen, Powell. No votes: None. Abstain: Palmer. Motion approved.

**ITEM NO. 14** on the agenda **CONSIDERATION AND POSSIBLE APPROVAL TO ADVERTISE FOR BIDS FOR THE OKLAHOMA DEPARTMENT OF COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT WATERLINE REPLACEMENT PROJECT LOCATED ON N HOLLOWAY AVENUE BETWEEN NW 36TH STREET AND NW 32ND STREET. (ELIZABETH GRAY, CITY MANAGER).**

Attorney Ray Jones brings to Council's attention that SRB references the City of Warr Acres throughout its documentation and that needs to be changed to the City of Bethany. Mr. Jones also recommends we replace pages C1 and 2 of the contract in the packet with our construction contract.

Council Member Palmer referenced 2.53 of the contract and questioned some of this however, he now believes he has gone over this with the attorney and is satisfied.

Motion was made by Council Member Palmer, seconded by Council Member Plank to approve as amended by the city attorney. Yes votes: Powell, Palmer, Plank, McPhail, Larsen, Knapp, Lloyd, Magirowsky, Smart. No votes: None. Motion approved.

**ITEM NO. 15** on the agenda **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2045, AN ORDINANCE AMENDING SECTION 31.17 OF THE CITY OF BETHANY, OKLAHOMA CODE OF ORDINANCES GOVERNING COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS TO PERMIT OFFICERS TO DECLINE A SALARY FOR HIS OR HER TERM. (RAY JONES, CITY ATTORNEY)**

- A. PRESENTATION BY STAFF AND/OR INTERESTED PARTY.**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OF ORDINANCE NO. 2045, ON READING BY TITLE ONLY.**
- C. MOTION TO APPROVE SECTIONS 1-4 OF ORDINANCE NO. 2045.**

Motion was made by Council Member Powell, seconded by Council Member McPhail to table Ordinance No. 2045 on Reading By Title Only. Yes votes: Knapp, Palmer, Plank, Smart, Magirowsky, Lloyd, McPhail, Powell. No votes: None. Abstain: Larsen. Motion approved.

**ITEM NO. 16** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF WARD 4 BOARD OF ADJUSTMENT APPOINTMENT OF KEITH BURLISON TO SERVE A THREE-YEAR TERM. (BRIAN MAGIROWSKY, VICE-MAYOR & JEFF KNAPP, COUNCIL MEMBER)**

Motion was made by Vice-Mayor Magirowsky seconded by Council Member Knapp to appoint Keith Burlison to the Board of Adjustment to serve a three-year term. Yes votes: Lloyd, Palmer, McPhail, Plank, Magirowsky, Smart, Knapp, Larsen, Powell. No votes: None. Motion approved.

**ITEM NO. 17** on the agenda was **DISCUSSION AND POSSIBLE ACTION REGARDING CONDUCTING THE FREEDOM FESTIVAL ON JULY 4TH INSTEAD OF THE SATURDAY BEFORE. (MARILYN MCPHAIL, COUNCIL MEMBER)**

There was discussion on how the date was set and fireworks already scheduled for the Saturday before the 4<sup>th</sup> for this year and that it was too late to change the date.

Motion was made then amended by Council Member Smart, seconded by Council Member McPhail to approve having the Freedom Festival on July 4th starting in 2024 instead of the Saturday before. Yes votes: Palmer, Powell, Knapp, Plank, Smart, Lloyd, Magirowsky, McPhail. No votes: None. Abstain: Larsen. Motion approved.

**ITEM NO. 18** on the agenda was **BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS “MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA”)**.

Attorney Ray Jones stated that the minutes that Council Member McPhail wanted amended needed to be pulled from the consent docket and voted on separately.

Motion was made by Council Member McPhail, seconded by Council Member Palmer to amend the minutes of the March 7th meeting. Council Member McPhail wanted her statement inserted to Item No. 17 as follows: “the 24,000.00 earmarked for a specific cause and not just be placed in the city general fund”. Yes votes: Plank, Palmer, Smart, Lloyd, Magirowsky, Powell, Knapp, McPhail. No votes: None. Abstain: Larsen. Motion approved.

**ITEM NO. 19** on the agenda was **CITY ATTORNEY’S REPORT.**

**A. UPDATE ON BRANDT V CITY OF BETHANY, OKLA. CO. CASE NUMBER CJ-21-1978**

Attorney Jones reported that this case was dismissed from action.

**B. UPDATE ON FROGGE V. CITY OF BETHANY, W.D. OK CASE NUMBER CIV-22-0692.**

Attorney Jones reported the City of Bethany is on the eve of being dismissed however, the two officers will remain a part of the case.

**C. UPADATE ON MILES V. BETHANY POLICE DEPARTMENT OF OKLA, CO. CASE NUMBER SC-2021-12231.**

Attorney Jones reported this did not comply with the Governmental Tort Claims Act and the court dismissed this action.

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

Michael Vaughn gave the monthly financial report.

City Manager Gray reported the following:

Next bulk trash pickup is October 2nd beginning on the south side of town.

April 6<sup>th</sup> will be the annual Budget Fair to be held at the Bethany Library from 5:30 p.m. to 7:00 p.m. The final budget will be presented to the council for approval on May 2<sup>nd</sup>

April 19<sup>th</sup> the Fire Department will be hosting Safe Kids Oklahoma for a car seat safety check and installation course.

November 11<sup>th</sup> is free landfill day from 7:00 a.m. until noon at 7600 SW 15<sup>th</sup> Street, OKC.

**ITEM NO. 21** on the agenda was **COUNCIL MEMBERS ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

Each Council Member was given the opportunity to comment.

**ITEM NO. 22** on the agenda was **ADJOURN UNTIL APRIL 4, 2023.**

Mayor Lloyd adjourned the Bethany City Council meeting at 9:08 P.M.

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MAYOR

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CITY CLERK

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**BETHANY PUBLIC WORKS AUTHORITY MEETING**

**BETHANY CITY HALL**

**TUESDAY, MARCH 21, 2023**

**7:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Brian Magirowsky	Vice-Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Jeff Knapp	Trustee
	Peter Plank	Trustee
	Ken Smart	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Joe Davis	TEIM Design, LLC
	(See Roster)	

Mayor Lloyd called the Bethany City Council meeting to order at 8:09 P.M.

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

- A. APPROVAL OF MINUTES FROM THE MARCH 7, 2023, 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 Plank, seconded by Trustee Larsen to approve the Consent Docket. Yes Votes: Plank, Larsen, Magirowsky, Powell, Smart, Palmer, Lloyd, McPhail, Knapp. No Votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS “MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA”)**.

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 4, 2023.**

Chairman Lloyd adjourned the Bethany Public Works meeting at 9:09 P.M. until April 4, 2023.

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CHAIRMAN

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SECRETARY

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## **BETHANY HOSPITAL TRUST MEETING**

### **BETHANY CITY HALL**

**TUESDAY, MARCH 21, 2023**

**7:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Brian Magirowsky	Vice-Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Jeff Knapp	Trustee
	Peter Plank	Trustee
	Ken Smart	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Joe Davis	TEIM Design, LLC
	(See Roster)	

Chairman Lloyd called the Bethany Hospital Trust meeting to order at 9:09 P.M.

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

- A. APPROVAL OF MINUTES FROM THE MARCH 4, 2023, 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 Vice-Chairman Magirowsky, seconded by Trustee Larsen to approve the Consent Docket. Yes Votes: Magirowsky, Plank, Smart, Larsen, Powell, Lloyd, McPhail, Knapp, Palmer. No votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS "MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA")**.

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 4, 2023**.

Chairman Lloyd adjourned the Bethany Hospital Trust meeting at 9:09 P.M. until April 4, 2023.

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CHAIRMAN

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SECRETARY

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## **BETHANY DEVELOPMENT AUTHORITY**

### **BETHANY CITY HALL**

**TUESDAY, MARCH 21, 2023**

**7:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Brian Magirowsky	Vice-Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Jeff Knapp	Trustee
	Peter Plank	Trustee
	Ken Smart	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Joe Davis	TEIM Design, LLC
	(See Roster)	

Chairman Lloyd called the Bethany Development Authority meeting to order at 9:09 P.M.

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

- A. APPROVAL OF MINUTES FROM THE MARCH 4, 2023, 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 Vice-Chairman Magirowsky, seconded by Trustee Larsen to approve the Consent Docket. Yes votes: Knapp, Larsen, Palmer, Lloyd, Smart, Plank, McPhail, Powell, Magirowsky. No votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS “MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA”)**.

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL APRIL 4, 2023.**

Chairman Lloyd adjourned the Bethany Development Authority meeting at 9:10 P.M. until April 4, 2023.

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CHAIRMAN

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SECRETARY