

NOTICE: On Thursday, November 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, NOVEMBER 21, 2023

6:30 P.M.

MEMBERS PRESENT:	Nikki Lloyd	Mayor
	Jeff Knapp	Vice- Mayor
	Brian Magirowsky	Council Member
	Chris Powell	Council Member
	Marilyn McPhail	Council Member
	Kathy Larsen	Council Member
	Ken Smart	Council Member
	Peter Plank	Council Member
	Steve Palmer	Council Member

MEMBERS ABSENT: None

OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Amanda McCellon	Community Dev. Director
	Beth Burke	211 Heartline
	(See Roster)	

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

Mayor Lloyd called the Bethany City Council meeting to order at 6:30 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 NOVEMBER 7, 2023, REGULAR MEETING.**
- B. **APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, SPECIAL CALLED MEETING.**
- C. **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.**
- D. **APPROVAL TO DECLARE CERTAIN ITEM(S) AS SURPLUS AND AUTHORIZE STAFF TO CONDUCT AN ONLINE PUBLIC AUCTION TO SELL THE LISTED ITEM(S).**
- E. **APPROVAL OF BUDGET AMENDMENT 24-9.**
- F. **APPROVAL OF BUDGET AMENDMENT 24-10.**

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

ITEM NO. 4 on the agenda was **MAYORAL PROCLAMATION RECOGNIZING SMALL BUSINESS SATURDAY.**

Mayor Lloyd declared November 25th as Small Business Saturday.

ITEM NO. 5 on the agenda was **PRESENTATION BY HEARLINE OKLAHOMA.**

Director Beth Burke informed council of the services provided by their agency. She explained that a call to 211 is a confidential crisis line for food, shelter, medical, financial, emotional support and more. They have access to over 16,000 available resources in the state. They have directed 928 families in Bethany for utility assistance. 2500 calls were received from people within Bethany.

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.)**

Dale German- 301 Oakridge Lane- Thanksgiving/Veterans Day letter.

James Graves- 3200 N. Rockwell- Wind Signage.

Anthony Garcia-8309 NW 27th- Love for Bethany-City Manager Gray accomplishments.

ITEM NO. 7 on the agenda was **CONSIDERATION AND POSSIBLE ACTION REGARDING FRANK MCLENDON'S REQUEST TO REDUCE THE MINIMUM REAR YARD BUILD LINES FOR BETHANY VILLAGE, LOCATED AT THE NW CORNER OF NW 36TH STREET AND N. DIVIS AVE.**

Council Member Larsen made a motion, seconded by Council Member Plank, to approve reducing the minimum rear yard build lines from Bethany Village, located at the NW Corner of NW 36th Street and N. Divis Ave. Yes votes: Magirowsky, Smart, McPhail, Lloyd, Palmer, Plank, Larsen, Knapp, Powell. No votes: None. Motion approved.

ITEM NO. 8 on the agenda was **CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1684, A RESOLUTION AUTHORIZING OKLAHOMA MUNICIPAL ASSURANCE GROUP (OMAG) TO DISTRIBUTE ESCROW ACCOUNT FUNDS. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Magirowsky, seconded by Council Member Larsen to approve Resolution No. 1684. Yes votes: Knapp, Larsen, Lloyd, Magirowsky, Plank, Smart, Powell, McPhail, Palmer. No votes: None. Motion approved.

ITEM NO. 9 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL TO ACCEPT CONTRACT AMENDMENT NO. 2 FOR LIPPERT BROTHERS CONSTRUCTION FOR PHASE 2A IN THE AMOUNT OF \$142,015.00 FOR THE GENERAL OBLIGATION BOND PROPOSITION 3A-BETHANY FIRE STATION ADDITION PROJECT AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Larsen, seconded by Council Member Knapp to approve the contract with Lippert Bros., Inc. for the Fire Station Addition and authorize the mayor to sign the document on behalf of the City of Bethany. Yes votes: Knapp, Larsen, McPhail, Lloyd, Magirowsky, Plank, Powell, Smart, Palmer. No votes: None. Motion approved.

ITEM NO. 10 on the agenda **DISCUSSION AND POSSIBLE ACTION TO AMEND SECTION 153.19 PROHIBITED SIGNS, SUBPART (B) WHICH PROHIBITS WIND SIGNS DEFINED AS A SIGN CONSISTING OF ONE OR MORE BANNERS, FLAGS, PENNANTS, RIBBONS, SPINNERS, STREAMERS OR CAPTIVE BALLOONS, OR OTHER OBJECTS OR MATERIAL FASTENED IN SUCH A MANNER AS TO MOVE UPON BEING SUBJECTED TO PRESSURE BY WIND OR BREEZE. (MARILYN MCPHAIL, COUNCIL MEMBER)**

There was discussion on adding permits either monthly or yearly and removal of flags at night.

Community Development Director McCellon informed the council that the city currently has a temporary permit that can be used for no more than 75 days per year.

A motion was made by Council Member Palmer, seconded by Council Member Powell to refer Section 153.19 to be reevaluated with Planning and Zoning and to bring recommendations back to council. Yes votes: Knapp, Larsen, McPhail, Magirowsky, Plank, Powell, Smart, Palmer. No votes: Lloyd. Motion approved.

ITEM NO. 11 on the agenda was **PROPOSED EXECUTIVE SESSION TO DISCUSS THE PERFORMANCE EVALUATION AND CONTRACT OF CITY MANAGER, ELIZABETH GRAY, PURSUANT TO THE CLAUSE IN SECTION 5 OF THE EMPLOYMENT AGREEMENT APPROVED ON SEPTEMBER 15, 2020, AND TITLE 25 O.S. SECTION 307.B (1) OF THE OKLAHOMA OPEN MEETING ACT. (ELIZABETH GRAY, CITY MANAGER)**

A. ENTER EXECUTIVE SESSION

A motion was made at 7:07 p.m. by Council Member Magirowsky, seconded by Council Member Larsen to enter executive session. Yes votes: Smart, Larsen, McPhail, Lloyd, Powell, Plank, Palmer, Knapp, Magirowsky. No votes: None. Motion approved.

B. EXIT EXECUTIVE SESSION

A motion was made at 7:24 p.m. by Council Member Plank, seconded by Council Member Palmer to exit executive session. Yes votes: Plank, Smart, Knapp, McPhail, Lloyd, Magirowsky, Palmer. No votes: Larsen, Powell. Motion approved.

A motion was made at 7:26 p.m. by Council Member Plank, seconded by Council Member Magirowsky to reconvene the executive session with City Attorney Jones. Yes votes: Magirowsky, Smart, Powell, Larsen, Plank, Knapp, Lloyd. No votes: McPhail, Palmer. Motion approved.

A motion was made at 8:15 p.m. by Council Member Magirowsky, seconded by Council Member Smart to exit executive session. Yes votes: Larsen, Plank, Palmer, McPhail, Lloyd, Magirowsky, Smart, Powell, Knapp. No votes: None. Motion approved.

ITEM NO. 12 on the agenda was **CONSIDERATION AND POSSIBLE ACTION FOLLOWING EXECUTIVE SESSION REGARDING CITY MANAGER CONTRACT WITH CITY MANAGER ELIZABETH GRAY PURSUANT TO THE EMPLOYMENT AGREEMENT APPROVED ON SEPTEMBER 15, 2020. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Smart, seconded by Council Member Palmer to approve the change to the retirement plan and extend a \$500.00 a month car

allowance. Yes votes: Magirowsky, Smart, Powell, Larsen, Plank, Palmer, Knapp, Lloyd.
No votes: McPhail. Motion approved.

ITEM NO. 13 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. 14 on the agenda was the **CITY ATTORNEY’S REPORT**.

Attorney Ray Jones informed the council that we can amend the ordinance that changed the zoning to 2900 N. Remond property; however, a hearing must be held. Attorney Jones recommends this be placed on the next agenda for a vote.

ITEM NO. 15 on the agenda was the **CITY MANAGER’S REPORT**.

City Manager Gray reported the following:

City Offices will be closed for Thanksgiving, November 23rd and 24th. Trash makeup day for November 23rd will be November 22nd and November 24th makeup day will be the following Wednesday, 29th.

April 8th will be the next Big Trash and will begin on the North side of town.

Water rates will increase on January 1. For more information see the city website, social media, or the November newsletter.

ITEM NO. 16 on the agenda was **COUNCIL MEMBERS’ ANNOUNCEMENTS, COMMENTS, AND PROPOSALS**.

Each Council Member was given the opportunity to comment.

ITEM NO. 17 on the agenda was **ADJOURN UNTIL DECEMBER 5, 2023**.

Mayor Lloyd adjourned the Bethany City Council meeting at 8:39 P.M.

MAYOR

CITY CLERK

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BETHANY PUBLIC WORKS AUTHORITY MEETING

BETHANY CITY HALL

TUESDAY, NOVEMBER 21, 2023

6:30 P.M.

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Jeff Knapp	Vice-Chairman
	Chris Powell	Trustee
	Kathy Larsen	Trustee
	Peter Plank	Trustee
	Steve Palmer	Trustee
	Brian Magirowsky	Trustee
	Ken Smart	Trustee
	Marilyn McPhail	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Amanda McCellon	Community Dev. Director
	Beth Burke	211 Heartline
	(See Roster)	

Chairman Lloyd called the Bethany Public Works Authority meeting to order at 8:39 P.M.

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

- A. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, SPECIAL CALLED MEETING.**
- C. 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.**

Motion was made by Trustee Larsen, seconded by Trustee Magirowsky to approve the Consent Docket. Yes Votes: Larsen, Palmer, Magirowsky, Powell, Lloyd, Smart, Plank, Knapp, McPhail. 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 DECEMBER 5, 2023**.

Chairman Lloyd adjourned the Bethany Public Works meeting at 8:40 P.M. until December 5, 2023.

CHAIRMAN

SECRETARY

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BETHANY HOSPITAL TRUST MEETING

BETHANY CITY HALL

TUESDAY, NOVEMBER 21, 2023

6:30 P.M.

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Jeff Knapp	Vice-Chairman
	Chris Powell	Trustee
	Kathy Larsen	Trustee
	Peter Plank	Trustee
	Steve Palmer	Trustee
	Brian Magirowsky	Trustee
	Ken Smart	Trustee
	Marilyn McPhail	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Amanda McCellon	Community Dev. Director
	Beth Burke	211 Heartline
	(See Roster)	

Chairman Lloyd called the Bethany Hospital Trust meeting to order at 8:40 P.M.

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

- A. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, SPECIAL CALLED MEETING.**

C. 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.

A motion was made by Trustee Larsen, seconded by Trustee Magirowsky to approve the Consent Docket. Yes Votes: McPhail, Larsen, Smart, Powell, Plank, Magirowsky, Lloyd, Palmer, 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 DECEMBER 5, 2023.**

Chairman Lloyd adjourned the Bethany Hospital Trust meeting at 8:40 P.M. until December 5, 2023.

CHAIRMAN

SECRETARY

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BETHANY DEVELOPMENT AUTHORITY

BETHANY CITY HALL

TUESDAY, NOVEMBER 21, 2023

7:30 P.M.

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Jeff Knapp	Vice-Chairman
	Chris Powell	Trustee
	Steve Palmer	Trustee
	Kathy Larsen	Trustee
	Peter Plank	Trustee
	Brian Magirowsky	Trustee
	Ken Smart	Trustee
	Marilyn McPhail	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Amanda McCellon	Community Dev. Director
	Beth Burke	211 Heartline
	(See Roster)	

Chairman Lloyd called the Bethany Development Authority meeting to order at 8:40 P.M.

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

- A. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM NOVEMBER 7, 2023, SPECIAL CALLED MEETING.**

C. 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.

A motion was made by Trustee Magirowsky, seconded by Trustee Plank to approve the Consent Docket. Yes votes: Larsen, McPhail, Lloyd, Magirowsky, Plank, Palmer, Powell, Smart, 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 DECEMBER 5, 2023.**

Chairman Lloyd adjourned the Bethany Development Authority meeting at 8:41 P.M. until December 5, 2023.

CHAIRMAN

SECRETARY