
On Friday, February 2, 2024, 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.

AMENDED AGENDA

BETHANY CITY COUNCIL

TUESDAY, FEBRUARY 6, 2024
6:30 P.M.

BETHANY CITY HALL
6700 NW 36TH ST
BETHANY, OKLAHOMA



With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Call to Order
2. Invocation and Flag Salute
3. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
4. Presentation of awards by Taylor York, District Executive Director of the Bethany and Rockwell Plaza YMCA's to the City of Bethany and the Banks Family.
5. 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.)*
6. Bethany Economic Development Authority (BEDA) report.

7. PUBLIC HEARING ITEM: Consideration and possible approval to repeal Ordinance No. 2046, an ordinance amending the zoning ordinances, map, and comprehensive plan of the City of Bethany, Oklahoma by including in R-2, two-family residential district, the property located at 3900 and 3904 N Redmond Avenue in Bethany Oklahoma. *(Marilyn McPhail, Council Member)*
 - A. Staff comments.
 - B. Public comments.
 - C. Possible action to repeal Ordinance No. 2046, an ordinance amending the zoning ordinances, map, and comprehensive plan of the City of Bethany, Oklahoma by including in R-2, two-family residential district, the property located at 3900 and 3904 N Redmond Avenue in Bethany Oklahoma.
8. Consideration and possible adoption of Resolution No. 1687 to apply for Water Smart Grant Applications for Water and Energy Efficiency Grants for Fiscal Years 2024 and 2025. *(Elizabeth Gray, City Manager)*
9. Consideration and possible approval of ARPA Water Meter Automation Improvements Change order No. 2 to the contract with Southwest Water Works, LLC in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
10. Consideration and possible approval to award Construction Contract for additional ARPA Water Meter Improvements to Southwest Water Works, LLC for the total bid amount of \$169,100.00 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
11. Consideration and possible approval of an Interlocal Agreement with the Oklahoma County Sheriff's Department concerning cross deputization for Investigators. *(Elizabeth Gray, City Manager)*
12. Consideration and possible approval to reject all bids received for a Side Loader Sanitation Truck as approved in the FY 2024 Budget to allow for further review of the available state contracts. *(Elizabeth Gray, City Manager)*
13. Consideration and possible action to present a final ordinance for Short Term Rentals to the council for approval. *(Ray Jones, City Attorney)*
14. Review, discussion, and possible action on the City Council Handbook. *(Marilyn McPhail, Council Member)*
15. Discussion and possible action to schedule a planning workshop. *(Steve Palmer, Council Member)*

16. 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”)*.
17. City Attorney’s Report.
18. City Manager’s Report.
19. Mayor and Council Members Comments and Suggestions.
20. Adjourn until February 20, 2024.

BETHANY PUBLIC WORKS AUTHORITY

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. Consideration and possible approval of ARPA Water Meter Automation Improvements Change order No. 2 to the contract with Southwest Water Works, LLC in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
3. Consideration and possible approval to award Construction Contract for additional ARPA Water Meter Improvements to Southwest Water Works, LLC for the total bid amount of \$169,100.00 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
4. 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”)*.
5. Adjourn until February 20, 2024.

BETHANY HOSPITAL TRUST

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. 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”).*
3. Adjourn until February 20, 2024.

BETHANY DEVELOPMENT AUTHORITY

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. 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”).*
3. Adjourn until February 20, 2024.

Public Participation Note: The City Council and Staff of the City of Bethany strongly encourages the input and involvement of the citizens to help ensure that the City government provides the highest level of services to meet the public needs and desires. If you have any concerns or comments about an agenda item, or any other issue, please contact the Mayor, your Ward Council Members or City Hall Staff. You may also contact the City Manager’s office if you would like to have an item placed on a future agenda to address the Council as a whole. (Guidelines are available in the Council Chambers and in City Hall Lobby.)

On Thursday, February 1, 2024, 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.

AGENDA

BETHANY CITY COUNCIL

TUESDAY, FEBRUARY 6, 2024
6:30 P.M.

BETHANY CITY HALL
6700 NW 36TH ST
BETHANY, OKLAHOMA



With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Call to Order
2. Invocation and Flag Salute
3. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
4. Presentation of awards by Taylor York, District Executive Director of the Bethany and Rockwell Plaza YMCA's to the City of Bethany and the Banks Family.
5. 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.)*
6. Bethany Economic Development Authority (BEDA) report.

7. PUBLIC HEARING ITEM: Consideration and possible approval to repeal Ordinance No. 2046, an ordinance amending the zoning ordinances, map, and comprehensive plan of the City of Bethany, Oklahoma by including in R-2, two-family residential district, the property located at 3900 and 3904 N Redmond Avenue in Bethany Oklahoma. *(Marilyn McPhail, Council Member)*
 - A. Staff comments.
 - B. Public comments.
 - C. Possible action to repeal Ordinance No. 2046, an ordinance amending the zoning ordinances, map, and comprehensive plan of the City of Bethany, Oklahoma by including in R-2, two-family residential district, the property located at 3900 and 3904 N Redmond Avenue in Bethany Oklahoma.
8. Consideration and possible adoption of Resolution No. 1687 to apply for Water Smart Grant Applications for Water and Energy Efficiency Grants for Fiscal Years 2024 and 2025. *(Elizabeth Gray, City Manager)*
9. Consideration and possible approval of ARPA Water Meter Automation Improvements Change order No. 2 to the contract with Southwest Water Works, LLC in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
10. Consideration and possible approval to award Construction Contract for additional ARPA Water Meter Improvements to Southwest Water Works, LLC for the total bid amount of \$169,100.00 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
11. Consideration and possible approval of an Interlocal Agreement with the Oklahoma County Sheriff's Department concerning cross deputization for Investigators. *(Elizabeth Gray, City Manager)*
12. Consideration and possible approval to reject all bids received for a Side Loader Sanitation Truck as approved in the FY 2024 Budget to allow for further review of the available state contracts. *(Elizabeth Gray, City Manager)*
13. Consideration and possible action to present a final ordinance for Short Term Rentals to the council for approval. *(Ray Jones, City Attorney)*
14. Review and discussion of the City Council Handbook. *(Marilyn McPhail, Council Member)*
15. Discussion and possible action to schedule a planning workshop. *(Steve Palmer, Council Member)*

16. 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”).*
17. City Attorney’s Report.
18. City Manager’s Report.
19. Mayor and Council Members Comments and Suggestions.
20. Adjourn until February 20, 2024.

BETHANY PUBLIC WORKS AUTHORITY

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. Consideration and possible approval of ARPA Water Meter Automation Improvements Change order No. 2 to the contract with Southwest Water Works, LLC in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
3. Consideration and possible approval to award Construction Contract for additional ARPA Water Meter Improvements to Southwest Water Works, LLC for the total bid amount of \$169,100.00 and authorize the mayor to sign the document on behalf of the City of Bethany. *(Elizabeth Gray, City Manager)*
4. 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”).*
5. Adjourn until February 20, 2024.

BETHANY HOSPITAL TRUST

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. 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”).*
3. Adjourn until February 20, 2024.

BETHANY DEVELOPMENT AUTHORITY

With the exception of new business, official action can only occur on items which appear on the agenda. The Council may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, Council may refer the matter to the City Manager or the Municipal Counselor. The Council may also refer items to standing committees of the Council or to a board or commission for additional study. Under certain circumstances, items may be deferred to a specific later date or stricken from the agenda entirely.

1. Consent Docket:
 - A. Approval of Minutes from the January 16, 2024, 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.
2. 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”).*
3. Adjourn until February 20, 2024.

Public Participation Note: The City Council and Staff of the City of Bethany strongly encourages the input and involvement of the citizens to help ensure that the City government provides the highest level of services to meet the public needs and desires. If you have any concerns or comments about an agenda item, or any other issue, please contact the Mayor, your Ward Council Members or City Hall Staff. You may also contact the City Manager’s office if you would like to have an item placed on a future agenda to address the Council as a whole. (Guidelines are available in the Council Chambers and in City Hall Lobby.)

NOTICE: On Thursday, January 11, 2024, 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, JANUARY 16, 2024

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
	(See Roster)	

ITEM NO. 1 on the agenda Vice-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.**

Council Member Larsen gave the Invocation.

Vice-Mayor Knapp conducted the Flag Salute.

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

- A. **APPROVAL OF MINUTES FROM JANUARY 2, 2024, 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.**

Council Member McPhail asked for an explanation of the City Attorneys' invoice for outside of contract services.

Motion was made by Council Member Magirowsky, seconded by Council Member Knapp to approve the consent docket. Yes votes: Plank, Lloyd, Larsen, Magirowsky, Smart, Powell, Knapp. No votes: Palmer, McPhail. Motion approved.

ITEM NO. 4 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. 5 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2053, AN ORDINANCE CODIFYING THE REPEAL OF SECTION 157.34 COMPLETE STREETS OCCURRING AT THE DECEMBER 5, 2023, REGULAR COUNCIL MEETING. (RAY JONES, CITY ATTORNEY)**

- A. **PRESENTATION BY STAFF AND/OR INTERESTED PARTY.**

Attorney Jones informed the council that at the last meeting there was a duplication of two ordinances that were submitted with one of those being the repeal of Ordinance 157.34 which is being presented at this meeting.

Council Member Palmer informed the council that the Traffic Committee was committed to preparing another ordinance to replace the complete street ordinance.

- B. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE OF ORDINANCE NO. 2053, ON READING BY TITLE ONLY.**

A motion was made by Council Member Magirowsky, seconded by Council Member Smart to approve Ordinance No. 2053, on Reading by Title Only. Yes votes: Palmer, Lloyd, Knapp, Plank, McPhail, Smart, Magirowsky. No votes: Powell. Abstain: Larsen. Motion approved.

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SECTIONS 1-2 OF ORDINANCE NO. 2053.

A motion was made by Council Member Magirowsky, seconded by Council Member Knapp to approve Section 1-2 of Ordinance No. 2053. Yes votes: Plank, Larsen, Knapp, Smart, Lloyd, Magirowsky, Palmer, McPhail. No votes: Powell. Motion approved.

ITEM NO. 6 on the agenda was CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT NO. 3 TO THE ENGINEERING CONTRACT FOR THE 2022 GENERAL OBLIGATION BOND PROPOSITION 1 PROJECTS FOR CONSTRUCTION INSPECTION AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)

City Manager Gray read a breakdown of Proposition 1. This Amendment of \$150,000 will cover inspection services for the Proposition 1 projects.

A motion was made by Council Member Magirowsky, seconded by Council Member Plank to approve Amendment 3 to the Engineering Contract. Yes votes: Palmer, Magirowsky, Lloyd, Knapp, Larsen, Smart, Plank, McPhail, Powell. No votes: None. Motion approved.

ITEM NO. 7 on the agenda was CONSIDERATION AND POSSIBLE APPROVAL TO AWARD THE ENGINEERING CONTRACT FOR PROPOSITION 1-C TRAFFIC SIGNALIZATION AT NW 36TH AND COUNCIL ROAD TO TEIM DESIGN AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)

City Manager Gray explained the scope of services for this portion of the project will include all necessary services to furnish complete detailed construction plans and bidding documents for the intersection. The total cost of the pre-construction services is \$50,000 which will be paid by GO Bond Proceeds.

A motion was made by Council Member Plank, seconded by Council Member Larsen to approve to award the engineering contract for Proposition 1-C Traffic Signalization at NW 36th and Council Rd. to Teim Design and authorize the mayor to sign the document on behalf of the City of Bethany. Yes votes: Magirowsky, Knapp, Palmer, McPhail, Smart, Larsen, Lloyd, Powell, Plank. No votes: None. Motion approved.

ITEM NO. 8 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF CONSTRUCTION CONTRACT WITH TLS GROUP, INC. FOR TRAFFIC SIGNALIZATION IMPROVEMENTS FOR NW 23RD AND N. ROCKWELL (GENERAL OBLIGATION BOND PROPOSITION 1-A) AND NW 36TH AND N. ROCKWELL (GENERAL OBLIGATION BOND PROPOSITION 1-B) IN THE AMOUNT OF \$819,400.88 AND AUTHORIZE THE MAJOR TO SIGN THE DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Magirowsky, seconded by Council Member Larsen to approve the construction contract with TLS Group, Inc. for traffic signalization improvements to NW 23rd and N. Rockwell (General Obligation Bond Proposition 1-A) and NW 36th and N. Rockwell (General Obligation Bond Proposition 1-B) in the amount of \$819,400.88 and authorize the major 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. 9 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF CONSTRUCTION CONTRACT WITH ALL ROADS PAVING, INC. FOR PAVEMENT IMPROVEMENT PROJECT NW 30TH FROM ROCKWELL TO PENIEL (GENERAL OBLIGATION BOND PROPOSITION 1-E), MUELLER FROM NW 44TH TO NW 50TH (GENERAL OBLIGATION BOND PROPOSITION 1-F) AND DIVIS FROM NW 36TH TO NW 39TH (GENERAL OBLIGATION BOND PROPOSITION 1-G) IN THE AMOUNT OF \$1,517,133.45 AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Larsen, seconded by Council Member Magirowsky to approve the Construction Contract with All Roads Paving, Inc. for Pavement Improvement Project NW 30th from Rockwell to Peniel (General Obligation Bond Proposition 1-E), Mueller from NW 44th to NW 50th (General Obligation Bond Proposition 1-F) and Divis from NW 36th to NW 39th (General Obligation Bond Proposition 1-G) in the amount of \$1,517,133.45 and authorize the mayor to sign the document on behalf of the City of Bethany. Yes votes: Smart, Larsen, McPhail, Lloyd, Palmer, Plank, Powell, Knapp, Magirowsky. No votes: None. Motion approved.

ITEM NO. 10 on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF CONSTRUCTION CONTRACT WITH LUCKINBILL CONSTRUCTION CO., LLC FOR SANITARY SEWER RELOCATION TO SERVE ANIMAL WELFARE FACILITY (GENERAL OBLIGATION BOND PROPOSITION 3-C) IN THE AMOUNT OF \$123,792.00 AND AUTHORIZE THE MAYOR TO SIGN THE DOCUMENT ON BEHALF OF THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Plank, seconded by Council Member Larsen to approve the construction contract with Luckinbill Construction Co., LLC for Sanitary Sewer Relocation to serve Animal Welfare facility (General Obligation Bond Proposition 3-C) in the amount of \$123,792.00 and authorize the mayor to sign the document

on behalf of the City of Bethany. Yes votes: Powell, Larsen, McPhail, Lloyd, Palmer, Plank, Smart, Knapp, Magirowsky. No votes: None. Motion approved.

ITEM NO. 11 on the agenda was **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO CONVENE A COUNCILMEMBER COMMITTEE TOGETHER WITH THE CITY ATTORNEY TO PREPARE A PROPOSED CITY COUNCIL SOCIAL MEDIA POLICY FOR PRESENTATION TO THE COUNCIL FOR FUTURE CONSIDERATION AND APPROVAL. (KEN SMART, COUNCIL MEMBER)**

Council Member Smart recommended that a committee be put together to construct a social media policy for the benefit of the council.

Council Member Palmer volunteered to be on the committee.

Mayor Lloyd nominated Council Member Smart as the head of the committee and allowed him to create his own committee.

Council Member Smart accepted the nomination, and he invited Mr. Powell to sit on the committee of which he accepted.

ITEM NO. 12 on the agenda was **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO DIRECT THE CITY ATTORNEY TO INVESTIGATE AND RECOMMEND ACTION REGARDING AN OPERATION AND MAINTENANCE AGREEMENT WITH THE BETHANY WARR ACRES PUBLIC WORKS AUTHORITY. (STEVE PALMER, COUNCIL MEMBER)**

Attorney Jones looked at BWAPWA documents and learned there is no operating agreement. He stated, "there should not be because principally the BWAPWA is a Public Trust whose sole purpose is to operate and maintain the sewer treatment facilities. This has all been delegated to the Trust by the City and the City of Warr Acres by the creation of the trust. There is a separate operating agreement with both cities that only deals with the city's obligations to maintain the infrastructure within their own cities." There is also a lease agreement that exists with Devon which has an easement to utilize water that is generated at the BWAPWA.

ITEM NO. 1 on the agenda was **PROPOSED EXECUTIVE SESSION: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 25 O.S. § 307 (B) (4) CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING THE MEDIATION OF CITY OF BETHANY V. LEVEL UP FOUNDATION REPAIR, LLC, CJ-2021-4487 CONSOLIDATED WITH HANNAY V. CITY OF BETHANY CJ-2021-4950, 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. (RAY JONES)**

A. ENTER EXECUTIVE SESSION

A motion was made by Council Member Magirowsky, seconded by Council Member Larsen to enter executive session for both Item 13 and Item 14 at 6:49 p.m. Yes votes: Plank, Lloyd, Powell, McPhail, Magirowsky, Palmer, Smart, Knapp, Larsen. No votes: None. Motion approved.

B. EXIT EXECUTIVE SESSION

A motion was made by Council Member Magirowsky, seconded by Council Member Larsen to exit executive session for both Item 13 and Item 14 at 7:54 p.m. Yes votes: Plank, Lloyd, Powell, McPhail, Magirowsky, Palmer, Smart, Knapp, Larsen. No votes: None. Motion approved.

C. POSSIBLE ACTION REGARDING THE DESIGNATION OF REPRESENTATIVES OF THE CITY OF BETHANY FOR MEDIATION DISCUSSED IN EXECUTIVE SESSION.

A motion was made by Council Member Powell, seconded by Council Member Magirowsky to designate City Manager Gray to represent the city in the mediation of City of Bethany versus Level Up Foundation Repair. Yes votes: Larsen, Plank, Palmer, Lloyd, Magirowsky, Smart, Powell, Knapp, McPhail. No votes: None. Motion approved.

ITEM NO. 14 on the agenda was PROPOSED EXECUTIVE SESSION: CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 25 O.S. § 307 (B) (1) FOR PURPOSES OF DISCUSSING THE EMPLOYMENT OF THE CITY MANAGER SPECIFICALLY TO EVALUATE THE CONDITIONS OF THE CITY MANAGER'S EMPLOYMENT AS AUTHORIZED BY SECTION 5 OF THE CONTRACT BETWEEN THE CITY MANAGER AND THE CITY OF BETHANY. (ELIZABETH GRAY, CITY MANAGER)

A. ENTER EXECUTIVE SESSION

B. EXIT EXECUTIVE SESSION

C. POSSIBLE ACTION REGARDING THE CONDITIONS OF THE CITY MANAGER'S EMPLOYMENT DISCUSSED IN THE EXECUTIVE SESSION.

ITEM NO. 15 on the agenda was CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE DISCIPLINE OF MARILYN MCPHAIL FOR HER USE OF BELLIGERENT, PERSONAL, IMPERTINENT, SLANDEROUS, THREATENING, ABUSIVE AND DISPARAGING COMMENTS TOWARD THE MAYOR OF BETHANY DURING THE JANUARY 2, 2024 REGULAR COUNCIL MEETING IN VIOLATION OF THE CODE OF ETHICS CONTAINED WITHIN THE CITY COUNCIL HANDBOOK ADOPTED

ON JUNE 18, 2019 AND DISSEMINATED TO ALL COUNCIL MEMBERS ELECTED AFTER THE ADOPTION ON DECEMBER 21, 2021, VIA EMAIL AND AGAIN VIA EMAIL ON DECEMBER 7, 2023. (NIKKI LLOYD, MAYOR)

A motion was made by Council Member Powell, seconded by Council Member Palmer to table this item. Yes votes: Smart, Palmer, McPhail, Powell. No votes: Larsen, Lloyd, Plank, Magirowsky, Knapp. Motion failed.

Mayor Lloyd stated, "The fact that this item had to be placed on the agenda, I think, is very sad for our city and the people that we represent and these business meetings were meant to work together in a civil and professional manner to make the best decisions possible for the good of our city with the tools and the knowledge available to us. When one member of council chooses to consistently disseminate false and misleading information and create division and discord through unprofessional and impudent conduct to benefit herself alone, it is detrimental to the constituents and the city that she gave an oath to represent. Mrs. McPhail has consistently behaved in a manner that is unprofessional and unbecoming for that of a council person. This has cost the city in very real ways from staffing to actual dollars. A clear example of this abusive behavior can be witnessed in the vulgar language she used towards me in the last council meeting at the 2 hour 22 second mark and the 2 hour 23 minutes mark. So, the question is how far do we wish to allow this behavior to go? And, what can we do to curtail it?"

Council Member Smart invited Mrs. McPhail to apologize for her actions.

Council Member McPhail announced, "I apologized to my constituents for using that inappropriate word".

Council Member Larsen shared that their had been things pointed out to her that had happened by various council members such as: dishonesty, disrespect, personal comments of others by other, politicizing in public forums, negativeness prevails in public venues, belligerent, personal, slanderous, threatening, abusive language, Shame on us. Unprofessional treatment of our staff and our employees. Publically criticizing individual employees. We have belligerently challenged speakers that have come forward to give us information about what we're doing. This is not our policy. We have to change.

ITEM NO. 16 on the agenda was the **CITY ATTORNEY'S REPORT.**

City Attorney Jones gave a quick report of his last 2 weeks of work for the city.

ITEM NO. 17 on the agenda was the **CITY MANAGER'S REPORT.**

Michael Vaughn, Finance Director, gave the monthly finance report.

ITEM NO. 18 on the agenda was **COUNCIL MEMBERS' ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

Each Council Member was given the opportunity to comment.

ITEM NO. 19 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2024.**

Mayor Lloyd adjourned the Bethany City Council meeting at 8:18 P.M.

MAYOR

CITY CLERK

BETHANY CITY COUNCIL

From: Michael Vaughn, Finance Director
Date: February 1, 2024
Subject: Claims list for the 02/06/2024 City Council Meeting

GENERAL OPERATIONS FUND

FUND	AMOUNT
General Operations Fund	\$ 144,535.96
Public Safety Fund	\$ 3,181.16
Capital Improvement Fund	\$ 3,262.50
Federal Grant Fund	\$ 297,256.67
2022A GO Bond	\$ 196,152.75
TOTAL	\$ 644,389.04

ENTERPRISE-WIDE SUMMARY OF ALL CLAIMS:

FUND	AMOUNT
General Operations Fund	\$ 644,389.04
Bethany Public Works Authority	\$ 80,952.32
Bethany Hospital Trust	\$ -
Bethany Development Authority	\$ -
TOTAL	\$ 725,341.36

RECOMMENDATION

1. Approve claims as presented.



FUND: 010- GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 01.0 MANAGEMENT						
24-49618	10-005373	CARD SERVICES/P1	TONER, VIDEO LOOP DEVICE	1/2024	8877864	506.94
24-48257	10-005519	CRAWFORD & ASSOCIATES, P.C.	AUDIT PREP/FINANCIAL SVC	1/2024	17949	3,460.00
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	954.37
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	PROPERTY INSURANCE	1/2024	202401315635	851.75
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	100.43
24-48089	10-1530	THE TRIBUNE	PUBLICATION NOTICES	1/2024	20240112-	85.20
24-48576	10-1530	THE TRIBUNE	ORDINANCE PUBLICATION	1/2024	20240112---	35.60
24-49689	10-3196	IMAGENET CONSULTING, LLC	UPSTAIR/DOWNSTAIRS COPIER	1/2024	INV806228	185.25
24-48817	10-3331	RUCKER MECHANICAL	DX HVAC IN COUNCIL CHAMB	1/2024	95774	335.00
24-48078	10-4310	AMERIFLEX	FSA ADMIN FEE	1/2024	INV680695	190.80
DEPARTMENT TOTAL:						6,705.34
DEPARTMENT: 02.0 FINANCE						
24-49662	10-005373	CARD SERVICES/P1	EFILE 1099'S SSA	1/2024	20240122	50.25
24-49673	10-005373	CARD SERVICES/P1	THERATEARS DUCKTAPETCORD	1/2024	7834643	9.99
24-48313	10-0596	FUZZELL'S BUSINESS	SHARP COPIER MAINTENANCE	1/2024	MM99373	11.34
DEPARTMENT TOTAL:						71.58
DEPARTMENT: 03.0 COURT						
24-48342	10-006123	CHRISTOPHER T. STEIN	CITY PROSECUTOR FEE	1/2024	240107	2,959.00
24-48043	10-0596	FUZZELL'S BUSINESS	COPIER MAINTENANCE	1/2024	MM98717	29.57
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	255.17
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	PROPERTY INSURANCE	1/2024	202401315635	608.39
24-48042	10-2274	OZARKA WATER COMPANY	WATER	1/2024	35532318	32.89
24-49436	10-3180	STAPLES	SHREDDER	1/2024	3555502567	392.39
24-48041	10-3342	JANI-KING OF OKLAHOMA, INC.	JANITORIAL SERVICE	1/2024	OKC01240111	640.66
DEPARTMENT TOTAL:						4,918.07
DEPARTMENT: 04.0 ENGINEERING						
24-49049	10-005900	TEIM DESIGN GROUP, PLLC	CONTRACT WITH AMDMENTS	1/2024	12420	11,859.02
DEPARTMENT TOTAL:						11,859.02

FUND: 010- GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 05.0		POLICE				
24-49643	10-005373	CARD SERVICES/P1	Fingerprint Cards	1/2024	238080A	38.00
24-49647	10-005373	CARD SERVICES/P1	Membership Renewal	1/2024	16289	200.00
24-49648	10-005373	CARD SERVICES/P1	Membership renewal	1/2024	38999	110.00
24-49649	10-005373	CARD SERVICES/P1	Membership Renewal	1/2024	300086261	50.00
24-49665	10-005373	CARD SERVICES/P1	Console Extender Switch	1/2024	382953739	211.61
24-49704	10-005373	CARD SERVICES/P1	Janitorial Supplies	1/2024	20240126	450.14
24-49705	10-005373	CARD SERVICES/P1	Supplies & Equipment	1/2024	9732229	539.07
24-48096	10-005634	INNOVATIVE SECURITY OF OKLA	Monthly Monitoring Fee	1/2024	669144	19.95
24-48063	10-005850	ABC CLINIC	Spay and Neuter	1/2024	0041	1,115.00
24-49294	10-0225	GENUINE PARTS	10-115 Speed Sensor	1/2024	7092-047415	150.00
24-49295	10-0225	GENUINE PARTS	18-002 Brakes	1/2024	7092-047457	126.35
24-49544	10-0225	GENUINE PARTS	ACO Truck Battery	1/2024	7092-050222	135.16
24-49545	10-0225	GENUINE PARTS	Brake Pads	1/2024	7092-050223	66.43
24-49569	10-0225	GENUINE PARTS	12-131 & 16-011 Parts	1/2024	7092-050485	209.35
24-48562	10-0465	OK DEPT OF PUBLIC SAFETY	OLETS	1/2024	LET-013238	495.00
24-49715	10-0980	MOTOROLA SOLUTIONS, INC.	Annual Renewal	1/2024	8230434560	41,272.89
24-49726	10-1	Victoria Kirkpatrick	Adoptions Reimbursement	1/2024	24-49726	80.00
24-49727	10-1	Alicia Thoreson	Adoption Reimbursement	1/2024	24-49727	80.00
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	1,518.99
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANC	PROPERTY INSURANCE	1/2024	202401315635	8,700.00
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	5,624.00
24-49633	10-1551	UNITED ENGINES, LLC	Generator Repair	1/2024	4131584	251.25
24-49641	10-1771	ADVENTURE OUT	Unit 21-001 Partitions	1/2024	555441	595.00
24-48135	10-2442	SUMNERONE, INC.	3 Copier Lease	1/2024	3811826	141.13
24-48137	10-2442	SUMNERONE, INC.	Kyocera Usage	1/2024	3822232	157.25
24-49036	10-3415	SPECIAL-OPS UNIFORMS, INC.	Winter Jackets	1/2024	346347	162.12
24-49033	10-3512	BOARD OF TESTS	Annual Renewal	1/2024	14472	252.00
24-49503	10-3527	GEARWORKS	DECALS UNIT 14-10243	1/2024	8979	15.00
24-49071	10-4090	AT&T MOBILITY	FirstNet	1/2024	20240119-	1,665.74
24-49663	10-4090	AT&T MOBILITY	AT&T Tower Data	1/2024	492168	70.00
24-48068	10-4388	ISG TECHNOLOGY, LLC	Prevntion Security	1/2024	ISG 351759	1,204.00
DEPARTMENT TOTAL:						65,705.43

FUND: 010- GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 06.0		FIRE				
24-49617	10-004408	BOUND TREE MEDICAL	NITRILE EXAM GLOVES	1/2024	85217745	299.70
24-48986	10-005510	SAMARITAN EMS	EMS SERVICE	1/2024	6608	17,989.75
24-49600	10-0225	GENUINE PARTS	ENGINE OIL	1/2024	050968	94.96
24-49708	10-0883	LOCKE SUPPLY CO.	TOILET REPAIRS	1/2024	51628841-00	172.66
24-48282	10-1063	OG&E	MNTHLY SVC	1/2024	20240124	119.84
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	1,007.95
24-49674	10-1082	OKLAHOMA FIRE CHIEF'S ASSOC	YEARLY DUES FOR OFCA	1/2024	CHF-25005	220.00
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	PROPERTY INSURANCE	1/2024	202401315635	1,500.70
24-48952	10-1165	CONRAD FIRE EQUIPMENT	ANNUAL PUMP TEST	1/2024	572529	852.85
24-48964	10-1165	CONRAD FIRE EQUIPMENT	REPAIRS TO LADDER-1	1/2024	572432	4,494.91
24-49062	10-1165	CONRAD FIRE EQUIPMENT	L-1 PUMP PRIMER REPLACE	1/2024	572486	2,056.93
24-49063	10-1165	CONRAD FIRE EQUIPMENT	REPAIRS TO E-1 LEAKS	1/2024	572797	1,998.42
24-49233	10-1165	CONRAD FIRE EQUIPMENT	AIR SYSTEM LEAK REPAIRS	1/2024	572800	315.27
24-49525	10-1165	CONRAD FIRE EQUIPMENT	TORQUE BOX BOLTS	1/2024	572823	786.48
24-49527	10-1165	CONRAD FIRE EQUIPMENT	PUMP TRANSMISSION REPAIRS	1/2024	572795	3,849.59
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	1,384.00
24-49593	10-1622	WESTLAKE ACE HARDWARE	WIRING SUPPLIES	1/2024	3503939	28.17
DEPARTMENT TOTAL:						37,172.18
DEPARTMENT: 07.0		COMMUNITY DEV				
24-49687	10-004417	MCLAIN-CHITWOOD OFFICE	RECEIVED STAMP	1/2024	232927	30.95
24-49604	10-006096	FIRST AMERICAN TITLE INSUR	TITLE SEARCH	1/2024	607-2499179501	100.00
24-48313	10-0596	FUZZELL'S BUSINESS	SHARP COPIER MAINTENANCE	1/2024	MM99373	11.34
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	PROPERTY INSURANCE	1/2024	202401315635	608.39
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	502.14
24-49606	10-1530	THE TRIBUNE	PUBLICATION	1/2024	20240119	64.50
24-49655	10-1530	THE TRIBUNE	PUBLICATION	1/2024	20240126-	88.30
24-49689	10-3196	IMAGENET CONSULTING, LLC	UPSTAIR/DOWNSTAIRS COPIER	1/2024	INV806228	72.21
24-49729	10-3348	COUNTY CLERK OKLA COUNTY	ABATEMENT LIEN	1/2024	24-49729	18.00
DEPARTMENT TOTAL:						1,495.83
DEPARTMENT: 08.1		PUBLIC WORKS - ADMIN				
24-49576	10-005373	CARD SERVICES/P1	BAGS,GLOVES,BATTERIES	1/2024	2005022	157.41
24-49673	10-005373	CARD SERVICES/P1	THERATEARS DUCKTAPETCORD	1/2024	7834643	10.12
24-49707	10-005373	CARD SERVICES/P1	PENS,RUBBERBOOTS,WEBCAM	1/2024	9174643	30.72
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	965.58
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	PROPERTY INSURANCE	1/2024	202401315635	223.08
24-49343	10-2442	SUMNERONE, INC.	MONTHLY COPIER MAINT	1/2024	3818893	30.85
DEPARTMENT TOTAL:						1,417.76

FUND: 010- GENERAL FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 08.2 PUBLIC WORKS - STREETS						
24-49590	10-004808	ADVANTAGE BATTERY OF OKLAHO2 BATTERIES		1/2024	108900	139.98
24-49711	10-004808	ADVANTAGE BATTERY OF OKLAHOBATTERIESFORSCHOOLLIGHTS		1/2024	109451	139.98
24-49089	10-005350	FORCE PERSONNEL	TEMP HELP	1/2024	76931	2,994.66
24-49576	10-005373	CARD SERVICES/P1	BAGS,GLOVES,BATTERIES	1/2024	2005022	48.01
24-49707	10-005373	CARD SERVICES/P1	PENS,RUBBERBOOTS,WEBCAM	1/2024	9174643	18.49
24-49683	10-005645	1.800.RADIATOR & A/C OF OKRADIATOR UNIT #64		1/2024	38052339	365.00
24-49595	10-0225	GENUINE PARTS	BATTERIES	1/2024	7092-051480	137.32
24-49695	10-0225	GENUINE PARTS	SWITCHES SANDERS	1/2024	052067	12.06
24-49698	10-0324	CENTRAL POWER EQUIP. INC	5 CHAIN SAW CHAINS	1/2024	337350	124.95
24-49416	10-0933	MAXWELL SUPPLY	PLATE COMPACTOR	1/2024	11724	1,885.40
24-49669	10-1063	OG&E	MNTHLY BILLS	1/2024	20240111	197.30
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANCPROPERTY INSURANCE		1/2024	202401315635	993.71
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	2,187.43
24-49671	10-1527	TRAFFIC SIGNALS INC	DX & POSSIBLE REPAIR	1/2024	17139	575.00
24-49637	10-1622	WESTLAKE ACE HARDWARE	JOINT COMPOUND BULK FAST	1/2024	3503946	15.98
24-49656	10-1622	WESTLAKE ACE HARDWARE	#67	1/2024	3503953	24.71
24-49599	10-1728	CL BOYD COMPANY INC	ASPHALT PLANER	1/2024	R72102	575.00
24-49605	10-1728	CL BOYD COMPANY INC	CUTTING EDGE BOLT #88	1/2024	P27614	22.68
24-49626	10-2123	HOME DEPOT CREDIT SVCS	STREET POST FOR SIGNS	1/2024	017682/0026106	214.89
24-49551	10-3207	LOGAN COUNTY ASPHALT CO	4 TONS COLD PATCH	1/2024	26139	499.68
DEPARTMENT TOTAL:						11,172.23
DEPARTMENT: 08.4 PUBLIC WORKS - MAINT						
24-49697	10-005373	CARD SERVICES/P1	50 PW LOGO DECAL	1/2024	90124-2093	30.75
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANCPROPERTY INSURANCE		1/2024	202401315635	60.84
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	351.50
DEPARTMENT TOTAL:						443.09
DEPARTMENT: 08.5 PUBLIC WORKS - PARKS						
24-49628	10-0007	A-1 LAWN MOWER SHOP INC	3 GRINDER WHEELS	1/2024	18274	56.85
24-49631	10-004790	HARVEY JANITORIAL SALES	DOGGIE BAGS & BLACK BAGS	1/2024	213237	565.48
24-49042	10-005350	FORCE PERSONNEL	TEMP HELP	1/2024	156	947.90
24-49576	10-005373	CARD SERVICES/P1	BAGS,GLOVES,BATTERIES	1/2024	2005022	42.94
24-49632	10-005373	CARD SERVICES/P1	SAW & DRILL KIT	1/2024	00098624	259.15
24-49673	10-005373	CARD SERVICES/P1	THERATEARSDUCKTAPETCORD	1/2024	7834643	15.90
24-49707	10-005373	CARD SERVICES/P1	PENS,RUBBERBOOTS,WEBCAM	1/2024	9174643	118.48
24-49644	10-0883	LOCKE SUPPLY CO.	FAUCETS	1/2024	51560619-00	53.34
24-48282	10-1063	OG&E	MNTHLY SVC	1/2024	20240124	88.89
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	40.65
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANCPROPERTY INSURANCE		1/2024	202401315635	60.84
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	1,262.46
24-49621	10-1509	TOM'S SPEEDY LOCK & KEY SERPARK BARN KEYS		1/2024	69824	18.00
24-49645	10-1622	WESTLAKE ACE HARDWARE	SUPPLIES TO REPAIR FAUCET	1/2024	3503951	44.55
DEPARTMENT TOTAL:						3,575.43
FUND TOTAL:						144,535.96

FUND: 021- PUBLIC SAFETY FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 99.0		NON-DEPARTMENTAL				
24-49360	10-004685	SALTUS TECHNOLOGIES, LLC	SCOPE OF WORK	1/2024	2312-51-	1,750.00
24-49601	10-005373	CARD SERVICES/P1	3 Computer Monitors	1/2024	382567019	290.28
24-49602	10-005373	CARD SERVICES/P1	Investigations Desk Top	1/2024	364655549	357.99
24-49603	10-005373	CARD SERVICES/P1	Drone Batteries	1/2024	9376222	655.00
24-49642	10-005373	CARD SERVICES/P1	Cam Batteries & Chargers	1/2024	2349838	127.89
DEPARTMENT TOTAL:						3,181.16
FUND TOTAL:						3,181.16

FUND: 031- CAPITAL IMPROVE PROJECTS

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 40.0		PROJECTS >\$25,000				
24-48503	10-005900	TEIM DESIGN GROUP, PLLC	CRSAA MILL OVERLAY RKWEL	1/2024	12401	3,262.50
DEPARTMENT TOTAL:						3,262.50
FUND TOTAL:						3,262.50

FUND: 035- FEDERAL GRANT FUND

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 40.0		Sewer Project				
24-48513	10-005900	TEIM DESIGN GROUP, PLLC	ARPA PENIEL WASTEWATER	1/2024	12411	14,154.50
DEPARTMENT TOTAL:						14,154.50
DEPARTMENT: 42.0		Automated Meter Project				
24-49306	10-005900	TEIM DESIGN GROUP, PLLC	WATER METER AUTOMATION	1/2024	12413	11,742.00
24-49207	10-006108	SOUTHWEST WATER WORKS, LLC	WATER METER AUTO	1/2024	PAY APP #1-	271,360.17
DEPARTMENT TOTAL:						283,102.17
FUND TOTAL:						297,256.67

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 40.0		Projects				
24-48518	10-005500	TROY D RHODES & COMPANY,	INPROP 3A FIRE STATION RENO	1/2024	03893	3,565.00
24-48573	10-005500	TROY D RHODES & COMPANY,	INFIRE DEPT REIMBURSEABLES	1/2024	03894	27.72
24-48500	10-005900	TEIM DESIGN GROUP, PLLC	PROP 3B POLICE RENOVATION	1/2024	12414	716.00
24-48521	10-005900	TEIM DESIGN GROUP, PLLC	PROP 1H- NW25 TO NW 30TH	1/2024	12431	9,195.06
24-48522	10-005900	TEIM DESIGN GROUP, PLLC	PROP 1F-MUELLER/44 TO 50	1/2024	12433	37,894.70
24-48523	10-005900	TEIM DESIGN GROUP, PLLC	PROP 1G-DIVIS/36 TO 39	1/2024	12432	24,465.02
24-48524	10-005900	TEIM DESIGN GROUP, PLLC	PROP 1E 30/ RKWELL/PENIEL	1/2024	12434	95,807.25
24-48759	10-005900	TEIM DESIGN GROUP, PLLC	PROP 1D PENIEL/39TH/42ND	1/2024	12435	2,200.00
24-48956	10-005900	TEIM DESIGN GROUP, PLLC	PROP 2 A-ELDON LYON PARK	1/2024	12415---	11,274.17
24-48957	10-005900	TEIM DESIGN GROUP, PLLC	PROP 2 B-RIPPER PARK	1/2024	12415--	2,416.50
24-48958	10-005900	TEIM DESIGN GROUP, PLLC	PROP 2 C-GARRISON PARK	1/2024	12415-	6,622.33
24-48959	10-005900	TEIM DESIGN GROUP, PLLC	PROP 2 D- MACRORY PARK	1/2024	12415	1,969.00
DEPARTMENT TOTAL:						196,152.75
FUND TOTAL:						196,152.75

ORDINANCE NO. 2053

AN ORDINANCE REPEALING SECTION 110.01 TO THE BETHANY CODE OF ORDINANCES ADDING SUBPART (D) PROVIDING FOR THE FORM OF A BUSINESS LICENSE APPLICATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA:

SECTION 1. Section 110.01 (A) (1) currently reads as follows:

No person, firm, or corporation, either as principal or agent, shall conduct, pursue or operate any calling, trade, profession or occupation listed in Appendix A or carry on any activity set forth in Appendix B, without first procuring a license or permit therefore, whichever the case may be, except as may be otherwise prescribed by law.

SECTION 2. Section 110.01 (A) (1) is amended by as follows:

Unless otherwise exempted, it shall be unlawful for any business as to operate without first procuring from the city all licenses required by Title XI and paying to the City of Bethany the fees or taxes associated therewith and established in the city's general schedule of fee. The following are exempted:

- (a) A non-profit corporation, organization, or association which is carried on wholly for the benefit of non-profit purposes and from which profit is not derived, either directly or indirectly by any person, provided such organization or association is registered with the Secretary of State for the State of Oklahoma as a charitable organization pursuant to the Charitable Contributions Act of 1955 or is determined by the Internal Revenue Service to be exempt from federal income taxes as evidenced by an IRS affirmation.
- (b) All scientific and literary lecturers and entertainments.
- (c) Concerts, musical, or other similar entertainments given exclusively by the citizens of the city.
- (d) A governmental entity.
- (e) Where such license is prohibited by state law.
- (f) Where such license is exempted by another section of the Code of Ordinances for the City of Bethany, Oklahoma.

SECTION 2:

If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of said ordinance, notwithstanding such holding.

SECTION 3. EMERGENCY CLAUSE

It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Bethany and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and its passage and approval.

END

The foregoing ordinance was introduced before the Bethany City Council on the _____ day of _____, 202__, and was duly adopted and approved by the Mayor and City Council on the _____ day of _____, 202__, and after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.)

ATTEST:

MAYOR

CITY CLERK

Approved as to form and legality on _____, 202__.

CITY ATTORNEY

BETHANY CITY COUNCIL

From: Elizabeth Gray, City Manager
Date: February 6, 2024
Subject: Approval of Resolution No. 1687 to apply for Water Smart Grant Applications for Water and Energy Efficiency Grants for Fiscal Years 2024 and 2025

BACKGROUND

This Resolution is required by the United States Bureau of Reclamation (USBR) to apply for Notice of Funding opportunity RS24AS00052 Water and Energy Efficiency Grants for Fiscal Years 2024 and 2025. This grant opportunity is to apply for additional funding to continue the replacement of the existing mechanical water meters used throughout the city, with new ultrasonic meters that can be read remotely. The application deadline for the Fiscal Year 2024 opportunity is February 22, 2024, and the deadline for funding for the Fiscal Year 2025 opportunity is October 30, 2024.

RECOMMENDATION

1. Approval of Resolution No. 1687 to apply for Water Smart Grant Applications for Water and Energy Efficiency Grants for Fiscal Years 2024 and 2025.



ADDITIONAL COMMENTS

RESOLUTION NO. 1687

AUTHORIZING THE MAYOR OF THE CITY OF BETHANY TO SUBMIT WATERSMART GRANT APPLICATIONS FOR WATER AND ENERGY EFFICIENCY GRANTS FOR FISCAL YEAR 2024 AND FISCAL YEAR 2025

WHEREAS, the United States Bureau of Reclamation (USBR) has a funding program entitled “WaterSMART Grants: Water and Energy Efficiency Grants for Fiscal Year 2024 and Fiscal Year 2025” and pursuant to this funding opportunity R24AS00052, the USBR provides funding for projects that result in quantifiable water savings, and support broader sustainability benefits; and

WHEREAS, The City of Bethany, Oklahoma has evaluated the continued implementation of advanced water metering infrastructure to accurately measure water consumption to improve water conservation efforts to all customers further into the future using existing water supplies; and

WHEREAS, The City of Bethany envisions corresponding energy savings resulting from reduced pump run times and the reduction of fossil fuel usage for vehicles currently used for manual reading efforts; and

WHEREAS, The City of Bethany wishes to apply for funds to cover a portion of the cost for the advanced water metering infrastructure project by the deadline of February 22, 2024; and

WHEREAS, the USBR has directed applicants to include in the application an official resolution adopted by the governing body verifying 1) the identity of the official with legal authority to enter into an agreement; 2) the board of directors, governing body, or appropriate official who has reviewed and supports the application submitted; 3) the capability of the applicant to provide the amount of funding contribution specified in the funding plan; and 4) that the applicant will work with the USBR to meet established deadlines for entering into a grant or cooperative agreement.

Transportation is not a commitment to Federal funding, but only registers the City/Town/County’s interest and intent in participating in the program application process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BETHANY, OKLAHOMA:

Section 1: The City of Bethany, Oklahoma hereby finds that it is in the City’s and the public’s interest in health, safety and welfare of the community to file the Financial Assistance Application with the USBR to seek funds made available under the City of Bethany, Oklahoma to enter into a cooperative agreement with the USBR to seek funds made available under Funding Opportunity No. R24AS00052.

Section 2: The City of Bethany, Oklahoma understands and supports the application that will be submitted and finds:

- (a) The City of Bethany, Oklahoma has the legal authority to enter into an agreement with the USBR to receive a grant; and
- (b) The City of Bethany, Oklahoma is able to provide the minimum 50% non-federal cost share specified in the funding plan for this application.

Section 3: The City of Bethany, Oklahoma directs the Mayor or her designee, the City Manager to:

- (a) file and sign, for and on behalf of the City of Bethany, Oklahoma, a Financial Assistance Application for the financing agreement from the USBR for the Advanced Metering Infrastructure Project; and
- (b) provide the assurances, certifications, and commitments required for the Financial Assistance Application including executing a financial assistance agreement from the USBR and any amendments or changes thereto; and
- (c) represent the City of Bethany, Oklahoma in carrying out the City's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the City of Bethany, Oklahoma and compliance with applicable state and federal laws.

Section 4: The City of Bethany, Oklahoma will work with the USBR to meet established deadlines required for entering into a cooperative agreement to obtain the aforementioned grant funding.

ADOPTED by the City of Bethany, Oklahoma and **SIGNED** by the Mayor
this ____ day of _____, 20__.

ATTEST:

City Clerk

Mayor

Approved as to form and legality

City Attorney

Agenda: 02/06/2024
Item: 9
BPWA Item: 2

BETHANY CITY COUNCIL
BETHANY PUBLIC WORKS AUTHORITY

From: Elizabeth Gray, City Manager
Date: February 6, 2024
Subject: Approval of ARPA Water Meter Automation Improvements Change Order No. 2 to the Contract with Southwest Water Works, LLC

BACKGROUND

The City of Bethany passed Resolution No. 1662 giving permission to apply for and match a \$1.5M grant to make improvements to and replace aging, manual read meters and service lines in the City of Bethany with new automated meters. This replacement project will initially focus on the oldest parts of town. The City was notified of the successful award of this grant, which the City will match with \$1.5M. For a total project of 3M.

On November 10, 2022, the City of Bethany advertised a request for qualifications for City Engineering services for this project. On December 20, 2022, the council awarded the successful Request for qualifications to TEIM Design.

On February 21, 2023, City Council approved the contract for Engineering services and design to TEIM Design.

On June 6, 2023 – Council voted to initiate the bid process and authorize staff to open bids.

On July 18, 2023, Council approved the construction contract to Southwest Water Works, LLC for the base bid only in an amount of \$2,702,240.00 as the lowest responsive bidder. Council also approved a deduct Amendment No. 1 to the contract in the amount of \$157,700.00 for a new contract price of \$2,544,540.00.

On October 7, 2023, Council approved Amendment No. 2 and Change Order No. 1 to the Southwest Water Works, LLC contract in a deduct amount of \$165,253.90 for a new contract price of \$2,379,286.10.

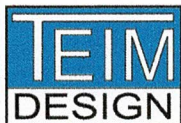
City Staff and Engineers recommend Change Order No. 2 to the contract in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85.

RECOMMENDATION

1. Authorize Mayor to sign the Change Order No. 2 in an increase amount of \$4,053.75 for a new contract price of \$2,383,339.85.

ADDITIONAL COMMENTS





TRANSPORTATION • ENVIRONMENTAL • INFRASTRUCTURE • MUNICIPAL

January 16, 2024

Ms. Elizabeth Gray
City of Bethany
6700 NW 36th Street
Yukon, OK 73008

Re: Water Meter Automation Project
Change Order No. 2

Dear Ms. Gray:

I. CHANGE ORDER NO. 2 - SCOPE AND JUSTIFICATION

Change Order No. 2 creates a pay item for electrical improvements at two water tower sites located at NW 25th Street and Wilburn Avenue and NW 36th Street and Wilburn Avenue. The automated meter infrastructure (AMI) equipment to collect the data will be installed at the two water towers, which includes an antenna on each tower and a collector panel located on the ground. Each water tower site requires a dedicated 120V 10 amp circuit, disconnect switch at the panel location, and electrical conduit and wiring as recommended by the meter reading R900 gateway installation and maintenance manual.

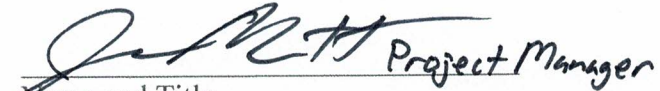
II. COST ESTIMATE

See Attachment A for the cost breakdown for Change Order No. 2.

Original Contract Amount:	\$2,702,240.00
Amendment No. 1 (Deduct):	(\$157,700.00)
Amendment No. 2 (Deduct):	(\$283,670.00)
Change Order No. 1 (Add):	\$118,416.10 (4.38%)
Change Order No. 2 (Add):	\$4,053.75 (0.15%)
Revised Contract Amount:	\$2,383,339.85

The above and foregoing is hereby accepted this 16th day of January 2024 and the undersigned agrees to perform the work as so indicated in this Change Order No. 2 with said adjustments in the contract sum.

Southwest Water Works, LLC


Name and Title

The prices shown for the Change Order were established by negotiation and appear to be fair and reasonable.



Robbie Williams, P.E.

City Attorney

APPROVED by Council of the City of Bethany this ____ day of _____, 2024.

ATTEST:

CITY CLERK

MAYOR

Agenda: 2/6/2023
Item: 10
BPWA Item: 3

BETHANY CITY COUNCIL
BETHANY PUBLIC WORKS AUTHORITY

From: Elizabeth Gray, City Manager
Date: February 6, 2024
Subject: Approval of Southwest Water Works, LLC Contract for ARPA Water Meter Automation Improvements Oklahoma County ARPA Funds

BACKGROUND

The City of Bethany has been fortunate to receive an additional \$250,000 in County ARPA funds for replacement of old mechanical water meters with new ultrasonic meters that can be read remotely.

On September 19, 2023, Council approved a contract with TEIM Design for Engineering services for the project.

On December 19, 2023, Council approved permission to advertise for bids.

The project has now been bid. City Staff and Engineers recommend awarding the construction contract to Southwest Water Works, LLC for the total bid in the amount of \$169,100.00 as the lowest responsive bidder.

RECOMMENDATION

1. Authorize Mayor to sign the Construction Contract awarding the total bid to Southwest Water Works, LLC in the amount of \$169,100.00.

ADDITIONAL COMMENTS





TRANSPORTATION • ENVIRONMENTAL • INFRASTRUCTURE • MUNICIPAL

January 29, 2024

City of Bethany
Ms. Elizabeth Gray
6700 NW 36th Street
Bethany, Oklahoma 73008

Re: Water Meter Automation Improvements Oklahoma County ARPA Funds

Dear Ms. Gray,

Attached for your review and disposition please find the BID Tabulation for the above-mentioned project. The bids were received, January 17, 2024, and all bid bonds and affidavits were found to be in order. All the bids were tabulated correctly. The total bids are as follows:

Southwest Water Works, LLC	\$169,100.00
Luckinbill Construction Co, LLC	\$219,075.00
Engineer's Estimate	\$246,550.00

Therefore, we recommend the award of the contract to Southwest Water Works, LLC for the total price of \$169,100.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'RW', written over a printed name.

Robbie Williams, PE

Attachment: Contract, Bonds, and Insurance Certificate
Bid Tab

Summary of Pay Quantities - Base Bid				Engineers Estimate		Southwest Water Works, LLC		Luckinbill Construction Company	
Item No.	Title	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	AUDIO-VIDEO RECORDING PRE- AND POST CONSTRUCTION	1.00	lump sum	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
2	SEDIMENT AND EROSION CONTROL	1.00	lump sum	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00
3	FURNISH AND INSTALL (5/8 INCH) WATER METER IN EXISTING METER CAN	124.00	each	\$950.00	\$117,800.00	\$750.00	\$93,000.00	\$800.00	\$99,200.00
4	NEW METER LID	124.00	each	\$100.00	\$12,400.00	\$35.00	\$4,340.00	\$200.00	\$24,800.00
5	TRAFFIC CONTROL	1.00	lump sum	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00
6	MOBILIZATION AND PROJECT MANAGEMENT	1.00	lump sum	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00	\$10,000.00	\$10,000.00
7	COST FOR 2 YEARS OF SOFTWARE AS A SERVICE FOR METER DATA MANAGEMENT, METER READING, TRAINING, CUSTOMER INTERFACE PORTAL, AND ALL SUPPORT EXPENSES FOR METER TO READ BY DCU NETWORK AND CELLULAR NETWORK	124.00	each	\$100.00	\$12,400.00	\$15.00	\$1,860.00	\$25.00	\$3,100.00
BASE BID TOTAL					\$159,800.00		\$105,700.00		\$143,800.00
Summary of Pay Quantities - Alternate No. 1				Engineers Estimate		Southwest Water Works, LLC		Luckinbill Construction Company	
Number	Title	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	AUDIO-VIDEO RECORDING PRE- AND POST CONSTRUCTION	1.00	lump sum	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$800.00	\$800.00
2	SEDIMENT AND EROSION CONTROL	1.00	lump sum	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00
3	FURNISH AND INSTALL (5/8 INCH) WATER METER IN EXISTING METER CAN	43.00	each	\$950.00	\$40,850.00	\$750.00	\$32,250.00	\$800.00	\$34,400.00
4	NEW METER LID	43.00	each	\$100.00	\$4,300.00	\$35.00	\$1,505.00	\$200.00	\$8,600.00
5	TRAFFIC CONTROL	1.00	lump sum	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
6	MOBILIZATION AND PROJECT MANAGEMENT	1.00	lump sum	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00
7	COST FOR 2 YEARS OF SOFTWARE AS A SERVICE FOR METER DATA MANAGEMENT, METER READING, TRAINING, CUSTOMER INTERFACE PORTAL, AND ALL SUPPORT EXPENSES FOR METER TO READ BY DCU NETWORK AND CELLULAR NETWORK	43.00	each	\$100.00	\$4,300.00	\$15.00	\$645.00	\$25.00	\$1,075.00
ALTERNATE NO.1 TOTAL					\$58,450.00		\$40,800.00		\$50,875.00
Summary of Pay Quantities - Alternate No. 2				Engineers Estimate		Southwest Water Works, LLC		Luckinbill Construction Company	
Number	Title	Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	AUDIO-VIDEO RECORDING PRE- AND POST CONSTRUCTION	1.00	lump sum	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$400.00	\$400.00
2	SEDIMENT AND EROSION CONTROL	1.00	lump sum	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,200.00	\$1,200.00
3	FURNISH AND INSTALL (5/8 INCH) WATER METER IN EXISTING METER CAN	20.00	each	\$950.00	\$19,000.00	\$750.00	\$15,000.00	\$800.00	\$16,000.00
4	NEW METER LID	20.00	each	\$100.00	\$2,000.00	\$35.00	\$700.00	\$200.00	\$4,000.00
5	TRAFFIC CONTROL	1.00	lump sum	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00
6	MOBILIZATION AND PROJECT MANAGEMENT	1.00	lump sum	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
7	COST FOR 2 YEARS OF SOFTWARE AS A SERVICE FOR METER DATA MANAGEMENT, METER READING, TRAINING, CUSTOMER INTERFACE PORTAL, AND ALL SUPPORT EXPENSES FOR METER TO READ BY DCU NETWORK AND CELLULAR NETWORK	20.00	each	\$100.00	\$2,000.00	\$15.00	\$300.00	\$25.00	\$500.00
ALTERNATE NO.2 TOTAL					\$28,500.00		\$22,500.00		\$24,600.00
TOTAL BID PRICE					\$246,550.00		\$169,100.00		\$219,075.00

CONSTRUCTION CONTRACT

This Contract is made and entered into on the 6th day of February 2024, by and between the City of Bethany, an Oklahoma Municipal Corporation, hereinafter called "City," and Southwest Water Works, LLC a(n) _____, hereinafter called "Contractor."

WITNESSETH:

WHEREAS, in accordance with the Charter of the City of Bethany and the Public Competitive Bidding act of 1974, 61 Okla. Stat. §§ 101 et seq. (hereinafter collectively referred to as "local and state law"), the City has caused to be prepared certain plans, specifications, and other bidding documents (the "Bidding Documents") for the work hereinafter described; and,

WHEREAS, in accordance with local and state law, the City has approved and adopted all of said Bidding Documents and has caused a Solicitation for Bids to be given and advertised and has received sealed bids for the furnishing of all labor and materials for:

WATER METER AUTOMATION IMPROVEMENTS OKLAHOMA COUNTY ARPA FUNDS

as outlined and set out in the Bidding Documents and in accordance with the terms and provisions of this Contract; and,

WHEREAS, Contractor, in response to said Solicitation for Bids, has submitted to the City, in the manner and at the time specified, a sealed bid in accordance with the terms of the Bidding Documents; and,

WHEREAS, the City, in the manner provided by local and state law, has publicly opened, examined and canvassed the bids submitted and has determined and declared the above-named Contractor to be the lowest responsible bidder on the above-described project; and,

WHEREAS, the City has duly awarded this Contract to said Contractor, for the sum named in the bid, to-wit:

One Hundred Sixty-Nine Thousand One Hundred dollars and 00 /100 Dollars (\$169,100.00).

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions herein stated and in consideration of the mutual benefits, which will accrue to the parties, the sufficiency of which is acknowledged by the parties, the parties agree as follows:

1. Incorporation of Bidding Documents. This Contract hereby incorporates, as if fully set out herein, the Plans, Specifications, General Provisions, Special Provisions, Contractor's Proposal and any and all Addendums issued. All of these documents have been provided to and/or by the Contractor and are on file in the Office of the City Clerk of the City of Bethany. Hereinafter, these documents shall be collectively referred to as "Bidding Documents."
2. Engagement of Contractor. The City hereby engages Contractor to perform certain construction services for the benefit of the City. Contractor accepts such engagement pursuant to the terms and conditions set forth herein. The Contractor is, and shall be, in the performance of all work, services and activities an independent contractor, and not an employee, agent, or servant of the City of

Bethany. The tort liability of the City of Bethany is exclusively governed by the Oklahoma Governmental Tort Claims Act.

3. Scope of Engagement. Contractor shall, in a good and first-class, workmanlike manner, at its own cost and expense, furnish all labor, materials, tools and equipment required to perform and complete said work in strict accordance with the Bidding Documents, with the following additions and/or exceptions: (if none, so state.)
4. Payments to Contractor. The City shall make payments to the Contractor only after approval of the City Council. Contractor's invoice must be accompanied by signed affidavit as required by Oklahoma Statutes.
5. Bargaining. The City and the Contractor have had the opportunity to seek independent legal counsel before entering into this Contract. The language of this Contract shall be construed simply, according to its fair meaning, and not strictly for or against either party.
6. Hold Harmless. To the fullest extent permitted by law, the Contractor shall indemnify and hold harmless the City of Bethany from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from performance of the project, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, other than the project itself, including loss of use resulting therefrom, but only to the extent caused in whole or in part by negligent acts or omissions of the Contractor, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this Paragraph. In claims against any person or entity indemnified under this Paragraph by an employee of the Contractor, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, the indemnification obligation under this Paragraph shall not be limited on amount or type of damages, compensation or benefits payable by or for the Contractor or a Subcontractor under workmen's compensation acts.
7. Third Party Beneficiaries. Nothing in this Contract, expressed or implied, is intended to confer upon any person other than the parties hereto and their respective assigns, any rights or remedies under or by reason of this Contract, except as provided expressly herein.
8. Notices. Whenever a notice is required to be given in writing and under the terms of this Contract, or any extension hereunder, such notice shall either be hand-delivered or mailed by certified mail, return receipt requested, and directed to the respective parties at the following addresses:

If to the City:

City of Bethany
6700 NW 36th Street
Bethany, OK 73008

If to Contractor:

Southwest Water Works, LLC
201 NW 132nd Street
Oklahoma City, OK 73114

or at such other address as a party shall specify by like notice to the other party hereto. Notices shall be effective on the date of delivery.

9. Counterparts. This Contract may be executed in any number of counterparts, and when each party has signed and delivered to the other at least one (1) such counterpart, each counterpart shall be deemed an original, and when taken together with other signed counterparts, shall constitute one (1) agreement; provided, however, this Contract shall not be binding upon the parties hereto until signed by all of the parties.
10. Integration and Amendments. This Contract constitutes the entire agreement between the parties and may not be amended, altered, modified or changed in any way except in writing signed by all parties to this Contract and which specifically references this Contract. There are no other agreements, representations or warranties, whether oral or written, regarding the subject matter of this Contract. No course of dealings involving the parties hereto and no usage of trade shall be relevant or admissible to interpret, supplement, explain or in any way vary any of the terms expressly set forth in this Contract. Any amendment to this Contract shall be attached to this Contract and all of the terms in this Contract not addressed in the amendment shall remain in full force and effect.
11. Binding Effect. This Contract binds the parties and any successors and assigns of the parties. The contract becomes effective only upon submission of a signed and notarized non-collusion affidavit.
12. Severability. If any one or more of the sections, sentences, clauses, or parts be held invalid for any reason, the invalidity of such section, sentence, clause, or part shall not affect nor prejudice the applicability and validity of any other provision of this Contract.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed on the day and year last written below.

The City of Bethany,
an Oklahoma Municipal Corporation

Mayor's Signature

Date

(SEAL)

ATTEST:

City Clerk

Approved as to form:

City Attorney

Date: _____

Southwest Water Works, LLC,
Contractor


a(n) LLC



Signature
Jackson Matthews

Printed Name
Project Manager

Title

ATTEST:


Secretary and/or Witness

NON-COLLUSION AFFIDAVIT

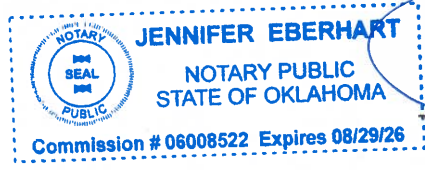
State of Oklahoma)
County of Oklahoma) ss.
Oklahoma)

_____ of lawful age, being first duly sworn, on oath, says that (s)he is the agent authorized by the Contractor to submit the above Contract to the City of Bethany, Oklahoma. Affiant further states that Contractor has not paid, given or donated, or agreed to pay give or donate to any officer or employee of the City of Bethany, any money or other valuable thing, either directly or indirectly, in the procuring of this Contract.

[Signature]
Signature
Jackson Matthews / Project Manager
Printed Name/Title

Subscribed and sworn to before me this 23rd day of January, 2024.

(SEAL)



[Signature]
Notary Public

My Commission Expires: 8.29.26
My Commission Number: 06008522

CONSTRUCTION BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Southwest Water Works, LLC, as Principal, and Fidelity and Deposit Company of Maryland, as Surety, are held and firmly bound unto the CITY OF BETHANY of the State of Oklahoma and the State of Oklahoma, hereinafter referred to as the Government, in the full and just sum Of One hundred sixty nine thousand one hundred dollars and zero cents (\$169,100.00) for the payment of which, well and truly to be made, we and each of us, bind ourselves, our heirs, executors and assigns, themselves, and its successors and assigns, jointly and severally, firmly by these presents.

Dated this 6th day of February, A.D., 20 24.

The conditions of this obligation are such, that whereas, said Principal is the lowest and best bidder for the making of the following municipal work and improvement, viz:

**WATER METER AUTOMATION IMPROVEMENTS OKLAHOMA COUNTY ARPA FUNDS
CITY OF BETHANY, OKLAHOMA**

and has entered into a certain written contract with the CITY OF BETHANY on the 6th day of February, 2024, for the erection and construction of said work and improvement all in compliance with the plans and specifications therefor, made a part of said contract and on file in the office of the City Clerk, and said contract is hereby made a part and parcel of this bond as if literally written herein.

NOW, THEREFORE, if the said Principal, Southwest Water Works, LLC shall fully and faithfully execute the work and perform said contract according to its terms, conditions and covenants, and in exact accordance with the bid of said Principal, and according to certain plans and specifications heretofore made, adopted and placed on file in the office of the City Clerk of THE CITY OF BETHANY and shall promptly pay or cause to be paid, all labor, material and/or repairs and all bids for labor performed on said work, whether by sub-contract or otherwise; and shall protect and save harmless the said Government and all interested property owners against all claims, demands, causes of action, losses or damage, and expense to life or property suffered or sustained by any person, firm or corporation by reason of negligence of the Principal or his or its agents, servants, or employees in the construction of said work, or by or in consequence of any improper execution of the work or act of omission or use of inferior materials by said Principal, or his or its agents, servants, or employees; and shall protect and save the Government harmless from all suits and claims of infringement or alleged infringement of patent rights or processes, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers; and the said Surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized so to do, the day and year first above written.

Southwest Water Works, LLC



ATTEST:

[Handwritten Signature]
Secretary

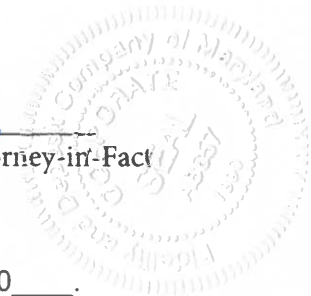
By [Handwritten Signature]
Principal

Fidelity and Deposit Company of Maryland

ATTEST:

[Handwritten Signature]
Secretary Becky Killman

By [Handwritten Signature]
Surety Deborah L. Raper, Attorney-in-Fact



Approved as to form this ____ day of _____, A.D., 20____.

City Attorney

STATUTORY BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Southwest Water Works, LLC, as Principal, and Fidelity and Deposit Company of Maryland, as Surety, are held and firmly bound unto the STATE OF OKLAHOMA in the sum of One hundred sixty nine thousand one hundred dollars and zero cents (\$169,100.00), for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, themselves, and its successors and assigns, jointly and severally, firmly by these presents.

Dated this 6th day of February, A.D., 2024.

The conditions of this obligation are such, that whereas, the above Bonded Principal Southwest Water Works, LLC is the lowest and best bidder for the making of the following municipal work and improvements, viz:

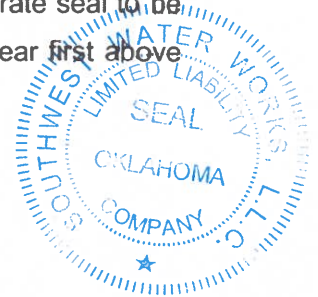
**WATER METER AUTOMATION IMPROVEMENTS OKLAHOMA COUNTY ARPA FUNDS
CITY OF BETHANY, OKLAHOMA**

and has entered into a certain written contract with the CITY OF BETHANY on the 6th day of February, 2024, for the erection and construction of said work and improvement, in exact accordance with the bid of said Principal, and according to certain plans and specifications heretofore made, adopted and placed on file in the office of the City Clerk of the CITY OF BETHANY.

NOW, THEREFORE, if the said Principal, shall fail or neglect to pay all indebtedness incurred by said Principal or subcontractor of said Principal who perform work in the performance of such, for labor and materials furnished by any supplier and consumed in the performance of said contract, and such repairs to and rental of machinery and equipment as may be furnished by a sub-contractor or to the person or persons contracting with this Authority within thirty (30) days after the same becomes due and payable, the person, firm or corporation entitled thereto may sue and recover on this bond, the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers; and the said Surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized so to do, the day and year first above written.

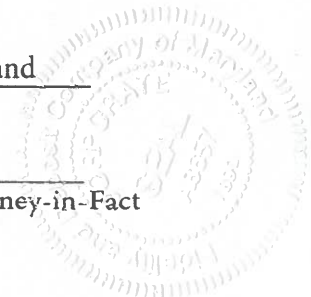


ATTEST:
Jenny S. Killman
Secretary

Southwest Water Works, LLC
By P. M. #
Principal

ATTEST:
Becky Killman
Secretary
Becky Killman

Fidelity and Deposit Company of Maryland
By Deborah L. Raper
Surety Deborah L. Raper, Attorney-in-Fact



Approved as to form this ____ day of _____, A.D., 20____.

City Attorney

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, Southwest Water Works, LLC, as Principal, and Fidelity and Deposit Company of Maryland, as Surety, are held and firmly bound unto the CITY OF BETHANY of the State of Oklahoma, in the full and just sum of One hundred sixty nine thousand one hundred dollars and zero cents (\$169,100.00), such sum being equal to the contract amount for a period of one (1) year and thereafter for a period of one (1) year for the sum of Twenty five thousand three hundred sixty five dollars and zero cents (\$25,365.00), such sum being not less than 15% of the contract price, for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors, and assigns, themselves, and its successors and assigns, jointly and severally, firmly by these presents.

Dated this 6th day of February, A.D., 20 24.

The conditions of this obligation are such, that whereas, said Principal, has a certain contract between Southwest Water Works, LLC and the CITY OF BETHANY dated this 6th day of February, 2024, agreed to construct in the City of Bethany:

**WATER METER AUTOMATION IMPROVEMENTS OKLAHOMA COUNTY ARPA FUNDS
CITY OF BETHANY, OKLAHOMA**

all in compliance with the plans and specifications therefore, made a part of said Contract and on file in the office of the City Clerk of the City of Bethany; and to maintain the said improvement in the amounts set forth above against any failure due to workmanship or material for a period of **two (2) year** from the date of acceptance of the completed project by the CITY OF BETHANY.

NOW, THEREFORE, if the said Principal shall pay or cause to be paid to the Authority all damage, loss, and expense which may result by reason of defective materials and/or workmanship in connection with said work, occurring within a period of **two (2) years** from and after acceptance of said project by the Authority; and if Principal shall pay or cause to be paid all labor and materials, including the prime contractor and all sub-contractors; and if Principal shall save and hold the Authority harmless from all damages, loss, and expense occasioned by or resulting from any failure whatsoever of said Principal, then this obligation shall be null and void, otherwise to be and remain in full force and effect.

It is further agreed that if the said Principal or Surety herein shall fail to maintain said improvements against any failure due to defective workmanship and/or materials for a period of **two (2) years** and at any time repairs shall be necessary that the cost of making repairs shall be determined by the CITY OF BETHANY, or some person(s) designated by them to ascertain the same, and if, upon thirty (30) days notice, the said amount ascertained shall not be paid by the Principal or Surety herein, or if the necessary repairs are not made, that said amount shall become due upon the expiration of thirty (30) days and suit may be maintained to recover the amount so determined in any Court of competent jurisdiction. And that the amount so determined shall be conclusive upon the parties as to the amount due on this bond for the repair or repairs included therein, and that the cost of all repairs shall be so determined from time to time during the life of this bond as the condition of the improvements may require.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said Surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized so to do, the day and year first above written.

ATTEST:

[Handwritten Signature]
Secretary

Southwest Water Works, LLC

By *[Handwritten Signature]*
Principal

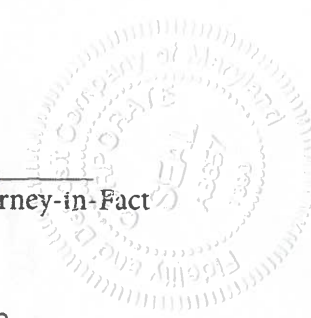


Fidelity and Deposit Company of Maryland

ATTEST:

[Handwritten Signature]
Secretary Becky Killman

By *[Handwritten Signature]*
Surety Deborah L. Raper, Attorney-in-Fact



Approved as to form this _____ day of _____, A.D., 20_____.

City Attorney

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint to Clayton HOWELL, Vicki WILSON, Austin K. GREENHAW, J. Kelly DEER, Shelli R. SAMSEL, Travis E. BROWN, Jamie BURRIS, Vaughn P. GRAHAM, Vaughn P. GRAHAM, JR., Stephen M. POLEMAN, Deborah L. RAPER, Dwight A. PILGRIM, Gary LILES, Randy D. WEBB, Bobby Joe YOUNG, Aaron WOOLSEY, Carey L. KENNEMER, Kristin LEWIS, Joshua BRYAN, Becky KILLMAN of Tulsa, Oklahoma, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 04th day of January, A.D. 2024.



ATTEST:
**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*
Vice President

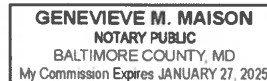
By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 04th day of January, A.D. 2024, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison



Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 6th day of February, 2024.



Thomas O. McClellan

Thomas O. McClellan
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims

Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

1299 Zurich Way
Schaumburg, IL 60196-1056
reportsfclaims@zurichna.com

800-626-4577

Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

BETHANY CITY COUNCIL

From: John Reid, Chief of Police
Date: January 19, 2024
Subject: Interlocal Agreement with Oklahoma County Sheriff's Office concerning cross deputization for Investigators

BACKGROUND.

The Police Department currently has four investigators. The assignment routinely takes them out of the City of Bethany jurisdiction to investigate crimes. The OCSO has a program that allows agencies to request cross deputization to help reduce some of the jurisdictional issues. A cross deputization will help reduce the liability of the investigators while in Oklahoma County. This cross deputization will only be used while investigating crimes that occurred in Bethany or while assisting another agency.

RECOMMENDATION

1. Approve the Interlocal Agreement with Oklahoma County Sheriff's Office as presented.

ADDITIONAL COMMENTS



INTERLOCAL AGREEMENT

This Interlocal Agreement (“Agreement”) is among and between the Board of County Commissioners of Oklahoma County, on behalf of the Oklahoma County Sheriff. (“Oklahoma County”) and the Bethany Police Department, a department of The City of Bethany, an Oklahoma municipal corporation and a charter city organized and existing pursuant to the Oklahoma State Constitution (“Bethany”).

WITNESSETH:

WHEREAS, pursuant to 74 O.S. §1001 et seq., local government units are authorized to enter into an Interlocal Agreement to make the most efficient use of their powers by enabling them to cooperate on a basis of mutual advantage to provide services that will accord best with the needs of the communities; and

WHEREAS, Oklahoma County and Bethany (collectively “Cooperating Entities”) are the local government units and public agencies entering and creating this Agreement; and

WHEREAS, the Board of County Commissioners of Oklahoma County is body corporate and politic of Oklahoma County and authorized to enter into agreements on behalf of the County pursuant to 19 O.S. § 3; and

WHEREAS, the Sheriff of Oklahoma County is charged with the statutory duty to keep and preserve the peace and to apprehend and secure persons who breach that peace or otherwise commit felony offenses within the boundaries of Oklahoma County pursuant to 19 O.S. § 516;

WHEREAS, Bethany is an Oklahoma municipal corporation and a charter city organized and existing pursuant to the Oklahoma Constitution with certain statutory authority in Bethany which is wholly within Oklahoma County; and

WHEREAS, the Cooperating Entities desire to join efforts and resources to identify and apprehend criminal suspects through joint intelligence and investigative efforts thereby improving public safety within the jurisdictions of the Cooperating Entities; and

NOW THEREFORE, in consideration of the mutual obligations and benefits described herein, the Cooperating Entities hereby enter into this Agreement as follows:

A. PURPOSE

To improve public safety through more effective investigation of criminal activities occurring within the boundaries of Oklahoma County by detecting and apprehending offenders who have violated the laws of the State of Oklahoma.

B. EXPENDITURES

Neither Party will charge the other Party any direct or indirect cost rate for the administration or implementation of this agreement. Each Party is responsible only for expenditures for their own employees.

C. LIABILITY AND INDEMNIFICATION

This Agreement is made between two political subdivisions. This Agreement does not create an employment relationship, a joint employment relationship, a borrowed servant relationship, an agency relationship, a joint venture, or an association between the parties. Persons deputized pursuant to this Agreement shall at all times remain under the supervision and control of the City of Bethany.

In accordance with the provisions of 11 O.S. § 34-103(C), all liability for the acts and omissions of Bethany Police Officers who are deputized by the Sheriff of Oklahoma County in accordance with the terms of this Agreement, shall in all cases remain an obligation and responsibility of the City of Bethany.

D. DEPUTIZATION

Bethany Police Officers may be deputized as Oklahoma County Sheriff's Deputies pursuant to 11 O.S. § 34-103(C).

The Chief of Police shall deliver in writing the names of those officers for whom he is requesting deputization. The Sheriff shall have the right to refuse deputization to any officer and shall have the right to withdraw a deputization once issued by providing notice to the Chief of Police in writing. Any credentials issued to a selected officer will be returned to the Sheriff as soon as possible upon receipt of written notice withdrawing the deputization or upon termination of a selected officer's need for deputization.

E. EFFECTIVE DATE

This Agreement will become effective following the Oklahoma Attorney General's approval and execution by each of the Cooperating Entities. The Effective Date of this Agreement shall be the date of approval by the Oklahoma Attorney General.

F. TERM OF THE AGREEMENT

The term of this Agreement shall be for five (5) years from the Effective Date. This Agreement may be terminated by either party, for any or no reason, upon thirty (30) days' written notice to the other party.

As each Party is responsible for their own equipment and expenses, there will be no property or property interests in common at any time during or upon the expiration or

termination of this Agreement. Each Party will return any property borrowed from the other within thirty (30) days of the expiration or termination of this Agreement.

G. NOTICE

Any notice to be given under this Agreement will be given in writing and delivered by First Class U.S. Mail, or other similar and reliable carrier, or by receipted hand delivery, to the respective Cooperating Entity addresses below. Notice will be deemed to be provided at the time it is actually received or within five days after deposited in First Class U.S. Mail.

Board of County Commissioners of Oklahoma County
c/o County Clerk
320 Robert S. Kerr, 2nd Floor
Oklahoma City, OK 73102

Oklahoma County Sheriff's Office
c/o Sheriff Tommie Johnson
2101 NE 36th Street
Oklahoma City, OK 73111
Email address: Tommie.Johnson@oklahomacounty.org

Bethany Police Department
c/o Chief of Police
6714 NW 36th St.
Bethany, OK 73008
Email address: Jreid@bethanypd.org

H. ENTIRETY OF AGREEMENT

This Agreement constitutes all of the terms and conditions agreed upon by the party and no party, agent, administrator, or their employees may alter or change the terms hereof. Further, no party shall be bound by any statement or representation not in conformity with this Agreement.

I. AMENDMENT OF AGREEMENT

The terms of this Agreement may be amended as required by law or as may be in the interests of the parties. Any such modification and its effective date will be agreed upon by all parties in writing.

J. THIRD PARTY BENEFICIARIES

Nothing in this Agreement is intended by the parties, nor shall the Agreement be construed to confer upon any person or legal entity not a party to this agreement, any right, remedy, or claim, equitable or legal, under or by reason of this Agreement or any

provision hereof. All provisions, conditions, and terms of this Agreement are intended to be and are for the exclusive benefit of the City of Bethany and Oklahoma County. Nothing herein shall be construed as consent by a political subdivision of the State of Oklahoma to be sued by third parties or that this Agreement can be used in any litigation by third parties.

K. AUTHORIZATION

Each signatory to this Agreement represents and warrants to the other that they have the right, power, and authority to enter into and perform their obligations under this Agreement. By their signatures hereto, the parties represent that all requisite action to approve execution, delivery, and performance of this Agreement has been taken and this Agreement constitutes a legal, valid, and binding obligation to the entity he or she represents in accordance with its terms.

L. EXECUTION

This Agreement may be executed in several counterparts, each of which shall be considered an original and all of which shall constitute but one and the same instrument.

JD Reid, Chief of Police
Bethany Police Department

Date

Tommie Johnson III, Sheriff
Oklahoma County Sheriff's Office

Date

APPROVED this _____ day of _____, 2024

Board of County Commissioners
Oklahoma County, Oklahoma County

_____ Chair

_____ Member

_____ Member

Approved as to form and legality on behalf of Oklahoma County:

Assistant District Attorney

ATTEST: _____, Deputy
County Clerk

This Page left Blank for Attorney General Signature Page

CITY OF BETHANY

From: Phil Stowell, Public Works Director
Date: February 6, 2024
Subject: Recommendation to Reject All Bids for Side Loading Sanitation Truck

BACKGROUND

In the FY 2023-24 Budget, \$368,000 was approved for the purchase of a Sanitation Truck. In December 2023, Council approved going out for sealed bids as the State Contracts had not been approved and adopted by the Oklahoma Office of Management & Enterprise Service at that time. The State Contracts has since been approved and released. The City received three sealed bids. Upon review of the bids staff recommends rejecting all bids to allow further review of the available state contracts.

RECOMMENDATION

1. Staff recommends rejection of all bids

ADDITIONAL COMMENTS



BETHANY CITY COUNCIL

From: Amanda McCellon, Comm. Dev. Director
Date: January 22, 2024
Subject: Discuss and vote to either approve or disapprove a short-term rental ordinance.

BACKGROUND

Attached are the minutes and staff report from the Planning and Zoning Commission meeting of January 18, 2023. Motion was made by Steve Marx, seconded by Trent Reid to recommend approving the proposed ordinance with the following amendment to (C)(5) by striking the words, "Prior to issuance of a short-term rental permit". The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY- Robert Helton. ABSTAIN- None. The motion carried 7-1-0.

RECOMMENDATION

1. Recommend approving the proposed ordinance with the following amendment to (C)(5) by striking the words, "Prior to issuance of a short-term rental permit".

ADDITIONAL COMMENTS



158.045 SHORT-TERM RENTALS

(A) The purpose of this article is to establish regulations for the use of privately-owned dwellings as Short-Term Rentals, to minimize negative ancillary impact on surrounding properties, and to ensure the collection and payment of the CITY's Hotel Occupancy Tax.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Bethany, Oklahoma.

GUEST. The overnight occupants renting a Short-Term Rental Unit for a specified period and the daytime visitors of the overnight occupants.

CONTACT PERSON. The Owner, Operator, or person designated by the Owner or the Operator, who shall be available by telephone or in-person for the purpose of responding to concerns or requests for assistance related to the Owner's Short-Term Rental.

OPERATOR. The Owner or the Owner's authorized representative who is responsible for compliance with this Article while advertising and/or operating a Short-Term Rental.

OWNER. The person or entity that holds legal or equitable title to the Short-Term Rental property.

SHORT-TERM RENTAL. A privately owned dwelling, including but not limited to, a single family dwelling, multiple family attached dwelling, apartment house, condominium, duplex, mobile home, or any portion of such dwellings, rented by the public for consideration and used for dwelling, lodging or sleeping purposes for any period less than thirty (30) consecutive days.

The following are exempt from the regulations under this article: hotel, motel, dormitory, recreational vehicle park, hospital and medical clinic, nursing home or convalescent home, foster home, halfway house, transitional housing facility, any housing operated or used exclusively for religious, charitable, or educational purposes, and any housing owned by a governmental agency and used to house its employees for governmental purposes.

SHORT-TERM RENTAL PERMIT. A permit issued by the City authorizing the use of a privately-owned dwelling as a Short-Term Rental.

SHORT-TERM RENTAL UNIT. One or more habitable rooms forming a single habitable division within a Short-Term Rental, or an entire undivided Short-Term Rental, which is advertised to be occupied, is occupied, or is intended to be occupied by a single party of Guests under a single reservation and /or single rental payment.

(C) SHORT-TERM RENTAL PERMIT REQUIRED. It shall be unlawful for any person or entity to rent, or offer to rent, any Short-Term Rental without a valid Short-Term Rental Permit issued under this Article.

1. Any violation of the Short-Term Rental Ordinance may result in the revocation of the permit by the Community Development Director:

- a) after notice of the violation and the failure to remedy the violation within a period of (30) days; or
- b) after three or more violations in a permit year regardless of remediation.
- c) the holder of a permit may appeal any revocation to the Board of Adjustment [§158.088].
- d) a permit that has been revoked after any appeal may not be reinstated during the same year.

(D) SHORT-TERM RENTAL PERMIT APPLICATION REQUIREMENTS. An applicant shall submit an application for a Short-Term Rental Permit using a format and method promulgated by the City Manager or his/her designee.

1. An application packet for a Short-Term Rental Permit shall be completed and submitted to the City of Bethany Community Development Department by the owner of the Short-Term rental on forms provided by the City of Bethany Community Development Department and shall include the following information:

- a) A list of all property owners of the Short-Term Rental including names, addresses and telephone numbers. Property ownership for the purpose of this Ordinance shall consist of those persons listed on the Oklahoma County tax records.
- b) A certification by a City of Bethany Building Inspector.
- c) The name, address and telephone numbers of the Contact Person who shall be responsible for authorized to respond to complaints concerning the use of the short-term rental.
- d) Proof of liability insurance coverage on the Short-Term Rental.
- e) Completed Hotel Occupancy Tax Form [§38.67]

3. An applicant for a Short-Term Rental Permit shall pay to the City a permit fee of one hundred fifty dollars (\$150).

4. A separate Short-Term Rental Permit application and permit fee must be submitted for each individual Short-Term Rental Unit. Each individual Short-Term Rental Unit shall be assigned a unique permit number upon permit issuance of the City.

5. The Operator shall allow an on-site inspection of the Short-Term Rental Unit by a City Building Inspector, to ensure the absence of any nuisances. [§93.35]

6. A Short-Term Rental Permit issued under this Article shall be valid for a period of one calendar year from the date of issuance. The Short-Term Rental Permit shall expire immediately upon any change in Owner of the Short-Term Rental Unit. The Short-Term Rental Permit is non-transferrable.

7. The Owner has a duty to notify the City within twenty (20) calendar days, in writing, of any changes to information submitted as part of a Short-Term Rental Permit application under this article.

8. An applicant for Short-Term Rental Permit may be denied if the Owner has had a Short-Term Rental Permit suspended or revoked during the previous 365 calendar days.

(E) SHORT-TERM RENTAL OPERATIONAL REQUIREMENTS.

1. The Operator shall post the following information in a prominent location within the Short-Term Rental Unit, using a form promulgated by the City:

- a) The unique Short-Term Rental Permit number assigned to the Short-Term Rental Unit;
- b) Operator name and number;
- c) Contact Person name and number;
- d) The location of any on-site and off-site parking spaces available for Guests;
- e) The overnight and daytime occupancy limits;
- f) Instructions to Guests concerning disposal of garbage and handling of garbage containers;
- g) Notification that the Guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short-Term Rental, and that Guests may be fined by the City for violations of this Article; and
- h) Notification that all functions such as weddings, parties or other gatherings are prohibited in the Short-Term Rental, with the exception of the Central Business District.

2. The Operator shall operate a Short-Term Rental in compliance with the following:

- a) Zoning regulations prescribed for the zoning district in which such Short-Term Rental is located, set forth in [§158, Appendix A]
- b) City of Bethany Sign Ordinance, as applicable, set forth in [§§153.01-153.22]
- c) Maximum occupancy limits prescribed by the City Fire Chief, pursuant to the International Fire Code as adopted in [§150.001]
- d) City of Bethany Hotel Occupancy Tax Ordinance, set forth in [§§38.61-38.84]
- e) City of Bethany Noise and Sound Level Regulation Ordinance, set forth [insert here]
- f) City of Bethany Garbage Collection Ordinance, set forth [§93.20]
- g) During any period when a Short-Term Rental is occupied or intended to be occupied by Guests, the Contact Person shall be available by telephone or in-person for the purpose of responding to concerns or requests for assistance

related to the condition, operation, or conduct of Guests of the Short-Term Rental. The Contact Person shall respond within sixty (60) minutes of being notified of concerns of requests for assistance regarding the condition, operation, or conduct of Guests of the Short-Term Rental, and shall take immediate remedial action as needed to resolve such concerns or requests for assistance

- h) The hours of 10:00 pm until 7:00 a.m. the next day are required quiet time. Renters who violate this standard may be issued a citation and be subject to a fine pursuant to this Ordinance.

3. An advertisement that promotes the availability of a Short-Term Rental, listed in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application, shall include the current Short-Term Rental Permit number assigned by the City.

(F) NOTIFICATIONS OF COMPLAINTS. Complaints related to the operation of a Short-Term Rental, including but not limited to complaints concerning noise, garbage, parking and disorderly conduct by Guests, shall be reported to the City Code Enforcement Office.

MINUTES
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
JANUARY 18, 2024

MEMBERS PRESENT: Charles Snyder, Chair
Justin Peck, Vice-Chair
Kent Lynn
Robert Helton
Steve Marx
Ron Crouch
James Clemmer
Trent Reid

MEMBERS ABSENT: None

STAFF PRESENT: Ray Jones, City Attorney (arrived 7:15 p.m.)
Brendan Summerville, Comm. Dev. Associate
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Thursday, January 11, 2024 at 11:00 a.m.

Charles Snyder, Chair called the meeting to order. Trent Reid gave the invocation. Motion was made by James Clemmer, seconded by Justin Peck to approve the November 2, 2023 Planning and Zoning Commission minutes as mailed. The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Robert Helton, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY - None. ABSTAIN- None. The motion carried unanimously 8 - 0.

ITEM 1: PC 23-10

Discuss and vote to either approve or disapprove a short-term rental ordinance.

ACTION: Brendan Summerville, Comm. Dev. Associate presented the staff report to discuss and vote to either approve or disapprove a short-term rental ordinance. Short-term rentals are over night stays at houses or rooms that one rents out. The period for the short-term rentals are for less than 30 days. Anything greater than 30 days would be leasing the property. The input from the past meetings was taken by Ray Jones, City Attorney and put into the ordinance you see before you this evening. Any additional revenue short-term rental generates would go to the hotel/motel tax which would go toward BEDA, and then goes into economic development for the city. This would also have a path of accountability for code enforcement for code violations that would be applied to the renter. The ordinance would also enforce parking requirements as well as building requirements for the short-term rentals.

Charles Snyder, Chair mentioned under (C)(1) it does not say what the penalty will be if you do not obtain a permit for your short-term rental. We should have a penalty for someone who tries to fly under the radar and gets caught.

Brendan Summerville, Comm. Dev. Associate stated that would be a question for the City Attorney.

Commissioner Marx said in OKC you would write a citation the same way you would write any other citation for any violation (nuisance, high grass, etc.).

Brendan Summerville, Comm. Dev. Associate stated it would be approximately a \$500.00 fee.

Commissioner Clemmer suggested adding some wording to the ordinance that states anything less than 30 days is short-term and anything greater than 30 days requires a lease.

(Ray Jones, City Attorney arrived at 7:15 p.m.)

Ray Jones, City Attorney explained the short-term rental definition is 30 days.

Commissioner Clemmer asked what if the person goes beyond the 30 days.

Ray Jones, City Attorney stated if the intent of what they are doing is short-term B&B, they would probably be extending the length of 10 days. But if the people are workers coming in on a month-to-month lease, that is different because it is a long-term lease. This proposed ordinance is for short-term rentals only.

Charles Snyder, Chair asked the city attorney what the penalty would be if you do not obtain a permit for your short-term rental and try to fly under the radar.

Ray Jones, City Attorney explained any municipal ordinance where it is deemed unlawful, there is a default of penalty under section 99 of our ordinance.

Chris Powell, resident of resident of 6211 NW 31st Ter. expressed concerns about parking.

Ray Jones, City Attorney stated part of the purpose of the ordinance is how many individuals will be staying at the particular property. If there are going to be four cars, the property has to be large enough to accommodate four parking spaces.

Chris Powell, resident of resident of 6211 NW 31st Ter. asked about the wording in section (D)(5), "Prior to issuance of a short-term rental permit, the operator shall allow an on-site inspection" which is different from the city shall perform. I am interested to know if we are giving ourselves a little wiggle room as far as our requirement versus what we are requiring of the renter.

Ray Jones, City Attorney said this language is intentional. There is no duty or liability of the municipality to perform any inspection. But if you are going to operate a short-term rental in your home, the home is not typically open to the building inspection process because the home has already been constructed. So, if you are going to operate a short-term rental, you need to permit the building inspector to come in and perform inspections when the need arises. And we are ensuring the property is not a nuisance.

Motion was made by Steve Marx, seconded by Trent Reid to recommend approving the proposed ordinance with the following amendment to (C)(5) by striking the words, "Prior to issuance of a short-term rental permit". The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY- Robert Helton. ABSTAIN- None. The motion carried 7-1-0.

Motion was made by James Clemmer, seconded by Ron Crouch to adjourn. The motion carried unanimously 8 - 0.

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Thursday, January 11, 2024, at 11:00 a.m.

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.

(PLANNING AND ZONING COMMISSION MEETING WILL BE HELD IN THE CITY COUNCIL CHAMBER AT BETHANY CITY HALL - 6700 NW 36TH ST., BETHANY, OK 73008)

AGENDA
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
JANUARY 18, 2024
7:00 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES OF NOVEMBER 2, 2023

EXPLANATION OF PROCEDURE TO AUDIENCE

PLANNING AND ZONING COMMISSION BUSINESS

ITEM 1: PC 23-10

Discuss and vote to either approve or disapprove a short-term rental ordinance.

NEW BUSINESS

ADJOURNMENT UNTIL FEBRUARY 8, 2024

BETHANY

Oklahoma

Department of Planning & Community Development

City of Bethany

Planning & Zoning Staff Report

January 18, 2024

Short Term Rental Ordinance

Discussion: Short-term rentals, vacation home rentals, etc. have been a growing trend in the way travelers visit and stay within cities. Currently, the City of Bethany has no ordinance that governs, monitors, or regulates these operations. Staff have received multiple inquiries regarding the legality and regulation of these businesses, in addition to code enforcement concerns over temporary tenants.

Ordinance: The proposed ordinance exists to minimize negative ancillary impact on surrounding properties, and to ensure the collection and payment of the city's hotel occupancy tax. The ordinance further defines all terminology associated with short-term rentals, including guests, contacts, operators, permits, etc. It is important to note that within this ordinance, a guest is designed as an overnight occupant renting the short-term rental unit (STRU) and a single rental period may not exceed thirty (30) days.

The ordinance would require operators to obtain a permit from the City of Bethany; this process includes a certification inspection performed by the City of Bethany Building Inspector, a list containing the contact information of all associated property owners, a designated contact person, proof of liability insurance coverage on the rental unit, and a completed hotel occupancy tax form.

Action: Discuss and vote to either approve or disapprove this short-term rental ordinance.

158.045 SHORT-TERM RENTALS

(A) The purpose of this article is to establish regulations for the use of privately-owned dwellings as Short-Term Rentals, to minimize negative ancillary impact on surrounding properties, and to ensure the collection and payment of the CITY's Hotel Occupancy Tax.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Bethany, Oklahoma.

GUEST. The overnight occupants renting a Short-Term Rental Unit for a specified period and the daytime visitors of the overnight occupants.

CONTACT PERSON. The Owner, Operator, or person designated by the Owner or the Operator, who shall be available by telephone or in-person for the purpose of responding to concerns or requests for assistance related to the Owner's Short-Term Rental.

OPERATOR. The Owner or the Owner's authorized representative who is responsible for compliance with this Article while advertising and/or operating a Short-Term Rental.

OWNER. The person or entity that holds legal or equitable title to the Short-Term Rental property.

SHORT-TERM RENTAL. A privately owned dwelling, including but not limited to, a single family dwelling, multiple family attached dwelling, apartment house, condominium, duplex, mobile home, or any portion of such dwellings, rented by the public for consideration and used for dwelling, lodging or sleeping purposes for any period less than thirty (30) consecutive days.

The following are exempt from the regulations under this article: hotel, motel, dormitory, recreational vehicle park, hospital and medical clinic, nursing home or convalescent home, foster home, halfway house, transitional housing facility, any housing operated or used exclusively for religious, charitable, or educational purposes, and any housing owned by a governmental agency and used to house its employees for governmental purposes.

SHORT-TERM RENTAL PERMIT. A permit issued by the City authorizing the use of a privately-owned dwelling as a Short-Term Rental.

SHORT-TERM RENTAL UNIT. One or more habitable rooms forming a single habitable division within a Short-Term Rental, or an entire undivided Short-Term Rental, which is advertised to be occupied, is occupied, or is intended to be occupied by a single party of Guests under a single reservation and /or single rental payment.

(C) SHORT-TERM RENTAL PERMIT REQUIRED. It shall be unlawful for any person or entity to rent, or offer to rent, any Short-Term Rental without a valid Short-Term Rental Permit issued under this Article.

1. Any violation of the Short-Term Rental Ordinance may result in the revocation of the permit by the Community Development Director:

- a) after notice of the violation and the failure to remedy the violation within a period of (30) days; or
- b) after three or more violations in a permit year regardless of remediation.
- c) the holder of a permit may appeal any revocation to the Board of Adjustment [§158.088].
- d) a permit that has been revoked after any appeal may not be reinstated during the same year.

(D) SHORT-TERM RENTAL PERMIT APPLICATION REQUIREMENTS. An applicant shall submit an application for a Short-Term Rental Permit using a format and method promulgated by the City Manager or his/her designee.

1. An application packet for a Short-Term Rental Permit shall be completed and submitted to the City of Bethany Community Development Department by the owner of the Short-Term rental on forms provided by the City of Bethany Community Development Department and shall include the following information:

- a) A list of all property owners of the Short-Term Rental including names, addresses and telephone numbers. Property ownership for the purpose of this Ordinance shall consist of those persons listed on the Oklahoma County tax records.
- b) A certification by a City of Bethany Building Inspector.
- c) The name, address and telephone numbers of the Contact Person who shall be responsible for authorized to respond to complaints concerning the use of the short-term rental.
- d) Proof of liability insurance coverage on the Short-Term Rental.
- e) Completed Hotel Occupancy Tax Form [§38.67]

3. An applicant for a Short-Term Rental Permit shall pay to the City a permit fee of one hundred fifty dollars (\$150).

4. A separate Short-Term Rental Permit application and permit fee must be submitted for each individual Short-Term Rental Unit. Each individual Short-Term Rental Unit shall be assigned a unique permit number upon permit issuance of the City.

5. Prior to issuance of a Short-Term Rental Permit, the Operator shall allow an on-site inspection of the Short-Term Rental Unit by a City Building Inspector, to ensure the absence of any nuisances. [§93.35]

6. A Short-Term Rental Permit issued under this Article shall be valid for a period of one calendar year from the date of issuance. The Short-Term Rental Permit shall expire immediately upon any change in Owner of the Short-Term Rental Unit. The Short-Term Rental Permit is non-transferrable.

7. The Owner has a duty to notify the City within twenty (20) calendar days, in writing, of any changes to information submitted as part of a Short-Term Rental Permit application under this article.

8. An applicant for Short-Term Rental Permit may be denied if the Owner has had a Short-Term Rental Permit suspended or revoked during the previous 365 calendar days.

(E) SHORT-TERM RENTAL OPERATIONAL REQUIREMENTS.

1. The Operator shall post the following information in a prominent location within the Short-Term Rental Unit, using a form promulgated by the City:

- a) The unique Short-Term Rental Permit number assigned to the Short-Term Rental Unit;
- b) Operator name and number;
- c) Contact Person name and number;
- d) The location of any on-site and off-site parking spaces available for Guests;
- e) The overnight and daytime occupancy limits;
- f) Instructions to Guests concerning disposal of garbage and handling of garbage containers;
- g) Notification that the Guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short-Term Rental, and that Guests may be fined by the City for violations of this Article; and
- h) Notification that all functions such as weddings, parties or other gatherings are prohibited in the Short-Term Rental, with the exception of the Central Business District.

2. The Operator shall operate a Short-Term Rental in compliance with the following:

- a) Zoning regulations prescribed for the zoning district in which such Short-Term Rental is located, set forth in [§158, Appendix A]
- b) City of Bethany Sign Ordinance, as applicable, set forth in [§§153.01-153.22]
- c) Maximum occupancy limits prescribed by the City Fire Chief, pursuant to the International Fire Code as adopted in [§150.001]
- d) City of Bethany Hotel Occupancy Tax Ordinance, set forth in [§§38.61-38.84]
- e) City of Bethany Noise and Sound Level Regulation Ordinance, set forth [insert here]
- f) City of Bethany Garbage Collection Ordinance, set forth [§93.20]
- g) During any period when a Short-Term Rental is occupied or intended to be occupied by Guests, the Contact Person shall be available by telephone or in-person for the purpose of responding to concerns or requests for assistance

related to the condition, operation, or conduct of Guests of the Short-Term Rental. The Contact Person shall respond within sixty (60) minutes of being notified of concerns of requests for assistance regarding the condition, operation, or conduct of Guests of the Short-Term Rental, and shall take immediate remedial action as needed to resolve such concerns or requests for assistance

- h) The hours of 10:00 pm until 7:00 a.m. the next day are required quiet time. Renters who violate this standard may be issued a citation and be subject to a fine pursuant to this Ordinance.

3. An advertisement that promotes the availability of a Short-Term Rental, listed in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application, shall include the current Short-Term Rental Permit number assigned by the City.

(F) NOTIFICATIONS OF COMPLAINTS. Complaints related to the operation of a Short-Term Rental, including but not limited to complaints concerning noise, garbage, parking and disorderly conduct by Guests, shall be reported to the City Code Enforcement Office.

CITY COUNCIL HANDBOOK

CITY OF BETHANY

**6700 NW 36TH STREET
BETHANY, OKLAHOMA 73008**

Adopted June 18, 2019

INTRODUCTION

Continuing education and creating a more stable local government is the goal of the Bethany City Council. The goal of this Handbook is to provide stability by compiling resources to assist the Council thereby allowing it to more successfully meet the needs of the community. By adopting best practices, the City will continue to work toward stability.

BEST PRACTICES

The City Council recognizes the benefit of best practices to ensure the sustainability of positive operational traditions such as public transparency, Council Member accountability, and engagement in accordance with state statutes. It is the goal of the City Council to work towards best practices, consisting of the following:

A. Elected Official Accountability:

- a. Attendance reporting to ensure other members and the public are aware of the attendance history of the elected officials.
- b. An annual training event to review ethics, finances, operations, and to address the expectations and goals of the City, including a self-assessment of the accomplishments and improvements needed by the Council and policy-making to achieve the goals of the City.
- c. The passage of purchasing policies to ensure fiscal accountability.
- d. Implementation of practices designed to maximize transparency and to make information about City government easily accessible to the public.
- e. A City Council Code of Conduct that is reviewed annually and readily available for Council Member reference.

B. Goals and Objectives:

- a. An annual evaluation and review of City operations, with feedback to the City Manager for implementation.
- b. An annual strategic planning and budget session to evaluate the satisfaction of expectations and goals of the City Council to ensure that expectations and goals are being met.

- c. Monthly financial and expenditure reports provided to the Council on a timely basis, including an annual review and approval of a comprehensive fee schedule for all fees charged by the City.
- d. Review of expenditures.
- e. Continued implementation of measures to improve transparency and to make information about the City's government easily accessible to the public.

FORM OF GOVERNMENT

Understanding the role of the City Council with City employees begins with understanding the governmental role of the parties. The City Council serves as the legislative (and in some circumstances judicial) arm of the City, while the City Manager is the executive responsible for day-to-day operations. The Council is responsible for appointment of the City Manager, but the City Manager, and not the Council, is responsible for all other non-contractual employees of the City.

In most cities, one of the most difficult issues to deal with between the City, the City Manager, and the City employees is the question of involvement of the City Council in personnel matters. State statute specifically and clearly deals with this issue by providing that Council Members may not:

- A. direct or request the City Manager to appoint or remove officers or employees;
- B. participate in any manner in the appointment or removal of officers and employees of the City, except as provided by law and the Charter;
- C. give orders on ordinary administrative matters to any subordinate of the City Manager either publicly or privately.

There are many examples in which direction given to employees by a Council Member can result in difficulties and a violation of the law by the City Council Member. The following specific examples are examples of conduct that should be avoided:

- A. Council Members should not direct office personnel to perform any duties on behalf of the Council Member. If anything is needed from City employees, that request should be directed to the City Manager who can then communicate that request to the appropriate employee;

- B. Council Members should not appear at emergency scenes and expect to have any input into the handling of the situation any different than any other citizen;
- C. Council Members should not appear at public work sites and offer suggestions as to how the work can be better performed. Any direction of that type should be directed to the City Manager who can then communicate that direction, if appropriate, to the employees involved.

Council Members should also be aware that certain groups within the City are represented by state-sanctioned unions. The various unions representing City employees at different times may attempt to place pressure on Council Members to side with them in their pending negotiations. It is important for Council Members to limit their participation in negotiations with the Unions to a "formal" participation wherein they would participate through the appropriate channels and not do so in private meetings or in informal circumstances. Informal meetings circumvent the goals set by the Council as a group and by the staff in its attempt to reach a resolution.

SUCCEEDING AS AN ELECTED OFFICIAL

Policy-Making: Public policy determines what services will be provided to the residents and the level of those services, what kinds of development will occur in the community, and it determines what the community's future will be. Elected officials have public policy-making responsibilities. Because policies affect everyone in the community in some way, the very best is demanded of public officials. Therefore, there are three major jobs elected officials have when creating policy:

1. Goal-Setting

To create an effective policy, elected officials must set a strategic direction to achieve a specific goal or vision. Goals should be realistic, achievable, and in the public's best interest. Without a goal, it can be easy to lose sight and direction of the policy's purpose and importance to the community.

2. Achieve the goal

City Councils should adopt policies that enable the organization to go in the direction and establish the policy set in the goal-setting stage. Policy-making requires measurement of the consequences of policy decisions against the community's vision, values, and goals. It can be difficult to determine what a "good" policy is; the following qualities may assist in that determination:

- There is public support.

- The policy is fair and equitable and does not impose disproportional impacts on interest groups.
- Throughout the policy-making process, officials analyzed the impact a policy will have and measured the consequences of policy decisions against the community it affects.
- Officials maintained clear goals while considering a range of alternatives and assessed the impacts of alternatives.
- The policy is relevant and addresses an issue or problems that is generally perceived as significant to the community.
- The policy can be implemented, has a reasonable chance of working, and there are clear assignments for responsibilities for implementation.
- The results are monitored.

3. Monitor results

There is always a risk that policy decisions will not accomplish their intended goal or have an unintended negative impact. To gauge effectiveness, monitoring results is necessary. One way to monitor the results of a policy is to get reports and updates on the policy. Good monitoring systems may provide early warning of failure and the opportunity to alter or abandon a policy before the policy negatively affects the public.

Fiduciary Duties: The public delegates governing authority to public officials to exercise discretion over the public treasury and to create laws that will impact their lives. The public official, once elected, appointed, or hired, is in a superior position to that of the individual citizen due to specialized governmental knowledge and the ability to advise, deliberate, and participate in the representative process. The public trusts that the public official will act in the public's best interest. Fiduciaries are under rigorous obligations that ensure compliance with their role responsibilities. Those obligations are:

1. The Duty of Obedience

The duty of obedience requires that an elected official ensures compliance with applicable laws and regulations, acts in accordance with City policies, and carries out the mission to serve its constituents appropriately. Public officials should ensure they carry out their intended purpose and do not engage in unauthorized activities.

2. The Duty of Loyalty

Public officials have an absolute obligation to put the public's interest before their own direct or indirect personal interests. The public official breaches this obligation

when he or she benefits at the public expense. Prohibited benefits can be financial (such as engaging in pay-to-play-politics or participating in decisions that favorably impact an official's business, property, or investments), career related (such as using public office and/or public resources to obtain future employment or political position), or personal such as benefits to family members or close associates. When general ethical duties to family or friends conflict with duty to the public, the public duty must prevail.

3. The Duty of Care

The duty care requires that the public official competently and faithfully execute the duties of the office. Under duty of care fall such obligations as the duty to manage assets competently and be good stewards of the public treasury, to use due diligence in the selection and supervision of the City Manager, to follow the rules and to uphold the constitution and laws of the City of Bethany and the State of Oklahoma. Examples of breach of this duty include failure to attend meetings, failure to investigate, failure to engage in the deliberative process, and failure to vote.

MEETINGS AND THE OPEN MEETING ACT

Meetings of public bodies are governed by the Oklahoma Open Meeting Act. **A violation of the Open Meeting Act can result in criminal charges against the individual Council Member.** The Open Meeting Act has four areas that cause the most concern:

1. Defining Meeting: The Open Meeting Act defines a meeting as "the conducting of business of a public body by a majority of its members being personally together." An informal get-together involving five Council Members can constitute a "meeting." Further, there is no requirement that there be a vote taken, but only discussion.

Meetings cannot be held unless an agenda is posted and the public is advised that the meeting is going to take place. Therefore, in order to avoid any type of problem with an illegal meeting, each Council Member should be especially careful to avoid any discussion of any City business, or any matter indirectly related to City business, at any time in which five Council Members are present. It is the responsibility of the individual Council Member to avoid this problem. (Telephone or computer communication by a majority of members is also prohibited.)

Further, extreme care should be taken with regard to discussions held either

immediately before or immediately after Council Meetings.

2. Notice and Agenda: State law requires that an agenda be posted for any meeting that is to be held. If an item is not posted on an agenda, it should not be discussed or acted upon at a meeting of the City Council. (If five Council Members meet informally and discuss City business, a violation of the Act occurs by the failure to post an agenda.)
3. Consent Agenda: A consent agenda is used by the City to allow approval, by one motion and vote, of a number of items that are considered routine. The City Manager or Staff will recommend those items that are included. Any Council Member who wants a vote on any individual item can remove the item from consent. Additionally, the City Council can discuss any consent issue without removing it from the consent agenda.

Executive Sessions: Executive sessions can only be held for certain specific reasons, such as to discuss pending litigation or claims, the purchase of property, union negotiations and the employment, hiring, appointment, promotion, demotion, discipline or resignation of an individual, salaried, public officer or employee.

Executive sessions cannot be used to discuss general personnel problems of the City or a department and cannot be held unless they are listed on the agenda. The Open Meeting Act also requires a specific listing of the type of matter being discussed in an executive session. Therefore, executive sessions are limited to the specific item to be discussed and other general City business cannot be discussed at that time. Any action taken as a result of an executive session must be voted on in public. Executive sessions are intended as private, confidential meetings in which the private discussions cannot be disclosed by any of those present.

Attendance: Attendance at City Council meetings by members is addressed by statute. Any Council Member who misses more than half of the regular and special meetings that occur within any four-month time period forfeits, as a matter of law, their office. There are no exceptions to the statutory requirement, no ability of the City to waive that requirement, and no action for removal that is required - the forfeiture occurs as a matter of law without any affirmative vote by the other members.

CONFLICTS OF INTEREST AND CONDUCT

One of the more dangerous and sensitive subjects involving City Council Members is the question of conflicts of interest. The topic is especially troublesome because the penalty involved, if there is a conflict with a Council Member and some action being taken by the City, is severe.

In general, the conflict of interest statutes fall into four categories, as follows:

- A.** A general prohibition that precludes any officer, employee, or family member of any officer or employee from doing any business of any type with the City. The violation of the statute is a misdemeanor, the contract or agreement entered into is void as a matter of law, and any member voting to approve the contract is personally liable for the amount of the transaction.
- B.** There are a series of statutes dealing with public trusts that preclude the public trusts from contracting with trust members or their families. If that conduct occurs, the Trustee is removed as a matter of law and the contract is void. Further, the public trust statutes preclude bidding in certain instances by family members and again results in any contract approved, even after the bid, being void and the member who has a conflict being guilty of a felony. Further, willful violations result in removal of the Trustee.
- C.** There are public finance statutes that provide that no contract with a City Council Member or in which a Member "directly or indirectly is interested" will be valid. The contract is treated as void. The purpose of the statute is to provide an additional safeguard concerning the expenditure of monies by public bodies in which individual City Council Members are receiving some interest.
- D.** In addition to the above three conflict of interest statutes, there is also a criminal statute that provides that it is unlawful for any City Council Member to sell materials, supplies or other goods to the City. Any such contract is also void. All members voting yes are personally liable for the amount of the purchase. Fines and criminal penalties are provided for.
- E.** Lastly, if a Council Member serves on the board of directors of a company doing business with the City, a conflict exists that will require the Council Member to excuse themselves from the discussion and voting on those business dealings.

The best approach in dealing with possible conflicts is to act with caution. The very basic summary of the rule is that the City cannot contract with any City Council Member or family of any City Council Member. This rule applies even if the Member involved abstains and does not participate in the agreement.

The most likely situation is one in which there is not a direct conflict but some appearance of a conflict because of other business dealings or family members. In those instances, the potential conflict should be disclosed, the potential conflict investigated, and a decision made as to whether the potential conflict is a real conflict.

The statutes that regulate council members fall into the following categories:

COUNCIL MEMBERS PROHIBITED FROM DOING BUSINESS WITH THE CITY

11 Okla.Stat. §8-113 - Prohibited Conduct

A. Except as otherwise provided by this section, no municipal officer or employee, or any business in which the officer, employee, or spouse of the officer or employee has a proprietary interest, shall engage in:

1. Selling, buying, or leasing property, real or personal, to or from the municipality;
2. Contracting with the municipality; or
3. Buying or bartering for or otherwise engaging in any manner in the acquisition of any bonds, warrants, or other evidence of indebtedness of the municipality.

B. The provisions of this section shall not apply to any officer or employee of any municipality of this state with a population of not more than two thousand five hundred (2,500) according to the latest Federal Decennial Census, who has a proprietary interest in a business which is the only business of that type within five (5) miles of the corporate limits of the municipality. However, any activities permitted by this subsection shall not exceed Two Thousand Five Hundred Dollars (\$2,500.00) for any single activity and shall not exceed Fifteen Thousand Dollars (\$15,000.00) for all activities in any calendar year. Provided, however, such activity may exceed Fifteen Thousand Dollars (\$15,000.00) per year if the municipality purchases items therefrom that are regularly sold to the general public in the normal

course of business and the price charged to the municipality by the business does not exceed the price charged to the general public.

C. Provisions of this section shall not apply where competitive bids were obtained consistent with municipal ordinance or state law and two or more bids were submitted for the materials, supplies, or services to be procured by the municipality regardless of the population restrictions of subsection B of this section. Provided the notice of bids was made public and open to all potential bidders.

D. All bids, both successful and unsuccessful, and all contracts and required bonds shall be placed on file and maintained in the main office of the awarding municipality for a period of five (5) years from the date of opening of bids or for a period of three (3) years from the date of completion of the contract, whichever is longer, shall be open to public inspection and shall be matters of public record.

E. For purposes of this section, "employee" means any person who is employed by a municipality more than ten (10) hours in a week for more than thirteen (13) consecutive weeks and who enters into, recommends or participates in the decision to enter into any transaction described in subsection A of this section. Any person who receives wages, reimbursement for expenses, or emoluments of any kind from a municipality, any spouse of the person, or any business in which the person or spouse has a proprietary interest shall not buy or otherwise become interested in the transfer of any surplus property of a municipality or a public trust of which the municipality is beneficiary unless the surplus property is offered for sale to the public after notice of the sale is published.

F. For purposes of this section, "proprietary interest" means ownership of more than twenty-five percent (25%) of the business or of the stock therein or any percentage which constitutes a controlling interest but shall not include any interest held by a blind trust.

G. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor. Any transaction entered into in violation of the provisions of this section is void. Any member of a governing body who approves any transaction in violation of the provisions of this section shall be held personally liable for the amount of the transaction.

H. Notwithstanding the provisions of this section, any officer, director or employee of a financial institution may serve on a board of a public body. Provided, the member shall abstain from voting on any matter relating to a transaction between

or involving the financial institution in which they are associated and the public body in which they serve.

Public Competitive Bidding Act.

22 Okla.Stat. § 355 – Furnishing Public Supplies for Consideration-Exceptions.

A. It shall be unlawful for any member of any board of county commissioners, city council or other governing body of any city, board of trustees of any town, board of directors of any township, board of education of any city or school district, to furnish, for a consideration any material or supplies for the use of the county, city, town, township, or school district.

B. The provisions of this section shall not apply to those municipal officers who are subject to Section 8-113 of Title 11 of the Oklahoma Statutes or to a member of any board of education of a school district in this state which does not include any part of a municipality with a population greater than two thousand five hundred (2,500) according to the latest Federal Decennial Census when the board member is the only person who furnishes the material or supplies within ten (10) miles of the corporate limits of the municipality. However, any activities permitted by this subsection shall not exceed Five Hundred Dollars (\$500.00) for any single activity and shall not exceed Two Thousand Five Hundred Dollars (\$2,500.00) for all activities in any calendar year.

C. It shall not be unlawful for any member of any board of county commissioners, city council or other governing body of any city, board of trustees of any town, board of directors of any township, or board of education of any school district to vote to purchase materials or supplies from a business that employs a member of the governing body or employs the spouse of a member if the member or the spouse of a member has an interest in the business of five percent (5%) or less.

21 Okla.Stat. § 344 – Personal Interest of Official in Transaction – Penalty.

A. Except as otherwise provided in this section, every public officer, being authorized to sell or lease any property, or make any contract in his or her official capacity, who voluntarily becomes interested individually in such sale, lease or contract, directly or indirectly, is guilty of a misdemeanor.

B. The provisions of this section shall not apply to:

1. Municipal officers who are subject to the provisions of Section 8-113 of Title 11 of the Oklahoma Statutes; and
2. Conservation district board members participating in programs authorized by Section 3-2-106 of Title 27A of the Oklahoma Statutes.

CODE OF ETHICS FOR ELECTED OFFICIALS

The Code of Ethics of the City Council is to ensure that, over time, consistent rules are applied to those who may be elected. The Code of Ethics is in place, and has as its foundation, the principle that the governing body should enact rules for its conduct, and should be responsible to ensure that those rules are enforced.

Oklahoma State Statutes and Ordinances provide detailed information on the roles and responsibilities of Council Members, the Vice-Mayor and the Mayor. This code is intended as a policy statement for City Council to help ensure fair, ethical and accountable local government.

This Code of Ethics is designed to describe the manner in which Council Members should treat one another, Staff, constituents, and others that they may come into contact with while representing the City. The policy defines more clearly the behavior, manners and courtesies that are suitable for various occasions. The policy also considers a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The constant and consistent theme through all of the conduct guidelines is "respect." Council Members experience huge workloads and tremendous stress in making decisions that could impact hundreds of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual, through words and actions, is the touchstone that can help guide Council Members to do the right thing in even the most difficult situations.

OVERVIEW OF ROLES & RESPONSIBILITIES

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Oklahoma State Statues, the Code of Ordinances and the Municipal Handbook from the Oklahoma Municipal League.

MAYOR

- Acts as the official head of the City for all ceremonial purposes and military law.
- Chairs Council Meetings.
- Calls for special meetings.
- Recognized as spokesperson for the City.
- Selects substitute for City representation when the Mayor cannot attend
- Makes judgment calls on proclamations.
- Recommends subcommittees, as appropriate, for Council approval.
- Leads the Council into an effective, cohesive working team.
- Signs documents on behalf of the City.

VICE MAYOR

- Performs the duties of the Mayor if the Mayor is absent or disabled.
- Chairs City Council Meetings at the request of the Mayor.
- Represents the City at ceremonial functions at the request of the Mayor
- Moves or makes motions on agenda items at City Council Meetings.

CITY COUNCIL MEMBERS

- All members of the City Council, including those serving as Mayor and Vice-Mayor, have equal votes.
- No City Council Member has more power than any other Council Member, and all should be treated with equal respect.

RESPONSIBILITY OF ALL COUNCIL MEMBERS

- Fully participate in meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others, including the public, other Members, and employees of the City.
- Prepare in advance of meetings and be familiar with issues on the agenda.
- Represent the City at ceremonial functions at the request of the Mayor.
- Be respectful of other people's time.
- Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in government.
- Provide contact information with the administration in case an emergency or urgent situation arises.
- Demonstrate honesty and integrity in every action and statement.

- Participate in scheduled activities to increase team effectiveness and review City Council procedures, such as this Code of Conduct.

MEETING CHAIR

The Mayor will chair official meetings of the City Council, unless the Vice- Mayor or another Council Member is designated as chair of a specific meeting. The Chair shall:

- Maintain order, decorum and the fair and equitable treatment of all speakers.
- Keep discussion and questions focused on specific agenda items under consideration and make parliamentary rulings with advice.

POLICY ROLE OF THE CITY COUNCIL

Members shall respect and adhere to the structure of the City government as outlined by Oklahoma Statutes and the City Charter. City Council Members shall be informed of their role in their form of government and shall not interfere in those areas of operation that are the responsibility of others in their form of government. Except as where specifically allowed by statute, Council Members should not interfere with the administrative functions of the City or the professional duties of City Staff, nor shall they impair the ability of Staff to implement council policy decisions.

POLICIES & PROTOCOL RELATED TO CONDUCT

- A. Ceremonial Events:** Requests for a City representative at ceremonial events will be handled by the City Manager. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then the Vice-Mayor shall serve as the representative. If the Vice-Mayor is unavailable, the Mayor will recommend another Council Member.
- B. Correspondence Signatures:** The City Clerk and the Executive Assistant will assist in the preparation of any official correspondence needed by the Council. All Council Members should be aware that all correspondence generated by them in their official capacity will likely be subject to the Open Records Act and, therefore, will become a public record subject to inspection by any member of the public.
- C. Endorsement of Candidates:** City Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during City Council Meetings or other official City meetings.

- D. Travel Expenses:** All travel of the City Council Members, in which the Member expects to officially represent the City and/or be reimbursed by the City for travel costs, must be approved in accordance with the City's travel and expense reimbursement policy.

CITY COUNCIL MEMBER CONDUCT WITH ONE ANOTHER

City Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the City of Bethany. In all cases, this common goal should be acknowledged even as the Council Members may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

- A. Practice Civility and Decorum in Discussions and Debate:** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments. No shouting or physical actions will be tolerated.
- B. Honor the Role of the Chair in Maintaining Order:** It is the responsibility of the Chair to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in the Rules of Conduct for City Council Meetings.
- C. Avoid Personal Comments That Could Offend Other City Council Members:** City Council Members shall avoid personal comments that could offend other Members.
- D. Demonstrate Effective Problem-Solving Approaches:** City Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

IN PRIVATE ENCOUNTERS

- A. Continue Respectful Behavior in Private:** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
- B. Be Aware of the Insecurity of Written Notes, Voicemail Messages, And Email:** Technology allows words written or said without much forethought to be distributed. Written notes, voicemail messages and e-mails should be treated as potentially "public" communication.
- C. Even Private Conversations Can Have a Public Presence:** Elected officials are always on display -- their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

BOARD CONDUCT WITH TOWN STAFF

Governance of a city relies on the cooperative efforts of elected officials, who set policy, and Staff, who implement and administer the City Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- A. Treat All Staff as Professionals:** Clear, honest communication that respects the abilities, experience and dignity of each individual is expected. Poor behavior toward Staff is not acceptable.
- B. Limit Contact to Specific City Staff:** Questions of Staff and/or requests for additional background information should be directed through the City Manager. Materials supplied to a City Council Member in response to a request may be made available to all members of the board so that all have equal access to information.
- C. Never Publicly Criticize an Individual Employee:** City Council Members should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's Department Director. Comments about Staff performance should only be made to the City Manager through private correspondence or conversation. Council Members are not to

get involved in daily administrative functions, except those involving committees established by the City Council and those involving Council agenda items in which management is presenting the item for consideration. City Council Members must not attempt to influence City Staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of city licenses and permits, except to the extent those items involve City Council agenda items or items presented to board committees.

- D. Check with City Staff on Correspondence Before Taking Action:** Before sending correspondence, City Council Members should check with the City Manager to see if an official City response has already been sent or is in progress.

BOARD CONDUCT WITH THE PUBLIC: IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual City Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- A. Be Welcoming to Speakers and Treat Them with Care and Gentleness:** The way that the City Council treats people during public hearings can do a great deal to make them relax or push their emotions to a higher level of intensity.
- B. Actively Listen:** It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom. If speakers become flustered or defensive by City Council questions, it is the responsibility of the chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by City Council Members to members of the public should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.
- C. No Personal Attacks of Any Kind, Under Any Circumstance:** Council Members should be aware that their body language and tone of voice, as well as, the words they use, can appear to be intimidating or aggressive.

- D. Follow Rules of Conduct for City of Bethany City Council Meetings:** Council Members should follow the Rules of Conduct for City of Bethany City Council Meetings.

COUNCIL MEMBER CONDUCT WITH THE PUBLIC: IN UNOFFICIAL SETTINGS

- A. Make No Promises on Behalf of the City Council:** Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to the City Manager or Staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Staff will do something specific.
- B. Make No Personal Comments About Other City Council Members:** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other City Council Members, their opinions and actions.
- C. Remember That This Is a Small Town at Heart:** City Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by council members. It is a serious and continuous responsibility.

COUNCIL MEMBER CONDUCT WITH OTHER PUBLIC AGENCIES

- A. Be Clear About Representing the City or Personal Interests:** If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state:
- a. If his or her statement reflects personal opinion or is the official stance of the City;
 - b. Whether this is the majority or minority opinion of the City Council. If the Council Member is representing the City, the Member must support and advocate the official City position on an issue, not a personal

viewpoint.

- c. If the Council Member is representing another organization whose position is different from the City, the Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and City Council of their involvement.

B. Correspondence Also Should Be Equally Clear About Representation:

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk or Executive Assistant for filing as part of the permanent public record.

COUNCIL MEMBER CONDUCT WITH BOARDS AND COMMISSIONS

The City has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

A. If Attending a Board or Commission Meeting, Be Careful to Only

Express Personal Opinions: Council Members may attend any board or commission meeting, which are always open to any member of the public. However, Council Members should be sensitive to the way their participation -- especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Council Member at a board or commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

B. Limit Contact with Board and Commission Members to Questions of

Clarification: It is inappropriate for a Council Member to contact a board or commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact board or commission members in order to clarify a position taken by the board or commission.

C. Remember That Boards and Commissions Serve the Community: The

City Council appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Council, but board and commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and reappointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

D. Be Respectful of Diverse Opinions: A primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on boards and commissions, but must be fair and respectful of all citizens serving on boards and commissions.

E. Keep Political Support Away from Public Forums: Board and commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support board and commission members who are running for office, but not in an official forum in their capacity as a Council Member.

COUNCIL MEMBER CONDUCT WITH THE MEDIA

Council Members may be contacted by the media for background and quotes.

A. The Best Advice for Dealing with The Media is to Never Go "Off the Record": Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word, but one bad experience can be catastrophic. Words that are not said cannot be quoted.

B. The Mayor Is the Official Spokesperson for the City's Position: The Mayor is the designated representative of the City Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the Member should be clear about whether their comments represent the official City position or a personal viewpoint.

C. Choose Words Carefully and Cautiously: Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm or word play. It is never appropriate to use personal slurs or swear

words when talking with the media.

COUNCIL ACCESS AND USE OF PUBLIC FACILITIES AND EQUIPMENT

City Council Members acknowledge that the powers bestowed on the Council by state law are granted to the Council as a whole, and not to individual Members. As such, the powers granted to Council are only exercised in public meetings in compliance with the Oklahoma Open Meeting Act.

Individual Council Members, other than the Mayor who has an office at City Hall, do not have any greater access to public facilities, work sites, or city-owned property and equipment than the public at large. All requests for assistance with official duties (clerical, mailing, travel arrangements, etc.) should be made through the City Manager or a Staff Member designated by the City Manager.

The use of any city equipment, even if authorized and provided through the proper channels, shall be in accordance with the policies of the city, and not for personal use. City e-mail accounts should be used exclusively for city business. In order to comply with legal requirements for the preservation of public records, Council Members should conduct city business through the city email account.

TRAINING AND BUILDING STABILITY

MANDATORY COUNCIL EDUCATION

A statute was passed by the Oklahoma legislature requiring all Council and Board Members elected after January 1, 2005, to attend eight hours of municipal government training within one year of taking office. The specific terms of the statute are as follows:

Section 8-114 - First Time Elected or Appointed Officers Required to Attend Institute for Municipal Officers

A. Each person elected or appointed for the first time as an officer of a municipality as defined by paragraph 6 of Section 1-102 of this title, shall be required within one (1) year after taking the oath of office to attend an institute for municipal officials. The Institute shall be conducted at all times, in cooperation with the Oklahoma Department of Career and Technology

Education, by or under the supervision of a statewide organization that is exempt from taxation under federal law and designated pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a). The statewide organization shall demonstrate to the Oklahoma Department of Career and Technology Education that it has represented municipalities, had statutory functions and conducted training programs for municipalities for at least fifteen (15) years prior to November 1, 2005. It shall further demonstrate that its continuous official purpose is to promote the general welfare of cities and towns, to foster or conduct schools, short courses and other training sessions, to provide technical assistance and consulting services and other aids for the improvement and increased efficiency of city and town government, and to serve as the representative of cities and towns in carrying out the duties and prerogatives conferred on it by state law.

B. The Institute shall consist of eight (8) hours of instruction. A certificate of completion shall be awarded to those persons who attend and successfully complete the Institute and a list of those persons shall be filed with the Oklahoma Department of Career and Technology Education.

C. The curriculum for the Institute shall include, but not be limited to: municipal budget requirements, the Oklahoma Open Meeting Act, the Oklahoma Open Records Act, ethics, procedures for conducting meetings, conflict of interest, and purchasing procedures.

D. The Institute shall be held at a minimum of six regional locations in the state. Every effort shall be made by the Institute to accommodate training through long-distance learning.

E. A person elected or appointed to a municipal office who fails to satisfy the education requirements of this section shall cease to hold the office commencing at the next scheduled meeting of the governing body following the first-year anniversary of the person's taking the oath of office.

F. At the time of filing, the designated statewide organization shall provide the necessary information to the candidate of the option for attendance at the Institute as provided for in this section. In the case of officials nominated and elected for municipal offices at town meetings, the presiding officer of the town meeting shall notify the candidate of the option.

The failure to obtain the training results in a forfeiture of office without any

affirmative vote by the other members, and may preclude the Council Member from being eligible to serve in the future.

BUILDING STABILITY

The City Council aspires the following:

- A. **Stability:** Everyone the City Council deals with needs the City government to be stable, meaning predictable, reliable and consistent in how the Council does business.
- B. **Fulfilling:** The city government experience should be fulfilling for everyone involved, from the highest ranking to the lowest ranking person associated with the government.
- C. **Enjoyable:** The City Council deals with difficult issues, but the experience of working to make City government better should be enjoyable for everyone involved.

The more stable the City of Bethany, the more fulfilling and enjoyable Council Member service will be. The stability test was created as a way to measure how cities and towns are doing. The 10 categories used were chosen based on input from a number of municipal officials, with the idea that elected and appointed officials should identify the broad areas that should be measured to determine how well communities are functioning. Some cities have adopted this test as a framework for annual retreats, using it to identify areas in which they seek improvement and as a way to measure how they have improved. The stability test will consist of the following categories: financial stability, governing body stability, meetings, employees, public image, crisis management, economic development, planning and goal setting, administration, and communication. The Board will take the stability test no less than once per fiscal year.

PUBLIC IMAGE

One of the biggest problems facing municipalities is a negative public image. Cities and Towns continue to work to improve services and accessibility to the community, yet the public focuses on the negatives. By utilizing social media, the City Council can improve the City's public image. If utilized correctly, Council Members will learn to engage with the community and build rapport. Social media can be a tool for notices and pushing information, but it can also build engagement and interaction.

NOTICE: On, Thursday January 11, 2024, 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 PUBLIC WORKS AUTHORITY MEETING

BETHANY CITY HALL

TUESDAY, JANUARY 16, 2024

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
	(See Roster)	

Chairman Lloyd called the Bethany Public Works Authority meeting to order at 8:18 P.M.

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

- A. APPROVAL OF MINUTES FROM JANUARY 2, 2024, 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.**

Motion was made by Trustee Magirowsky, seconded by Trustee Larsen 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 **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO DIRECT THE CITY ATTORNEY TO INVESTIGATE AND RECOMMEND ACTION REGARDING AN OPERATION AND MAINTENANCE AGREEMENT WITH THE BETHANY WARR ACRES PUBLIC WORKS AUTHORITY. (STEVE PALMER, COUNCIL MEMBER)**

Council Member Palmer would like some checks and balances reviewed that would be within the purview of each individual authority. He would like the council to look at the documents provided and then require our city attorney to get any other paperwork that exists together for the council to review.

Motion was made by Council Member Palmer, seconded by Council Member Plank to require our attorney to obtain all documentations including a possible operating agreement or any terms that we have as the Works Authority with the Bethany Warr Acres Public Works Authority, to view those and come up with a recommendation as to how we can supplement or revise those documents. He can find it. He can review it. He can make a recommendation. Yes votes: Magirowsky, Smart, Powell, McPhail, Plank, Lloyd, Knapp, Palmer. No votes: Larsen. Motion approved.

ITEM NO. 3 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. 4 on the agenda was **ADJOURN UNTIL FEBRUARY 6, 2024.**

Chairman Lloyd adjourned the Bethany Public Works meeting at 8:25 P.M. until February 6, 2024.

CHAIRMAN

SECRETARY

BETHANY PUBLIC WORKS AUTHORITY

From: Michael Vaughn, Finance Director
Date: February 1, 2024
Subject: Claims list for the 02/06/2024 Bethany Public Works Authority Meeting

BETHANY PUBLIC WORKS AUTHORITY

FUND	AMOUNT
Bethany Public Works Authority	\$ 80,952.32
TOTAL	\$ 80,952.32

ENTERPRISE-WIDE SUMMARY OF ALL CLAIMS:

FUND	AMOUNT
General Operations Fund	\$ 644,389.04
Bethany Public Works Authority	\$ 80,952.32
Bethany Hospital Trust	\$ -
Bethany Development Authority	\$ -
TOTAL	\$ 725,341.36

RECOMMENDATION

1. Approve claims as presented.



FUND: 056- BETHANY PUBLIC WORKS AUTH

SUMMARY REPORT

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 02.0		FINANCE				
24-49611	10-005373	CARD SERVICES/P1	REGISTER PAPER/WARMERS	1/2024	1225848	152.65
24-48310	10-005702	TPS TECHNICAL PROGRAMMING	UTILITY BILLING SVC	1/2024	116741	2,184.24
24-48313	10-0596	FUZZELL'S BUSINESS	SHARP COPIER MAINTENANCE	1/2024	MM99373	22.68
DEPARTMENT TOTAL:						2,359.57
DEPARTMENT: 08.1		PUBLIC WORKS - ADMIN				
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	965.51
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANCE	PROPERTY INSURANCE	1/2024	202401315635	223.08
24-49549	10-3042	ACCURATE ENVIRONMENTAL	JANUARY VOC & BAC-T 2024	1/2024	GA10088	736.00
DEPARTMENT TOTAL:						1,924.59
DEPARTMENT: 08.3		PUBLIC WORKS - SANIT				
24-49686	10-004601	QUALITY PETROLEUM	200 GAL AW-46 HYD FLUID	1/2024	0006375980-0001	1,501.50
24-49573	10-005350	FORCE PERSONNEL	TEMP HELP FOR SANITATION	1/2024	77012	205.28
24-49576	10-005373	CARD SERVICES/P1	BAGS,GLOVES,BATTERIES	1/2024	2005022	277.73
24-49673	10-005373	CARD SERVICES/P1	THE RATE ARS DUCK TAP ETC	1/2024	7834643	42.98
24-49707	10-005373	CARD SERVICES/P1	PENS,RUBBERBOOTS,WEBCAM	1/2024	9174643	18.49
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURANCE	PROPERTY INSURANCE	1/2024	202401315635	405.60
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	5,248.93
24-49578	10-1530	THE TRIBUNE	PUBLICATION FOR SANITATION	1/2024	20240112	10.90
24-49596	10-3081	PREMIER TRUCK/ATC FREIGHT	LIPASSENGER SEAT FOR #95	1/2024	120756028	246.68
24-49019	10-4208	OKLAHOMA CITY TREASURY	2ND QUARTER HH HAZARDOUS	1/2024	101223	632.00
DEPARTMENT TOTAL:						8,590.09
DEPARTMENT: 08.4		PUBLIC WORKS - MAINT				
24-49697	10-005373	CARD SERVICES/P1	50 PW LOGO DECAL	1/2024	90124-2093	30.75
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	351.50
DEPARTMENT TOTAL:						382.25
DEPARTMENT: 12.0		UTILITY - WATER PLANT				
24-49567	10-004725	RUCKER ELECTRIC INCORPORATE	LIME SILO BREAKERS	1/2024	13562	516.35
24-49629	10-004725	RUCKER ELECTRIC INCORPORATE	D&REPAIR WELL 6	1/2024	13187	202.36
24-49630	10-004725	RUCKER ELECTRIC INCORPORATE	REPAIR LIME SILO	1/2024	13227	754.25
24-49651	10-005373	CARD SERVICES/P1	KEROSENE/DIESEL HEATER	1/2024	2770627	412.06
24-49688	10-005373	CARD SERVICES/P1	EXTERNAL HARD DRIVE	1/2024	2084237	155.88
24-49541	10-0091	BRENNTAG SOUTHWEST INC	4200 GALLONS BLEACH	1/2024	BSW521000	7,515.81
24-49653	10-0091	BRENNTAG SOUTHWEST INC	4 BBL SORTH POLYPHOSPHATE	1/2024	BSW22016	1,992.79
24-49659	10-0091	BRENNTAG SOUTHWEST INC	1 TOTE ALUMUNUM	1/2024	BSW520336	1,260.00
24-49459	10-0576	MARVIN BUEL FLETCHER	WATER LEASE #4 AND #5	1/2024	202401265627	5,215.45
24-49685	10-0635	GRAINGER INC	4 SIR COMPREEOR CK VALVES	1/2024	9975451411	39.06
24-49714	10-0948	MIDCO LABORATORY	4 VERSENATE & 2 SUL ACID	1/2024	20240130	252.00
24-49669	10-1063	OG&E	MNTHLY BILLS	1/2024	20240111	13,321.48
24-49537	10-1066	OKLAHOMA CONTRACTOR'S SUPPL	GASKET, VALUE, BOLT SET	1/2024	0377933-IN	768.00
24-49538	10-1066	OKLAHOMA CONTRACTOR'S SUPPL	GASKET FOR WELL 13	1/2024	0377934-IN	28.00

P.O.#	VENDOR #	NAME	SUMMARY DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 12.0 UTILITY - WATER PLANT						
24-48296	10-1068	ONG	MNTHLY SVC	1/2024	20240119	945.40
24-49723	10-1128	OK CITY	WATER UTILITIES TRDEC 11-29-23 TO 12-28-23	1/2024	20240111 -	12,998.97
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	358.61
24-49580	10-1509	TOM'S SPEEDY LOCK & KEY SER2	WATER TOWER KEYS	1/2024	69795	6.00
24-49583	10-1771	ADVENTURE OUT	PROPANE	1/2024	555439	93.36
24-49616	10-1771	ADVENTURE OUT	PROPANE FOR HEATER AT WP	1/2024	555442	124.87
24-49638	10-2123	HOME DEPOT CREDIT SVCS	CABLES & DIESEL CAN	1/2024	018127/9163973	58.95
24-49549	10-3042	ACCURATE ENVIRONMENTAL	JANUARY VOC & BAC-T 2024	1/2024	GA10073	300.00
24-49539	10-3919	MISSISSIPPI LIME	25 TONS LIME	1/2024	1709718	8,163.39
DEPARTMENT TOTAL:						55,483.04
DEPARTMENT: 12.1 UTILITY - WATER LINE						
24-49576	10-005373	CARD SERVICES/P1	BAGS,GLOVES,BATTERIES	1/2024	2005022	51.54
24-48214	10-1066	OKLAHOMA CONTRACTOR'S SUPPL	FORD BRASS FITTINGS	1/2024	0377977-IN	445.00
24-49620	10-1066	OKLAHOMA CONTRACTOR'S SUPPL	WATER EMERGENCY REPAIR	1/2024	0378011-IN	1,028.00
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	CPROPERTY INSURANCE	1/2024	202401315635	3,224.48
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	459.04
24-49650	10-2895	CHAPPELL SUPPLY	3 " PUMP SUCTION HOSE	1/2024	0355166-IN	283.43
24-49577	10-4090	AT&T MOBILITY	ON CALL & METER READERS	1/2024	01192024	188.72
DEPARTMENT TOTAL:						5,680.21
DEPARTMENT: 12.2 UTILITY - SEWER						
24-49608	10-004725	RUCKER ELECTRIC INCORPORATED	DX & POSS REPAIR	1/2024	13132	155.00
24-49623	10-005373	CARD SERVICES/P1	#44 REPLACE WINDOW	1/2024	20240117	45.19
24-49701	10-005373	CARD SERVICES/P1	PADLOCK FOR LIFT STATION	1/2024	9547401	440.83
24-48282	10-1063	OG&E	MNTHLY SVC	1/2024	20240124	2,812.52
24-49690	10-1085	OKLAHOMA MUNICIPAL ASSURAN	CPROPERTY INSURANCE	1/2024	202401315635	2,818.89
24-49696	10-1261	RED ROCK PETRO	4500 UNLEAD & 3500 DIESEL	1/2024	1495276	100.43
24-49658	10-1509	TOM'S SPEEDY LOCK & KEY SERRE	CODE UTILITIES DOOR	1/2024	69806	107.50
24-49577	10-4090	AT&T MOBILITY	ON CALL & METER READERS	1/2024	01192024	52.21
DEPARTMENT TOTAL:						6,532.57
FUND TOTAL:						80,952.32
GRAND TOTAL:						725,341.36

NOTICE: On Thursday, January 11, 2024, 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 HOSPITAL TRUST MEETING

BETHANY CITY HALL

TUESDAY, JANUARY 16, 2024

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
	(See Roster)	

Chairman Lloyd called the Bethany Hospital Trust meeting to order at 8:25 P.M.

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

- A. APPROVAL OF MINUTES FROM JANUARY 2, 2024, 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.**

A motion was made by Trustee Magirowsky, seconded by Trustee

Larsen 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 FEBRUARY 6, 2024**.

Chairman Lloyd adjourned the Bethany Hospital Trust meeting at 8:25 P.M. until February 6, 2024.

CHAIRMAN

SECRETARY

BETHANY HOSPITAL TRUST

From: Michael Vaughn, Finance Director
Date: February 1, 2024
Subject: Claims list for the 02/06/2024 Bethany Hospital Trust Meeting

BETHANY HOSPITAL TRUST

FUND	AMOUNT
Bethany Hospital Trust	\$ -
TOTAL	\$ -

ENTERPRISE-WIDE SUMMARY OF ALL CLAIMS:

FUND	AMOUNT
General Operations Fund	\$ 644,389.04
Bethany Public Works Authority	\$ 80,952.32
Bethany Hospital Trust	\$ -
Bethany Development Authority	\$ -
TOTAL	\$ 725,341.36

RECOMMENDATION

1. Approve claims as presented.



NOTICE: On Thursday, January 11, 2024, 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 DEVELOPMENT AUTHORITY

BETHANY CITY HALL

TUESDAY, JANUARY 16, 2024

6:30 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
	(See Roster)	

Chairman Lloyd called the Bethany Development Authority meeting to order at 8:25 P.M.

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

- A. APPROVAL OF MINUTES FROM JANUARY 2, 2024, 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.**

A motion was made by Trustee Magirowsky, seconded by Trustee

Larsen 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 FEBRUARY 6, 2024**.

Chairman Lloyd adjourned the Bethany Development Authority meeting at 8:26 P.M. until February 6, 2024.

CHAIRMAN

SECRETARY

BETHANY DEVELOPMENT AUTHORITY

From: Michael Vaughn, Finance Director
Date: February 1, 2024
Subject: Claims list for the 02/06/2024 Bethany Development Authority Meeting

BETHANY DEVELOPMENT AUTHORITY

FUND	AMOUNT
Bethany Development Authority	\$ -
TOTAL	\$ -

ENTERPRISE-WIDE SUMMARY OF ALL CLAIMS:

FUND	AMOUNT
General Operations Fund	\$ 644,389.04
Bethany Public Works Authority	\$ 80,952.32
Bethany Hospital Trust	\$ -
Bethany Development Authority	\$ -
TOTAL	\$ 725,341.36

RECOMMENDATION

1. Approve claims as presented.

