

NOTICE: On Thursday, August 29, 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 SEPTEMBER 3, 2024**

**6:30 P.M.**

- |                         |                  |                      |
|-------------------------|------------------|----------------------|
| <b>MEMBERS PRESENT:</b> | Nikki Lloyd      | Mayor                |
|                         | Chris Powell     | Council Member       |
|                         | Steve Palmer     | Council Member       |
|                         | Peter Plank      | Council Member       |
|                         | Brian Magirowsky | Council Member       |
|                         | Marilyn McPhail  | Council Member       |
|                         | Kathy Larsen     | Council Member       |
| <b>MEMBERS ABSENT:</b>  | Jeff Knapp       | Vice-Mayor           |
|                         | Ken Smart        | Council Member       |
| <b>OTHERS PRESENT:</b>  | Elizabeth Gray   | City Manager         |
|                         | Ray Jones        | City Attorney        |
|                         | Michael Vaughn   | City Clerk/Treasurer |
|                         | Lesa LaMar       | Deputy City Clerk    |
|                         | Steve Manek      | TEIM Design          |
|                         | (See Roster)     |                      |

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

Mayor Lloyd called the Bethany City Council meeting to order at 6:30 P.M.

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

The Invocation was given by Council Member Larsen.  
The Flag Salute was conducted by Mayor Lloyd.

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

- A. APPROVAL OF MINUTES FROM AUGUST 20, 2024, REGULAR MEETING.**
- B. APPROVAL OF MINUTES FROM AUGUST 19, 2024, SPECIAL CALLED MEETING.**

- C. APPROVAL OF CLAIMS: THESE CLAIMS HAVE BEEN FOUND TO BE IN ORDER BY STAFF AND PROPER AS TO FORM AND PROCEDURE AND ARE RECOMMENDED FOR PAYMENT. A COPY OF THE CLAIMS IS INCLUDED IN THE AGENDA PACKET.**
- D. PUBLIC IMPROVEMENT-ROUTINE ITEM: ACCEPTANCE OF THE RIPPER PARK PICKLEBALL COURTS TSET GRANT PROJECT AS A PUBLIC IMPROVEMENT AND PLACE THE MAINTENANCE BOND INTO EFFECT.**

A motion was made by Council Member Magirowsky, seconded by Council Member Plank to approve the Consent Docket as presented. Yes votes: Palmer, Magirowsky, Larsen, Lloyd, Plank, Powell, McPhail. No votes: None. Motion approved.

**ITEM NO. 4 on the agenda was MAYORAL PROCLAMATION DECLARING SEPTEMBER 15-OCTOBER 15, 2024, AS HISPANIC HERITAGE MONTH.**

The proclamation was presented by Mayor Lloyd and Representative Tammy West to Amanda Sandoval.

**ITEM NO. 5 on the agenda was MAYORAL CERTIFICATE OF RECOGNITION FOR COUNCIL MEMBER PETER PLANK.**

Mayor Lloyd presented Council Member Plank with a Certificate of Recognition for receiving the Distinguished Veteran Service Award.

**ITEM NO. 6 on the agenda was PUBLIC HEARING ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2065, AN ORDINANCE AMENDING THE ZONING ORDINANCES, MAP, AND COMPREHENSIVE PLAN OF THE CITY OF BETHANY, OKLAHOMA, BY INCLUDING IN EDUCATION-INSTITUTIONAL THE PROPERTIES LOCATED AT 1901 N. PENIEL AVE., 7200 NW 23RD ST., 8221 NW 30TH ST., AND 7900 NW 36TH ST. IN BETHANY, OKLAHOMA COUNTY, OKLAHOMA AS MORE PARTICULARLY DESCRIBED HEREINAFTER. (RAY JONES, CITY ATTORNEY)**

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

Attorney Ray Jones informed the council that the Planning and Zoning approved this item with 6 yea's and 2 abstentions.

**B PUBLIC COMMENT.**

None

**C. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2065 ON READING BY TITLE ONLY.**

A motion was made by Council Member Palmer, seconded by Council Member McPhail to approve Ordinance No. 2065 C, by title only and D on reading by title only, an ordinance amending the zoning ordinances, map, and Comprehensive Plan of the City of Bethany, Oklahoma, by including in Education-Institutional the properties located at 1901 N. Peniel Ave., 7200 NW 23rd St., 8221 NW 30th St., and 7900 NW 36th St. in Bethany, Oklahoma County, Oklahoma. Yes votes: McPhail, Lloyd, Plank, Larsen, Magirowsky, Palmer, Powell. No votes: None. Motion approved.

**D. CONSIDERATION AND POSSIBLE APPROVAL OF SECTION 1 OF ORDINANCE NO. 2065.**

**ITEM NO. 7 on the agenda was PUBLIC HEARING ITEM: CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2066, AN ORDINANCE AMENDING THE ZONING ORDINANCES, MAP, AND COMPREHENSIVE PLAN OF THE CITY OF BETHANY, OKLAHOMA, BY INCLUDING IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, THE PROPERTY DESCRIBED AS A TRACT OF LAND SITUATED WITHIN THE WEST ½ OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY (20), TOWNSHIP TWELVE NORTH (T12N), RANGE FOUR WEST (R4W) OF THE INDIAN MERIDIAN (I.M), BETHANY, OKLAHOMA COUNTY AS MORE PARTICULARLY DESCRIBED HEREINAFTER. (RAY JONES, CITY ATTORNEY)**

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

Attorney Ray Jones informed the council that the Planning and Zoning approved this item with 5 yea's and 2 nea's and 1 abstention.

**B. PUBLIC COMMENT.**

Daniel Vazquez- 2808 N. Alexander Drive, Bethany, OK.  
Jennifer Edmondson- 7413 N.W. 26th Street, Bethany, OK.  
Rita Thomas- 7336 N.W. 27<sup>th</sup> Street, Bethany, OK.  
Terry Horton- 2806 N. Wilburn Ave., Bethany, OK.  
Ross Morris- Morris-Sanders Engineering representing the applicant.  
Steve Manek with TEIM Design answered questions from the council.

**C. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2066 ON READING BY TITLE ONLY.**

After council discussion a motion was made by Council Member Magirowsky, seconded by Council Member Larsen to disapprove Ordinance No. 2066, by title only. Yes votes: McPhail, Lloyd, Plank, Larsen, Magirowsky, Palmer, Powell. No votes: None. Motion approved.

**D. CONSIDERATION AND POSSIBLE APPROVAL OF SECTION 1 OF ORDINANCE NO. 2066.**

A motion was made by Council Member Magirowsky, seconded by Council Member Larsen to disapprove Ordinance No. 2066 Section 1. Yes votes: McPhail, Lloyd, Plank, Larsen, Magirowsky, Palmer, Powell. No votes: None. Motion approved.

**ITEM NO. 8** 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. 9** on the agenda was **CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE NO. 2063, AN ORDINANCE AMENDING CHAPTER 92 STREETS AND SIDEWALKS ADDING A NEW HEADING TITLED SIDEWALK REPAIR AND ADDING A NEW SECTION 92.60 TITLED REPAIRS TO SIDEWALKS ESTABLISHING A PROCESS TO DECLARE AN EMERGENCY REGARDING SIDEWALKS; TO PROVIDE NOTICE TO PROPERTY OWNER; TO PROVIDE FOR THE MUNICIPALITY TO PROCEED WITH REPAIR AND TO ASSESS THE COST OF REPAIRS TO THE ABUTTING PROPERTY OWNER IN THE MANNER PROVIDED FOR STREET IMPROVEMENTS. (RAY JONES, CITY ATTORNEY) (TABLED AT THE AUGUST 6, 2024, REGULAR COUNCIL MEETING.)**

- A. PRESENTATION BY STAFF AND/OR INTERESTED PARTY.**
- B. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2065 ON READING BY TITLE ONLY.**

A motion was made by Council Member Plank, seconded by Council Member Palmer, that in the absence of Council Member Smart, to send this item back to our Traffic Committee for further study. Yes votes: McPhail, Powell, Magirowsky, Larsen, Plank, Palmer, Lloyd. No votes: None. Motion approved.

- C. CONSIDERATION AND POSSIBLE APPROVAL OF SECTION 1 OF ORDINANCE NO. 2064.**

Council Member Palmer called a point of order asking if the vote included Item No. 9 B and C.

Mayor Lloyd confirmed that the vote was for Item No. 9 in totality.

**ITEM NO. 10** the agenda was **CONSIDERATION AND POSSIBLE ACTION ON ADOPTING A POLICY FOR A SIDEWALK PROGRAM. (RAY JONES, CITY ATTORNEY) (TABLED AT THE AUGUST 6, 2024, REGULAR COUNCIL MEETING.)**

A motion was made by Council Member Plank, seconded by Council Member Powell to send this item along with Item No. 9 back to the Traffic Committee. Yes votes: Plank, McPhail, Powell, Lloyd, Magirowsky, Larsen, Palmer. No votes: None. Motion approved.

**ITEM NO. 11 on the agenda CITY-WIDE PUBLIC WORKS PROJECT UPDATES BY TEIM DESIGN INCLUDING GO BOND, ARPA, WATER PROJECTS, AND SH 66 WITH POSSIBLE DISCUSSION. (ELIZABETH GRAY, CITY MANAGER)**

There was discussion and a presentation by TEIM Design that is included in the agenda.

**ITEM NO. 12 on the agenda was CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1702, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA, APPROVING THE MAYOR'S RE-APPOINTMENT OF RON TITUS YOUNG TO THE BETHANY ECONOMIC DEVELOPMENT AUTHORITY FOR A TERM EXPIRING JUNE 6, 2029. (NIKKI LLOYD, MAYOR)**

Mayor Lloyd stated that the re-appointment is for Ron Titus and not Ron Titus Young which was a scrivener's error.

After some discussion a motion was made by Council Member Magirowsky, seconded by Council Member McPhail to approve Ron Titus to the BEDA for a term expiring June 6, 2029. Yes votes: Larsen, Palmer, Lloyd, Magirowsky, Plank, Powell, McPhail. No votes: None. Motion approved.

**ITEM NO. 13 on the agenda was CONSIDERATION AND POSSIBLE ADOPTION OF RESOLUTION NO. 1703, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA, APPROVING THE MAYOR'S APPOINTMENT OF JOSHUA YOUNG TO THE BETHANY ECONOMIC DEVELOPMENT AUTHORITY FOR A TERM EXPIRING JUNE 6, 2029. (NIKKI LLOYD, MAYOR)**

A motion was made by Council Member Magirowsky, seconded by Council Member Palmer to approve the mayor's appointment of Joshua Young to the BEDA for a term expiring June 6, 2029. Yes votes: Magirowsky, Palmer, Lloyd, Larsen, Plank, Powell, McPhail. No votes: None. Motion approved.

**ITEM NO. 14 on the agenda was CONSIDERATION AND POSSIBLE APPROVAL OF CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH C4L, LLC FOR GENERAL OBLIGATION BOND PROPOSITION 2-C GARRISON PARK RESTROOM AND PAVILION REMODEL IN THE AMOUNT OF \$15,963.00 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 Palmer, seconded by Council Member Larsen to approve Change Order No. 1 to the Construction Contract with C4L, LLC for General Obligation Bond Proposition 2-C Garrison Park Restroom and Pavilion Remodel in the amount of \$15,963.00 and authorize the mayor to sign the document on behalf of the City of Bethany. Yes

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

**ITEM NO. 15** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT NO. 2 TO THE 2024 SCHEDULE OF MEETINGS CHANGING THE TIME OF THE BETHANY ECONOMIC DEVELOPMENT AUTHORITY MEETINGS TO 12:00 P.M. AS REQUESTED BY THE AUTHORITY. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Council Member Palmer, seconded by Council Member McPhail to approve Amendment No. 2 to the 2024 Schedule of Meetings changing the time of the Bethany Economic Development Authority meetings to 12:00 p.m. as requested by the authority. Yes votes: Magirowsky, Palmer, Lloyd, Larsen, Plank, Powell, McPhail. No votes: None. Motion approved.

**ITEM NO. 16** on the agenda **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")**.

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

City Attorney Jones gave an overview of the projects he has been working on these past two weeks.

**ITEM NO. 18** on the agenda was the **CITY MANAGER'S REPORT**.

City Manager Gray provided updates regarding recent and upcoming events and projects.

**ITEM NO. 19** on the agenda was **COUNCIL MEMBERS' ANNOUNCEMENTS, COMMENTS, AND PROPOSALS**.

Each Council Member was given the opportunity to comment.

**ITEM NO. 20** on the agenda was **ADJOURN UNTIL SEPTEMBER 17, 2024**.

Mayor Lloyd adjourned the Bethany City Council meeting at 8:04 P.M. until September 17, 2024.

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MAYOR

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CITY CLERK

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## **BETHANY PUBLIC WORKS AUTHORITY MEETING**

### **BETHANY CITY HALL**

**TUESDAY, SEPTEMBER 3, 2024**

**6:30 P.M.**

<b>MEMBERS PRESENT:</b>	Nikki Lloyd	Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Peter Plank	Trustee
	Brian Magirowsky	Trustee
	Kathy Larsen	Trustee
	Marilyn McPhail	Trustee
<b>MEMBERS ABSENT:</b>	Jeff Knapp	Vice-Chairman
	Ken Smart	Trustee
<b>OTHERS PRESENT:</b>	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Steve Manek	TEIM Design
	(See Roster)	

Chairman Lloyd called the Bethany Public Works Authority meeting to order at 8:04 P.M.

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

- A. APPROVAL OF MINUTES FROM AUGUST 20, 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 Plank to approve the Consent Docket as presented. Yes votes: Plank,

Powell, Palmer, McPhail Lloyd, Magirowsky, Larsen. No Votes: None. Motion approved.

**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 SEPTEMBER 17, 2024**.

Chairman Lloyd adjourned the Bethany Public Works Authority meeting at 8:05 P.M. until September 17, 2024.

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CHAIRMAN

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SECRETARY

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**BETHANY HOSPITAL TRUST MEETING**

**BETHANY CITY HALL**

**TUESDAY, SEPTEMBER 3, 2024**

**6:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Peter Plank	Trustee
	Brian Magirowsky	Trustee
	Kathy Larsen	Trustee
	Marilyn McPhail	Trustee
MEMBERS ABSENT:	Jeff Knapp	Vice-Chairman
	Ken Smart	Trustee
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Steve Manek	TEIM Design
	(See Roster)	

Chairman Lloyd called the Bethany Hospital Trust meeting to order at 8:05 P.M.

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

- A. APPROVAL OF MINUTES FROM AUGUST 20, 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 Plank to approve the Consent Docket as presented. Yes Votes: Magirowsky, Larsen, Plank, Palmer, Powell, McPhail, Lloyd. 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 SEPTEMBER 17, 2024.**

Chairman Lloyd adjourned the Bethany Hospital Trust meeting at 8:05 P.M. until September 17, 2024.

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CHAIRMAN

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SECRETARY

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**BETHANY DEVELOPMENT AUTHORITY**

**BETHANY CITY HALL**

**TUESDAY, SEPTEMBER 3, 2024**

**6:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Peter Plank	Trustee
	Brian Magirowsky	Trustee
	Kathy Larsen	Trustee
	Marilyn McPhail	Trustee
MEMBERS ABSENT:	Jeff Knapp	Vice-Chairman
	Ken Smart	Trustee
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Steve Manek	TEIM Design
	(See Roster)	

Chairman Lloyd called the Bethany Development Authority meeting to order at 8:05 P.M.

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

- A. APPROVAL OF MINUTES FROM AUGUST 20, 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 Council Member Plank to approve the Consent Docket as presented. Yes votes: Lloyd, Magirowsky, Plank, Larsen, McPhail, Powell, Palmer. No votes:

None. Motion passed.

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

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL SEPTEMBER 17, 2024.**

Chairman Lloyd adjourned the Bethany Development Authority meeting at 8:06 P.M. until September 17, 2024.

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CHAIRMAN

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SECRETARY