

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, June 5, 2018 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the City Clerk at 10:35
AM on the 16th day of May, 2018.**

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Ron Byrne		Absent	
Mike Biddinger		Present	
Tim Cheek		Present	
Barbara Gilbert		Present	
John McCaleb	Chairman	Present	
Lynn Pringle		Absent	

3. Citizens Desiring to be Heard
None

4. Minutes

a. October 2, 2017 Joint meeting with City Council

MOTION: Gilbert moved to approve the October 2, 2017 minutes of the joint meeting with City Council as presented. Biddinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Mike Biddinger
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

b. March 06, 2018

MOTION: Gilbert moved to approve the March 06, 2018 minutes as presented. Biddinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Mike Biddinger
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

5. Items for Separate Vote
None

6. Public Hearings

Nichols Hills Building Code Committee Chairman Mr. Larry Herzel provided a summary of the Committee's meetings and their review process of the Residential Building Codes and 2015 International Building Codes, plus the appendix(es), that were recently adopted by the State of Oklahoma. The Committee also reviewed the Nichols Hills City Code. Mr. Herzel presented to the Nichols Hills Planning Commission the Committee's recommendations and summarized the rationale of each ordinance.

No others expressed a desire to be heard, the public hearing was closed.

- a. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding swimming pools; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel explained the Building Code Committee's recommendation to remove the term "shelters" from the ordinance so that it pertains only to swimming pools.

Mr. John Frank asked for a clarification of the ordinance that it only amended the removal of the word "shelter".

No others expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Cheek moved to recommend approval of agenda item 6a, an ordinance amending the Nichols Hills City Code regarding the swimming pools as modified during the meeting and to correct the word "within" in Sec.8-284(a). Biddinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Cheek
SECONDER:	Mike Biddinger
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- b. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code clarifying the definitions and use of "addition" and "alteration" and removing the word "remodel" related to construction of buildings in various contexts; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel summarized the Building Code Committee's recommendation to remove the word "remodel" from the Nichols Hills City Code ordinance to make the language distinguish more

between alterations, additions and repairs. They also recommended if the alterations, additions or repairs increase the square footage 50% or more of the conditioned space of a home, the entire home must be brought up to code. The Committee also recommended to adopt the 2018 edition of the Life and Safety Code.

Mr. Johnny McCharen suggested to have a look back period of ten - twenty years, as an example, to make sure there are no major conflicts with the current electrical code.

No others expressed a desire to be heard; therefore, the public hearing was closed.

The Commission discussed the recommendations of the Committee concerning the 50% square footage and the requirement to bring the entire structure up to current code, particularly, the electrical and plumbing.

MOTION: Gilbert moved not to recommend the approval of agenda item 6b, an ordinance amending the Nichols Hills City Code clarifying the definitions and use of “addition” and “alteration” and removing the word “remodel” related to construction of buildings in various context, but to send it back to the Nichols Hills Building Code Committee for more consideration in the areas that were discussed and to bring a new ordinance back to the Commission. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Tim Cheek
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- c. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 8 of the Nichols Hills City Code regarding the additional local regulations of the Electrical Code; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel reported that the Building Code Committee recommends the removal of the term “Electrical Inspector”, changing it to “Code Official” in this ordinance.

No others expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Biddinger moved to recommend approval of agenda item 6c, an ordinance amending the Nichols Hills City Code regarding the additional local regulations of the Electrical Code. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Biddinger
SECONDER:	Tim Cheek
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- d. Discussion, consideration and possible approval or disapproval of an ordinance amending Section 8-9 of the Nichols Hills City Code regarding contractors required to be licensed by state law and the letters required to be displayed on their vehicles; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and

staff, Chairman McCaleb opened the public hearing.

Mr. Herzel stated that the Building Code Committee recommends the removal of the requirement for contractors to have the letters "N.H." displayed on their vehicles but to have "OK" preceding their state license number on contractors' vehicles.

No others expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Biddinger moved to recommend approval of agenda item 6d, an ordinance amending Section 8-9 of the Nichols Hills City Code regarding contractors required to be licensed by state law and the letters required to be displayed on their vehicles. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Biddinger
SECONDER:	Tim Cheek
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- e. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 8 of the Nichols Hills City Code by repealing the requirement for bonds from plumbing contractors; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel stated that the Building Code Committee recommends the removal of the requirement for plumbing contractors to post a bond.

No others expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Biddinger moved to recommend approval of agenda item 6e, an ordinance amending Chapter 8 of the Nichols Hills City Code by repealing the requirement for bonds from plumbing contractors. Gilbert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Biddinger
SECONDER:	Barbara Gilbert
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- f. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code by Chapter 50, Zoning, of the Nichols Hills City Code regarding residential exterior building materials that are prohibited and residential exterior building materials that are allowed; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel discussed the Building Code Committee's recommendation of lists of approved and prohibited exterior building materials for walls and roofs.

Mr. John Frank spoke to the Commission about his concerns for taking away the basic rights of a property owner.

No others expressed a desire to be heard; therefore, the public hearing was closed.

The Planning Commission members and staff discussed the proposed ordinance in length.

MOTION: Gilbert moved to recommend approval of agenda item 6f, an ordinance amending the Nichols Hills City Code by Chapter 50, Zoning, of the Nichols Hills City Code regarding residential exterior building materials that are prohibited and residential exterior building materials that are allowed, with the changes as noted regarding exterior rather than exposed materials. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Tim Cheek
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

- g. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code by adopting the 2015 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Existing Building Code, the International Fuel Gas Code, and the International Fire Code and the 2014 edition of the National Electrical Code, each as modified and adopted by the State of Oklahoma and as further hereby modified by the City of Nichols Hills, Oklahoma; amending the Nichols Hills City Code by adopting residential high wind construction requirements; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Herzel reported that the Building Code Committee recommends to adopt the state minimum standard building codes with additional amendments in the area of high wind resistance materials, sewage backflow and required soil testing.

No others expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Cheek moved to recommend approval of agenda item 6g, an ordinance amending the Nichols Hills City Code by adopting the 2015 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Existing Building Code, the International Fuel Gas Code, and the International Fire Code and the 2014 edition of the National Electrical Code, each as modified and adopted by the State of Oklahoma and as further hereby modified by the City of Nichols Hills, Oklahoma; amending the Nichols Hills City Code by adopting

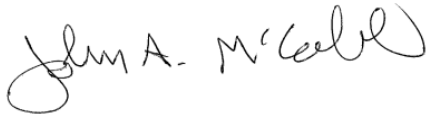
residential high wind construction requirements. Gilbert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Cheek
SECONDER:	John McCaleb, Chairman
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle

7. Adjournment

MOTION: There being no further business, Biddinger moved to adjourn the meeting. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mike Biddinger
SECONDER:	Tim Cheek
AYES:	Biddinger, Cheek, Gilbert, McCaleb
ABSENT:	Byrne, Pringle



Chairman
Planning Commission
City of Nichols Hills, Oklahoma



City Manager
Planning Commission
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma