

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, March 12, 2024 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original agenda filed in the Office of the City Clerk at 4:48 PM on the 8th day of March, 2024.

1. Call to Order and Pledge of Allegiance
2. Roll Call

Attendee Name	Title	Status	Arrived
Sody Clements		Present	
Steven J. Goetzinger		Present	
E. Peter Hoffman		Present	

3. Minutes
 - a. February 13, 2024 Special City Council Minutes
 - b. February 13, 2024 Regular City Council Minutes

MOTION: Hoffman moved to approve the February 13, 2024 Special Meeting and the February 13, 2024 Regular Meeting minutes as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

4. Departmental Reports

Consideration of acceptance, rejection, and/or postponement of the following:

- a. Police Department
- b. Fire Department
- c. Public Works

- d. Risk Manager
- e. Municipal Court
- f. New Resident List
- g. City Treasurer
- h. Finance Director
- i. Information System Manager
- j. Engineer
- k. ACOG Report

Mayor Clements commented on the Police Department Report concerning the license plate reading cameras and the resulting arrests made. The cameras were purchased through grants and private donors.

Police Chief Steven Cox spoke to the City Council on the importance of having the license plate reading cameras. The City currently has 14 cameras in various locations throughout Nichols Hills. The data obtained by the cameras is not reviewed unless a crime has occurred.

Mayor Clements also commented on the Fire Department and the training they have been attending to obtain various certifications.

Vice-Mayor Hoffman reported that the City was awarded the ACOG grant of \$304,000.00 for 3 new EV cars, CNG grapple truck, and 2 charging stations. Also, the City has been working on an ACOG CPRG grant, Climate Pollution Reduction Grant, which is a multi-million-dollar grant for solar power. The City would place solar panels at all the Public Works buildings to help lower the City's electric bill by 20-40%.

MOTION: Goetzinger moved to approve the February 2024

departmental reports as presented. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

5. Total Warrants & Claims \$623,577.93

a. Consideration of approval, disapproval, and/or postponement of the following: Claims List for 2023-2024

a. General Fund	\$237,532.75
b. Designated Funds – Fire and General	356.00
c. Nichols Hills Municipal Authority	109,368.47
d. General Fund Capital Improvement	4,801.00
e. General Obligation Bond Funds	271,519.71

MOTION: Hoffman moved to approve the total warrants and claims as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

6. Consent Docket - Construction

Consideration of approval, acceptance, rejection, amendment, and/or postponement of the following:

a. Change Order No. 2 for the Fire Training Tower project with Landmark Construction Group, LLC in the amount of \$14,561.00.

BACKGROUND: The change order increases the contract to \$989,874.00. The original contract was \$959,000.00.

b. Pay Estimate No. 1 for Fire Training Tower Project with Landmark Construction Group, LLC in the amount of \$97,462.87.

BACKGROUND: City Architect has verified quantities and recommends approval, to be paid from 2021 GO Bonds and other funds.

- c. Amendment No. 1 for Project No. PC-2201 with SAC Services, Inc. in the amount for Amendment No. 1 (\$71,325.09).

BACKGROUND: The change order decreases the contract to \$978,890.51. The original contract was \$1,050,215.60.

- d. Pay Estimate No. (FINAL) for Project No. PC-2201 with SAC Services, Inc. for Paving Improvements to the 1700 & 1800 Blocks of Huntington Avenue in the amount of \$60,988.87 and place maintenance bonds into effect.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2023 GO Bonds and other funds.

MOTION: Goetzinger moved to approve items 6a - 6d Consent Docket Construction as presented. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

7. Consent Docket - General

Consideration of approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. A resolution authorizing the disposal and destruction of certain original records and papers of records prior to the retention period for such records established in the Revised Records Retention Manual, 2015; and directing the City Manager to take all actions necessary to provide for the disposal and destruction of such records.

MOTION: Hoffman moved to approve item 7a Consent Docket General as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

8. Citizens desiring to be heard

The purpose of this time is to allow members of the public to speak to the City Council on any matter that is not otherwise set for consideration on this Agenda.

Mr. Wendell Long spoke to the City Council about his concerns of sewer and garbage charges on monthly utility bill.

9. Items for Separate Vote - Ordinances, Resolutions, and Other Matters

- a. Request from Nichols Hills Garden & Outdoor Living Tour 2024 to be held on Saturday, June 1, 2024 and to install 20 banners between May 17, 2024 and June 3, 2024.

Ms. Debbie McKinney, Chair of the Nichols Hills Garden Tour, presented the banner application for banners to be hung from May 17, 2024 to June 3, 2024.

MOTION: Goetzinger moved to approve agenda item 9a as presented. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

- b. PUBLIC HEARING: An Ordinance amending Section 44-109 of the Nichols Hills City Code regarding the operation of golf carts and low-speed electrical vehicles on city streets; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion among City Council members and staff, Mayor Clements opened the public hearing.

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Hoffman moved to approve agenda item 9b as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

- i. Consideration of approval or disapproval of the emergency section of the foregoing ordinance.

MOTION: Goetzinger moved to approve agenda item 9ba(i) - Emergency clause of the foregoing ordinance. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

- c. PUBLIC HEARING: An Ordinance amending Section 50-140 of the Nichols Hills City Code regarding prohibited and allowed exterior wall building materials in Residential Districts; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Building Commissioner Larry Herzel discussed the proposed ordinance to the City Council.

Following discussion among city Council members and staff, Mayor Clements opened the public hearing.

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Hoffman moved to approve agenda item 9c as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

- i. Consideration of approval or disapproval of the emergency section of the foregoing ordinance.

MOTION: Goetzinger moved to approve agenda item 9c(i) - Emergency clause of the foregoing ordinance. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

- d. PUBLIC HEARING: An Ordinance amending Article VI of Chapter 8 of the Nichols Hills City Code regarding fences and walls on corner lots; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the City Council.

Following discussion among City Council members and staff, Mayor Clements opened the public hearing.

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Goetzinger moved to continue agenda item 9d to the next regular scheduled meeting. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

i. Consideration of approval or disapproval of the emergency section of the foregoing ordinance.

- e. PUBLIC HEARING: An Ordinance amending Section 50-341 of the Nichols Hills City Code regarding when Building Commission Certificate of Approval are required and Certificates of Approval for stand-alone fences, swimming pools, accessory buildings, and accessory structures; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the City Council.

Following discussion among City Council members and staff, Mayor Clements opened the public hearing.

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Hoffman moved to approve agenda item 9e as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

i. Consideration of approval or disapproval of the emergency

section of the foregoing ordinance.

MOTION: Goetzinger moved to approve agenda item 9e(i) - Emergency clause of the foregoing ordinance. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman

- f. **PUBLIC HEARING:** An application for approval of the Planned Unit Development of 1203 Sherwood Lane (PUD-9) involving the following described property: Lots Twenty-three (23) through Twenty-seven (27) in Block Twenty-eight (28) and Block F in BUSINESS SECTION OF NICHOLS HILLS and vacated street abutting abstracted property adjudicated in Court Case #0-2004-2234 in Oklahoma County, Oklahoma, as shown by the recorded plat thereof. If approved, PUD-9 will rezone and redistrict the subject property from the U-4 Church District to the R-1-75 Single-Family Residential District and permit development of the Property pursuant to the provisions of the Master Design Statement for PUD-9.

MOTION: Hoffman moved to continue agenda item 9f to the next regular schedule meeting. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

- g. A resolution of the City Council of the City of Nichols Hills, Oklahoma authorizing the City Manager or City Finance Director to apply for financial assistance from the Association of Central Oklahoma Governments' Climate Pollution Reduction Grant (CPRG).

MOTION: Hoffman moved to approve agenda item 9g as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman

h. Discussion regarding at-large positions.

Mrs. Carla Sharpe, attorney for the City, reviewed the issues of the current process of the Mayor appointing the at-large positions on various boards.

Following discussion among City Council and staff, City Council directed staff to come back with a proposed ordinance to consider.

i. Discussion regarding dilapidated outdoor signs.

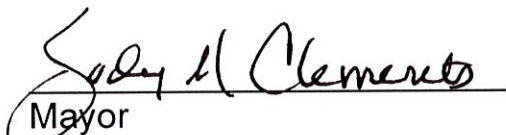
Councilman Goetzinger discussed with City Council and staff dilapidated outdoor signs on commercial buildings.

Following the discussion, City Council directed staff to come back with an ordinance to address dilapidated outdoor signs and maintenance on commercial buildings.

10. Adjournment

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma

NH Waste Disposal

I am here to right a great inequity in our Nichols Hills monthly management fees.

I am Wendell Long who first moved to NH in 1942 and lived in the 5th house built in NH.

I'm 88 years old and now live in a small house in the 11 hundred block of Glenwood. My significant other lives in the 11 hundred block of Park Manor in a similar small house. For years she has complained of the "water bill" but I never realized the inequity. I don't water my grass or plants; she has a gorgeous lawn and garden so her "water bill" is greater. What really bothers me is that her sewer bill is three times mine.

If you think about it, a sewer is used to remove waste from a house. This includes excrement, shower/bath, and cleaning of food and house. So, sewer usage is really a product of the number of individuals living in house. Then why the disparity? We both shower, go to the bathroom, and fix meals at our own house!

This Council has determined that the sewer bill should be tied to the total water usage! This really makes no sense so they carved out an exception for the rich by allowing them to install a second water system for the yard. This in turn places a greater load on those who can't afford this initial expense, like my partner who lives on SS and Teacher Retirement!

The city evens out the garbage fee by using a fixed amount for each house regardless of the amount of garbage. I pay for garbage pick up twice a week when I only have garbage twice a month.

This plan would be more equitable than the present fees for sewer. A fairer system would be to charge on the number of household inhabitants. Or perhaps the square footage of the house? How about the market value of the house?

Whatever you decide it couldn't be worse than the present plan!