

1. Agenda

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2. Meeting Materials

Documents:

[BOARD OF PARK COMMISSIONERS 2 26 24.PDF](#)

AGENDA

Special Meeting of the
Nichols Hills Board of Park Commissioners
Monday, February 26, 2024 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Board of Park Commissioners only on items that appear on this Agenda. The Board of Park Commissioners may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Board of Park Commissioners.

1. Call to Order
2. Roll Call
3. Minutes
 - a. Board of Park Commissioners Minutes - December 7, 2022
4. Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:
 - a. Recommend approval of an application by Joan S. Maguire to adopt a park and related park adoption agreement, for park property generally located on the corner of Bedford Drive and Trenton Road, currently known as Roy Devero Park.
 - b. Redbud Park area improvement project discussion.
5. Adjournment



City Clerk
City of Nichols Hills, Oklahoma

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Special Meeting of the
Nichols Hills Board of Park Commissioners
Wednesday, December 7, 2022 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original agenda filed in the Office of the City Clerk at 9:23 AM on the 5th day of December, 2022.

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Pete Everest	Chairman	Present	
Rainey Williams		Present	
Karen Browne		Present	
Vicki English		Absent	
Coe London		Absent	
Chip Oppenheim		Present	
Patty Anthony		Present	
Blake Fitzgerald		Absent	
Ryan Butts	Member	Present	

3. Minutes

- a. Board of Park Commissioners Minutes - October 20, 2021

MOTION: Williams moved to approve the October 20, 2021 minutes as presented. Oppenheim seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rainey Williams
SECONDER:	Chip Oppenheim
AYES:	Everest, Williams, Browne, Oppenheim, Anthony, Butts
ABSENT:	English, London, Fitzgerald

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

- a. An ordinance deleting chapter 48 of the Nichols Hills city code and replacing it with a revised version of chapter 48 retitled "Trees and Vegetation;" 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 Board of Park Commissioners.

Board of Park Commissioners directed staff to send out an email, and post a notice on the City’s app to remind residents in the spring to treat trees and shrubs for bagworms.

MOTION: Williams moved to recommend the City Council approve agenda item 4a subject to adding the recommendation to spray for bagworms in the spring. Oppenheim seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rainey Williams
SECONDER:	Chip Oppenheim
AYES:	Everest, Williams, Browne, Oppenheim, Anthony, Butts
ABSENT:	English, London, Fitzgerald

- b. Draft ordinance regarding landscape requirements.

Mrs. Carla Sharpe, attorney for the city, presented the proposed ordinance to the Board of Park Commissioners.

MOTION: Williams moved to recommend the City Council approve agenda item 4b as amended. Oppenheim seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rainey Williams
SECONDER:	Chip Oppenheim
AYES:	Everest, Williams, Browne, Oppenheim, Anthony, Butts
ABSENT:	English, London, Fitzgerald

c. Love Family Park update.

City Manager Shane Pate gave an update on the progress of Love Family Park. The work is on schedule and completion will be sometime in the Spring of 2023.

Mrs. Nancy Herzel, Environmental, Health & Sustainability Committee Chairman, gave an update on the Butterfly Garden.

5. Adjournment

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pete Everest, Chairman
SECONDER:	Rainey Williams
AYES:	Everest, Williams, Browne, Oppenheim, Anthony, Butts
ABSENT:	English, London, Fitzgerald

 Chairman
 Board of Park Commissioners
 City of Nichols Hills, Oklahoma

 City Manager
 Board of Park Commissioners
 City of Nichols Hills, Oklahoma

 City Clerk
 City of Nichols Hills, Oklahoma

Attachment: Board of Park Commissioners December 7 2022 Minutes (7119 : Board of Park Comm - Minutes December 7, 2022)

Park Adoption Agreement

This Park Adoption Agreement (“this Agreement”) is between the City of Nichols Hills, Oklahoma, a municipal corporation, (“the City”) and Joan S. Maguire (“Park Adopter”) effective _____, 2023. The City is grateful for and commends Park Adopter for assuming the responsibilities set out in this Agreement.

Recitals

- A.** Park Adopter applied to the City to adopt Roy Devero Park (“the Park”) pursuant to Article VII, *Park Adoptions*, of Chapter 34, *Parks and Recreation*, of the Nichols Hills City Code.
- B.** The City recently made improvements to the Park. Park Adopter’s adoption consists of the paying for maintenance of the Park, including those improvements, as set out in this Agreement.

Agreement

1. Relationship of the parties; cooperation and communication with Parks, Inc. The City and Park Adopter acknowledge that fulfilling the purpose of this Agreement for the benefit of the Park and the City will require the good faith cooperation and communication between themselves and Parks, Inc. Park Adopter, the City, and Parks, Inc. will each designate a representative(s) from time to time to facilitate cooperation and communication between them regarding the Improvements. Notices required by this Agreement will be made by notifying such representatives.

2. Endowment and Yearly Payment.

A. Endowment. Upon execution of this Agreement, Park Adopter will pay \$15,000 to Parks, Inc.’s endowment fund.

B. Yearly Fee. In addition to the endowment payment, Park Adopter will pay a yearly fee of \$1500.00 to Parks, Inc. which amount represents the amount reasonably expected for maintenance costs for the Park per year. The fee will be payable to Parks, Inc. on the first day of each calendar year.

C. Maintenance. The City and Parks, Inc. will maintain the Park, including the improvements recently made to it. However, the City does not guarantee the permanency of the improvements in the Park and will not be obligated to replace any part of them that is stolen, vandalized, deteriorated or damaged unless sufficient funds previously paid by Park Adopter are then available to do so. The City may also remove diseased and dead trees and plant material and is not required to replace trees or plants that die unless sufficient funds previously paid by the Park Adopter are then available to do so. In all such cases, if sufficient funds are not then available, Park Adopter will be notified of the need for additional funds, and Park Adopter may pay those funds in Park Adopter’s sole discretion. In any event, the City may remove all or any part of the improvements for safety concerns.

3. Park Naming Rights. Park Adopter may name the Park “The Mac Maguire Family Park” or similar name and to approve the design of a sign to be installed by the City in the Park.

4. Park Adopter’s use of the Improvements. Park Adopter will not have exclusive rights to the Park. All use of the Park by Park Adopter must comply with applicable provisions of the Nichols Hills City Code, including the Park Rules set out in the City Code.

5. Entire Agreement; Modification. This Agreement constitutes the entire agreement between the parties pertaining to its subject matter. All prior and contemporaneous written or oral agreements and communications

between the parties are superseded by this Agreement. This Agreement may not be supplemented or modified except in a written agreement properly executed by the parties.

Joan S. Maguire

The City of Nichols Hills, Oklahoma

APPROVED by the City of Nichols Hills, Oklahoma this ____ day of _____, 2023.

ATTEST:

City Clerk

Mayor

REVIEWED for form and legality.

City Attorney

Attachment: Park Adoption Agreement - Devero Park 11-9-23 DRAFT (7123 : Park Adoption - Devero)