

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, June 13, 2023 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 3:44 PM on
the 9th day of June, 2023.**

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. May 6, 2023 City Council Minutes
 - b. May 9, 2023 City Council Minutes

MOTION: Hoffman moved to approve the May 6, 2023 and May 9, 2023 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. Municipal Court
- c. Fire Department
- d. Public Works

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

Mayor Clements thanked everyone, staff, and residents, for participating in the Active Shooter Training.

Vice Mayor Hoffman reported that ACOG is actively working on EV charging stations and infrastructure grants for the next level of electric transportation. Also, the City will research possible grants for mobile power sources that would be used in the event of catastrophic damage in the City.

Vice Mayor Hoffman gave an overview of the two electric cars the City has in use and the cost savings the City is seeing.

MOTION: Goetzinger moved to approve the May 2023 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 \$1,300,892.54

- a. Consideration of approval, disapproval, and/or postponement of the following: Claims List for 2022-2023

a. General Fund	\$195,922.35
b. Nichols Hills Municipal Authority	101,447.50

c. General Fund Capital Improvement	290,129.71
d. Nichols Hills Municipal Authority Capital Improvement	245,781.31
e. Health Insurance Fund	4,250.00
f. Designated Funds – Parks	80,083.35
g. General Obligation Bonds	383,278.32

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. Pay Estimate No. 8 with W.L. McNatt and Company for FC-2101 Public Works Improvements Phase III in the amount of \$37,354.00.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from NHMA-CIP Fund and other funds.

- b. Pay Estimate No. 9 with W.L. McNatt and Company for FC-2101 Public Works Improvements Phase III in the amount of \$97,892.75.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from NHMA-CIP Fund and other funds.

- c. Amendment No. 1 and Change Order No. 3 for Project No. PC-2104 with Rudy Construction Co. for 6500 & 6800 Blocks of Avondale Drive for Paving Improvements, in the amount of \$<92,529.80> and \$44,756.00 respectively.

BACKGROUND: The amendment and change order decreases the contract amount to \$1,626,979.20. The original contract was \$1,654,268.00.

- d. Pay Estimate No. 8 (FINAL) for Project No. PC-2104 with Rudy Construction Co. for 6500 & 6800 Blocks of Avondale Drive Paving Improvements in the amount of \$166,816.03 and place maintenance bonds into effect.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2020 GO Bonds, 2022 GO Bonds, and other funds.

- e. Amendment No. 1 (FINAL) for Project No. PC-2103 with Rudy Construction Co. for the 1500 Block of Guilford Lane Paving Improvements, in the amount of \$<95,962.38>.

BACKGROUND: The amendment decreases the contract amount to \$810,968.82. The original contract was \$858,721.20

- f. Pay Estimate No. 6 (FINAL) for Project No. PC-2103 with Rudy Construction Co. for 1500 Block of Guilford Lane Paving Improvements in the amount of \$167,492.20 and place maintenance bonds into effect.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2021 GO Bonds, 2022 GO Bonds, and other funds.

- g. Pay Estimate No. 12 for Project No. FC-2102 with Rudy Construction Co. for Love Family Park Improvements in the amount of \$10,649.50.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from the Park Fund and other funds.

- h. Pay Estimate No. 13 (FINAL) for Project No. FC-2102 with Rudy Construction Co. for Love Family Park Improvements in the amount of \$69,433.85 and place maintenance bonds into effect.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from the Park Fund and other funds.

- i. Invoice No. 18782 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$6,969.60, to be paid from the General Fund and other funds.

MOTION: Goetzinger moved to approve item 6a - 6i 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.
- b. State Auditor's Certificate and Order to County Clerk and County Treasurer regarding the City Treasurer, approval of all necessary documents in furtherance of the foregoing, and further authorizing Mayor to sign and certify all necessary documents in furtherance of the foregoing.
- c. A resolution declaring certain supplies, materials, and equipment owned by the City to be surplus ("Surplus Property"); directing the City Manager to sell such Surplus Property at public auction; and directing the City Manager to dispose of any such Surplus Property which does not receive a successful bid.

Contracts and Agreements

- d. Finley & Cook, PLLC, Audit Engagement letter and Compilation Engagement letter for the fiscal year end June 30, 2023.
- e. Accounting & Financial Consulting Contract with Crawford and Associates, PC.
- f. Custodial Services Agreement with Aspen Building Services for Fiscal Year 2023-2024.
- g. Automatic Aid Agreement between The City of the Village and the City of Nichols Hills for Fiscal Year 2023-2024.
- h. Fire Equipment Agreement with Board of County Commissioners of Oklahoma County for Fiscal Year 2023-2024.

- i. Renewal of Section 125 Cafeteria Plan and Section 105 HRA Plan Fiscal Year 2023-2024.
- j. Elevator Maintenance Contract with Schindler Elevator Corporation for Fiscal Year 2023-2024.
- k. Minor Repairs and Maintenance on Streets Agreement with Oklahoma County for Fiscal Year 2023-2024
- l. Landscape Maintenance Contract with Northwest Lawn for Fiscal Year 2023-2024.
- m. Renewal of Solid Waste Disposal Agreement with Republic Services for Fiscal Year 2023-2024.
- n. Renewal of Solid Waste Collection Agreement with Republic Services for Fiscal Year 2023-2024.
- o. Household Hazardous Waste Agreement with the Midwest City Municipal Authority for Fiscal Year 2023-2024.
- p. Engineering Services Agreement with Smith Roberts Baldischwiler LLC. for Fiscal Year 2023-2024.
- q. Legal Services Contract with Williams, Box, Forshee & Bullard, P.C.
- r. Computer License and Maintenance Agreement with Davenport Group for Fiscal Year 2023-2024.
- s. A resolution renewing, adopting, and approving the EMSA Interlocal Cooperation Agreement for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024.

MOTION: Hoffman moved to approve item 7a - 7s 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.

No one expressed a desire to be heard.

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

- a. Budget adjustments for fiscal year 2022-2023 for General Fund, Sinking Fund, and Nichols Hills Municipal Authority.

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: Resolution approving and adopting budgets for Fiscal Year 2023-2024 for General Fund, Nichols Hills Municipal Authority, Street & Alley Fund, General Fund Capital Improvements, Nichols Hills Municipal Authority Capital Improvements, 911 Funds, Designated Account Funds, Sinking Fund, Police Impound Fund, Water Impact Fee Fund, Sewer Impact Fee Fund, Drainage Fee Fund, Health Insurance Fund and Park Fund.

Following discussion among City Council members, 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

- c. Employee Benefit plans for the 2023-2024 fiscal year, concerning health, dental, vision, and life insurance, the Keystone flex plan, HRA, and American Fidelity Worksite Benefits, as proposed and to be serviced by Montgomery Integra Insurance; and authorize the City Manager to sign all documents necessary to execute the agreements.

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

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

- d. Purchase of insurance policies for property, liability, business interruption, Umbrella, bonds for City Manager, City Clerk/Finance Director, City Treasurer, Assistant City Clerk/Finance Director, and public employee faithful performance blanket position bond for FY 2023- 2024.

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

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

- e. Workers' Compensation Plan renewal for July 1, 2023 to June 30, 2024. Risk Manager Lindy Hough recommends approval of the renewal.

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

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

- f. Approve transfer of 1991 Pierce Arrow Fire Engine to Oklahoma County District 2.

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

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

- g. A resolution awarding contract to the lowest responsible bidder for PC-2201 Paving Improvements 1700 & 1800 Blocks of Huntington Avenue, and authorizing execution of the contract, bonds, and related instruments.

MOTION: Goetzinger moved to award the contract for PC-2201 Paving Improvements 1700 & 1800 Blocks of Huntington Avenue to SAC Services, Inc. for \$1,050,215.60. Hoffman seconded the motion.

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

- h. Request to seek bids for Fire training Tower and receive and approve plans for the same.

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

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

- i. Approve the purchase of the real property at 1844 Westminster Place in the amount of \$275,000, along with ordinary and customary closing cost and expenses, and authorizing the Mayor, the City Manager, or his designee to execute all documents necessary to complete the transaction.

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

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

- j. An ordinance amending Chapter 3 of the Nichols Hills City Code regarding the City Fee Schedule; repealing all conflicting ordinance or parts of ordinances; providing for severability; and setting an effective date.

MOTION: Hoffman moved to approve agenda item 9j 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 9j(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

- k. An Ordinance amending Section 20-21 of the Nichols Hills City Code regarding the meeting time for the meetings of the Environmental, Health and Sustainability Commission; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 9k 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 9k(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

BOARD APPOINTMENT - ENVIRONMENT, HEALTH, AND SUSTAINABILITY COMMISSION

- l. Environment, Health and Sustainability Commission - Ward One.

MOTION: Hoffman moved to approve the appointment of Caroline Patton as a member of the Environment, Health & Sustainability Commission. Goetzinger seconded the motion.

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

m. Environment, Health and Sustainability Commission - Ward Two.

MOTION: Goetzinger moved to approve the appointment of Charis Ward as a member of the Environment, Health & Sustainability Commission. Hoffman seconded the motion.

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

BOARD APPOINTMENT - PLANNING COMMISSION

n. Planning Commission Appointment for Ward One.

MOTION: Hoffman moved to approve the recommendation and appointment of Michael Biddinger as a member of the Planning Commission. Goetzinger seconded the motion.

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

o. Planning Commission Appointment for Ward Two.

MOTION: Goetzinger moved to approve the recommendation and appointment of Barbara Gilbert as a member of the Planning Commission. Hoffman seconded the motion.

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

p. Planning Commission Appointment for Ward Three.

MOTION: Hoffman moved to approve the recommendation and appointment of Ron Byrne as a member of the Planning Commission. Goetzinger seconded the motion.

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

BOARD APPOINTMENT - BOARD OF PARK COMMISSIONERS

q. Board of Park Commissioners Appointment - Ward One

MOTION: Goetzinger moved to approve the appointment of Chip Oppenheim as a member of the Board of Park Commissioners. Hoffman seconded the motion.

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

r. Board of Park Commissioners Appointment - Ward Two

MOTION: Goetzinger moved to approve the appointment of Patty Anthony as a member of the Board of Park Commissioners. Hoffman seconded the motion.

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

s. Board of Park Commissioners Appointment - At Large Appointment

MOTION: Hoffman moved to approve the appointment of Vicki English as a member of the Board of Park Commissioners. Goetzinger seconded the motion.

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

BOARD APPOINTMENT - BOARD OF ADJUSTMENT

t. Board of Adjustment Appointment for Ward Two.

MOTION: Goetzinger moved to approve the appointment of Robert Slater as a member of the Board of Adjustment. Hoffman seconded the motion.

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

u. Board of Adjustment Appointment - Ward Three.

MOTION: Hoffman moved to approve the appointment of Kathy Lippert as a member of the Board of Adjustment. Goetzinger seconded the motion.

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

v. Board of Adjustment Appointment - At Large Appointment

MOTION: Goetzinger moved to approve the appointment of John Covington as a member of the Board of Adjustment. Hoffman seconded the motion.

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

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