

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, May 10, 2022 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 10:55 AM
on the 6th day of May, 2022.**

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	

a. Oath of Office for newly elected Councilman E. Peter Hoffman, Jr., to be administered by Honorable Judge Kevin Krah.

Honorable Judge Kevin Krah administered the Oath of Office to E. Peter Hoffman Jr., Council Member for Ward II in Nichols Hills.

b. Nomination and election of Mayor of City of Nichols Hills.

MOTION: Clements moved to nominate Steven J. Goetzinger as Mayor for the City of Nichols Hills. Hoffman seconded the motion.

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

c. Nomination and election of Vice-Mayor of City of Nichols Hills.

MOTION: Hoffman moved to nominate Sody Clements as Vice-Mayor for the City of Nichols Hills. Goetzinger seconded the motion.

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

3. Minutes

- a. April 12, 2022 City Council Minutes
- b. April 29, 2022 Special City Council Minutes

MOTION: Clements moved to approve the April 12, 2022 and April 29, 2022 minutes as presented. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	E. Peter Hoffman
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

Councilman Hoffman reported that ACOG helped in scheduling a

meeting with the Oklahoma State Department of Energy to see if there are other ways to help the City of Nichols Hills going forward. City Manager Shane Pate and Councilman Hoffman will attend the meeting. Councilman Hoffman thanked Eric Pollard and John Sharpe for their hard work.

Vice-Mayor Clements thanked the sanitation department for the exceptional work.

Hoffman moved to approve the April 2022 departmental reports as presented. Clements seconded the motion.

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

5. Total Warrants & Claims \$1,519,784.64

a. Consideration of acceptance, rejection, and/or postponement of the following: Claims List for 2021-2022

a. General Fund	\$147,637.71
b. Street & Alley Fund	3,358.50
c. Designated Funds – Fire & General	872.69
d. Designated Funds – Police	340.00
e. Nichols Hills Municipal Authority	87,544.37
f. General Fund – CIP	35,116.99
g. Municipal Authority-CIP	14,975.00
h. General Obligation Bond Funds	1,229,939.38

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

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

6. Consent Docket - Construction

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

- a. Change Order for the Fire Station Addition and Renovation project with Jenco Construction in the amount of \$14,857.39.

BACKGROUND: This change order increases the contract to \$3,163,733.66. The original contract was \$3,070,600.00.

- b. Pay Estimate No. 5 for Project No. PC-2102 with Rudy Construction Co. for 1400, 1500 & 1600 Blocks of Bedford Drive and the 1200 Block of Glenwood Avenue Paving Improvements in the amount of \$347,777.39.

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

- c. Pay Estimate No. 6 for Project No. PC-2101 with CGC, LLC. for 1500 Block Buttram and the 7100 & 7300 Blocks of Nichols Road Paving Improvements in the amount of \$107,521.69.

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

- d. Pay Estimate No. 1 for Project No. WC-1901 with Cimarron Construction Co., for Waterline Relocation along Kelly Avenue, in the amount of \$184,030.20.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2019 GO Bonds and other funds.

- e. Pay Estimate No. 8 with Jenco Construction for the Fire Station Addition and Renovation project in the amount of \$442,282.97.

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

- f. Invoice No. 17413 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$5,700.00, to be paid from 2020 GO Bonds and other funds.

MOTION: Hoffman moved to approve item 6a - 6f Consent Docket Construction as presented. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Sody Clements
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. Recommendation from Court Clerk to write off uncollectible receivables of individuals who are deceased, in the amount of \$1,000.00.
- c. A Resolution of the City Council of the City of Nichols Hills, Oklahoma (the "City") declaring an emergency to exist in the City; ratifying and approving the City Manager's April 20, 2022 declaration of an emergency ("City Manager's Declaration") related to the failure of the integrity of the City's sanitary sewer lines generally located at 1700 Drury Lane; ratifying and approving the Public Works Director obtaining estimates and the City Manager making emergency purchases pursuant to the City Manager's Declaration; and authorizing and directing the City Manager to take all additional steps necessary to ensure such sanitary sewer line is repaired, the manhole is relocated, and the street is repaired to proper working condition.
- d. Request from Information Systems Manager Neil Gray to purchase Computer Avigilon Camera Server. The total will not exceed \$7,500.00, priced on State Contract SW1048D, as approved in the 2021-2022 CIP budget.
- e. Request from Information Systems Manager Neil Gray to purchase Matrix Switch. The total will not exceed \$5,000.00 as approved in the 2021-2022 CIP budget.

- f. 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.
- g. Request from Public Works Director, Randell Lawrence to purchase a 2023 Freightliner 114SD CNG Sanitation Refuse truck from Oklahoma State Contract SW-035T, not to exceed \$149,924.04 and a Leach 2R-III 25 Cubic Yard Packer Body from Oklahoma State Contract SW-197, not to exceed \$153,519.00. Total Sanitation Truck and Packer body not to exceed \$303,443.04.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	E. Peter Hoffman
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. Carson Mitchell introduced himself to the City Council members and spoke of his desire to become involved in the City of Nichols Hills by volunteering on committees.

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

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

- a. 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 9a as presented. Clements seconded the motion.

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

i. Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the emergency section of the foregoing ordinance.

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

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

b. An ordinance amending Section 50-136(C) of the Nichols Hills City Code regarding the penalty for use of homes in residential zoning districts in violation of such section; repealing all conflicting ordinance or parts of ordinances; providing for severability; and declaring an emergency.

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

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

i. Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the emergency section of the foregoing ordinance.

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

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

- c. An ordinance amending the Employee Retirement System, Defined Benefit Plan for City of Nichols Hills, Oklahoma and Nichols Hills Municipal Authority; providing retirement benefits for eligible employees of City of Nichols Hills & Nichols Hills Municipal Authority, Oklahoma; pertaining to contributions by participants; providing for employer pickup of mandatory contributions; providing for repealer and severability; and declaring and emergency.

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

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

- i. Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the emergency section of the foregoing ordinance.

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

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

- d. An ordinance amending Article VI of Chapter 8 of the Nichols Hills City Code regarding fences; repealing all conflicting ordinance or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 9d as

presented. Clements seconded the motion.

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

i. Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the emergency section of the foregoing ordinance.

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

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

e. The tort claim submitted by Christopher Challis, for \$63,712.04, for damage sustained to backyard and cabana. Risk Manager Lindy Hough recommends denial of the claim.

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

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

f. A resolution awarding contract to the lowest responsible bidder for SC-2101 2021-2022 G.O. Bond Issue City-Wide Sanitary Sewer Improvements, and authorizing execution of the contract, bonds, and related instruments.

MOTION: Clements moved to award the contract for SC-2101 City-Wide Sanitary Sewer Improvements to Jordan Contractors for \$725,848.00 base bid to include alternate bid 2. Hoffman seconded the motion.

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

10. Adjournment

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

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



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma