

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, October 11, 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 3:52 PM on
the 7th day of October, 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	

3. Minutes
 - a. September 13, 2022 City Council Minutes
 - b. September 30, 2022 Special City Council Minutes

MOTION: Clements moved to approve the September 13, 2022 and September 30, 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 the City has been working with ACOG and ADOT on a \$185,000.00 grant for construction of a sidewalk from Sherwood Lane to NW 63rd St. Also, Councilman Hoffman will be attending a retreat through ACOG to envision the future of how ACOG can continue to help communities.

MOTION: Hoffman moved to approve the September 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 \$877,509.13

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

a. General Fund	\$373,992.45
b. Designated Funds – Police	412.77
c. Nichols Hills Municipal Authority	130,248.29
d. General Fund Capital Improvement	11,309.62
e. Designated Funds - Parks	118,909.50
f. General Obligation Bond Funds	242,636.50

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. Pay Estimate No. 5 for Project No. FC-2102 with Rudy Construction Co. for Love Family Park Improvements in the amount of \$112,755.50.

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

- b. Pay Estimate No. 13 with Jenco Construction for the Fire Station Addition and Renovation project in the amount of \$188,767.52.

BACKGROUND: City Architect has verified quantities and recommends approval, to be paid from the General fund and other funds.

- c. Pay Estimate No. 2 with W.L. McNatt and Company for FC-2101 Public Works Improvements Phase III in the amount of \$155,670.80.

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

- d. Invoice No. 8263A with Howard-Fairbairn Site Design, Inc for the Love Family Park in the amount of \$6,000.00, to be paid from Park fund and other funds.

- e. Invoice No. 17898 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$8,273.70, to be paid from General Fund and other funds.

MOTION: Hoffman moved to approve item 6a - 6e 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. Request from Information Systems Manager Neil Gray to purchase a 15 inch Apple Pro Laptop. The total will not exceed \$2,500.00, as approved in the 2022-2023 CIP budget.
- c. Request from Information Systems Manager Neil Gray to purchase a security camera for City Hall. The total will not exceed \$1,407.02, as approved in the 2022-2023 CIP budget.
- d. Schedule of 2023 Regular Nichols Hills City Council Meetings.

MOTION: Clements moved to approve item 7a - 7d 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.

No one expressed a desire to be heard.

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

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

- a. A resolution authorizing the sale of \$8,400,000 of General Obligation Bonds, Series 2023 of the City of Nichols Hills, Oklahoma; fixing the amount of bonds to mature each year; fixing the manner, time and place the bonds are to be sold; authorizing the City Clerk to give notice of said sale as required by law and to publish notice of sale; approving and authorizing official statements; authorizing and approving contracts for bond counsel, financial advisor and paying agent-registrar services and amendments thereto, and waiving selection pursuant to a competitive process; and, authorizing executions and actions necessary for issuance and delivery of the bonds, and providing for other aspects of the bonds.

Mr. John Williams, City Attorney, presented the proposed resolution authorizing the sale of \$8,400,000.00 of General Obligation Bonds, Series 2023.

Mr. Cameron Bertelli, with BOK Financial Securities, answered questions from the City Council members.

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

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

- b. A Resolution regarding approval of Agreement for Exchange of Property Rights and Other Consideration by Chesapeake Land Development Company and the City of Nichols Hills, Oklahoma Regarding First Church Scientist Property and related instruments and matters.

Mr. John Williams, City Attorney, reviewed the proposed resolution concerning the First Church Scientist Property at 1203 Sherwood Lane.

Mr. Joe Lewallen, attorney with McAfee and Taft representing

Chesapeake, answered questions from City Council members. Mr. Lewallen explained the process that Chesapeake will take to sell the property in the future. Mr. Lewallen stated that currently there is no prospective buyer of the property.

City Council members thanked Chesapeake for their gift of \$60,000 to help with sidewalks on the property that will complete the trails in Nichols Hills.

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

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

- c. A resolution regarding project sponsorship for a Transportation Alternatives Program application and maintenance commitment and declare eligibility of the City of Nichols Hills, Oklahoma to submit an application to the Oklahoma Department of Transportation for use of Transportation Alternatives Program funds set forth by IJJA for the Grand Boulevard sidewalk from Sherwood Lane to NW 63rd Street Project in Nichols Hills and authorizing the City Manager to sign this application.

Mr. Shane Pate, City Manager, presented the proposed resolution to the City Council.

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

- d. A resolution regarding the ACOG Transportation Alternatives Program.

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

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

- e. A resolution awarding contract to the lowest responsible bidder for PC-2103 2021-2022 G.O. Bond Issue 1500 Block of Guilford Lane, and authorizing execution of the contract, bonds, and related instruments.

MOTION: Hoffman moved to award the contract for PC-2103 2021-2022 GO Bond Paving Improvement Project 1500 Block of Guilford Lane to Rudy Construction Co. for \$858,721.20 to include the alternate bid. Clements seconded the motion.

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

- f. An ordinance amending Article V of Chapter 48 of the Nichols Hills City Code regarding lawn and landscape irrigation systems and water use management; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency

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

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

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

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

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

- g. An ordinance amending Section 8-284 of the Nichols Hills City Code regarding swimming pool permits; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

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

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

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

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

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

- h. Board of Park Commissioners Appointment - Ward Two

No action taken.

- i. Board of Park Commissioners Appointment - Ward Three

MOTION: Clements moved to approve the appointment of Ryan Butts as a member of the Board of Park Commissioners. 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