

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, November 8, 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 4th day of November, 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. October 11, 2022 City Council Minutes

MOTION: Clements moved to approve the October 11, 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 several residents stated to him their appreciation for the City staff and the services being provided.

MOTION: Hoffman moved to approve the October 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 \$1,106,442.98

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

a. General Fund	\$453,497.55
b. Designated Funds – Police	106.32
c. Nichols Hills Municipal Authority	141,029.90
d. General Fund Capital Improvement	7,286.90
e. Nichols Hills Municipal Authority – CIP	89,310.00
f. Designated Funds - Parks	69,825.00
g. General Obligation Bond Funds	345,387.31

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 No. 2 for the Love Family Park project with Rudy Construction Co. in the amount of \$34,115.00.

BACKGROUND: This change order increases the contract to \$1,016,230.00. The original contract was \$920,415.00.

- b. Pay Estimate No. 1 for Project No. PC-2104 with Rudy Construction Co. for 6500 & 6800 Blocks of Avondale Drive Paving Improvements in the amount of \$144,067.52.

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

- c. Pay Estimate No. 6 for Project No. FC-2102 with Rudy Construction Co. for Love Family Park Improvements in the amount of \$69,825.00.

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

- d. Pay Estimate No. 2 with Jordan Contractors, Inc. for SC-2101 City-Wide Sanitary Sewer Improvements in the amount of \$92,648.75.

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

- e. Pay Estimate No. 3 for Project No. WC-1901 with Cimarron Construction Co., for Waterline Relocation along Kelly Avenue, in the amount of \$28,855.30.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2019 and 2020 GO Bonds and other funds.

- f. Pay Estimate No. 14 with Jenco Construction for the Fire Station Addition and Renovation project in the amount of \$160,999.74.

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

- g. Invoice No. 18001 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$3,088.80, to be paid from General Fund and other funds.

Mr. Scott Howard, landscape architect with Howard-Fairbairn Site Design, reviewed item 6a, change order number 2 for the Love Family Park project, with City Council members.

MOTION: Hoffman moved to approve item 6a - 6g 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 \$915.00.
- c. Payment to Board of County Commissioners for 2022-23 Revaluation Invoice in the amount of \$29,911.74.

- d. 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.
- e. Request from Fire Chief Kevin Boydston to purchase (1) Battery powered positive pressure fan not to exceed \$6,000.00, and (1) set of bunker gear not to exceed \$3,000.00 both as approved in the FY 2022-2023 CIP budget, to be paid from CIP fund and other funds.
- f. Request from Information Systems Manager Neil Gray to purchase and install audio/visual equipment for the Fire Training Room under state contract pricing. The total will not exceed \$48,000.00, to be paid from 2022 GO Bond funds and other funds.

MOTION: Clements moved to approve item 7a - 7f 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

- a. Authorizing Redbud Board of Directors to install approximately 60 banners within the city limits of the City of Nichols Hills between April 3, 2023 and April 17, 2023.

Ms. Kristin Hersom, Redbud Classic Race Director, presented the Banner Application to the City Council. Ms. Hersom stated the event will be held April 15-16, 2023.

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

- b. Receive bids for sale of \$8,400,000 General Obligation Bonds, Series 2023, and award sale of bonds to the bidder bidding the lowest interest cost.

Mr. Chris Gander, with BOK Financial Securities, presented the summary of bond bids to the City Council. Mr. Gander recommended the sale of \$8,400,000 General Obligation Bonds, Series 2023, be awarded to the lowest bidder, KeyBanc Capital Markets.

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

- c. An ordinance providing for the issuance of General Obligation Bonds in the sum of Eight Million Four Hundred Thousand Dollars (\$8,400,000) by the City of Nichols Hills, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2023"; prescribing redemption provisions; designating bonds for purposes of certain provisions of the Internal Revenue Code; providing for registration thereof; appointing a paying-agent registrar for the issue and matters related thereto; providing for the levy of an annual tax for payment of principal and interest on the bonds; approving the forms of a Continuing Disclosure Agreement and an Official Statement; authorizing the approval of a Continuing Disclosure Agreement, an Official Statement and other contracts and instruments necessary to consummate sale, issuance and delivery of the Bonds; fixing other details of the bond sale and issuance; and declaring an 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 and/or amendment 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: **ADOPTED [UNANIMOUS]**
MOVER: Sody Clements
SECONDER: E. Peter Hoffman
AYES: Clements, Goetzinger, Hoffman

d. PUBLIC HEARING: An Ordinance amending the Nichols Hills Subdivision Regulations regarding submittals for deed approval applications; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency

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

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

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

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

i. Consideration of approval or disapproval 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. Art in the parks, including but not limited to sculpture locations.

Mr. Scott Howard, landscape architect with Howard-Fairbairn Site Design, presented possible locations for art in the parks to the City Council members.

RESULT:	NO ACTION TAKEN
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f. Christmas Bonuses for City Employees.

MOTION: Hoffman moved to approve agenda item 9f, \$300.00 Christmas Bonuses for City Employees. Clements seconded the motion.

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

g. Board of Park Commissioners Appointment - Ward Two

RESULT:	NO ACTION TAKEN
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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