

## MINUTES

Regular Meeting of the  
Nichols Hills City Council  
Tuesday, November 9, 2021 at 5:30 PM  
City Hall, 6407 Avondale Drive  
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 4:22 PM on the 5<sup>th</sup> day of November, 2021.**

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 12, 2021 City Council Minutes
  - b. October 21, 2021 Special City Council Minutes

**MOTION:** Clements moved to approve the October 12, 2021 minutes as presented. Goetzinger seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

4. Departmental Reports

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

- a. Police Department Report
- b. Municipal Court
- c. Fire Department
- d. Public Works

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

Mayor Hoffman reminded everyone that November 13, 2021 is Community Day from 10:00 - 4:00.

Mayor Hoffman reported that the City has submitted our applications to ACOG for the EV sanitation truck and EV chargers.

Also, Mayor Hoffman thanked the Fire Department for their tour of the fire trucks to his grandson.

Councilman Clements stated that Police Department report looked better this month concerning car break-ins.

**MOTION:** Goetzinger moved to approve the October 2021 departmental reports as presented. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

5. Total Warrants & Claims \$694,240.23

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

|                                      |              |
|--------------------------------------|--------------|
| a. General Fund                      | \$298,254.03 |
| b. Street & Alley Fund               | 1,161.50     |
| c. Designated Funds – Fire & General | 70.00        |

|                                           |            |
|-------------------------------------------|------------|
| d. Designated Funds – Public Works        | 124.59     |
| e. Nichols Hills Municipal Authority      | 126,508.13 |
| f. General Fund – CIP                     | 23,647.28  |
| g. Nichols Hills Municipal Authority -CIP | 8,322.76   |
| h. General Obligation Bond Funds          | 236,151.94 |

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

## 6. Consent Docket - Construction

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

- a. Pay Estimate No. 2 (FINAL) for Project No. WC-2102 with Utility Service Co. Inc, for Elevated Tank Painting, in the amount of \$46,900.00, and place maintenance bonds into effect.

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

- b. Pay Estimate No. 2 with Jenco Construction for the Fire Station Addition and Renovation project in the amount of \$109,155.00.

**BACKGROUND:** City Architect has verified quantities and recommends approval, to be paid from 2016 GO Bonds, 2019 Bonds, and other funds.

**MOTION:** Goetzinger moved to approve item 6a - 6b Consent Docket Construction as presented. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | 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 and install new clear Lexan clock faces on the Anniversary clock in the Plaza. The total will not exceed \$1,500.00 as approved in the 2021-2022 CIP budget.
- c. Custom Mobile App Agreement with BFAC.com for wellness tracker.

**MOTION:** Clements moved to approve item 7a - 7c Consent Docket General as presented. Goetzinger seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | 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.

Allied Arts President Deborah McAuliffe Senner presented the banner application for their upcoming event in February 2022 to recognize Allied Arts individual donors.

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

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

- a. Butterfly garden presentation, proposal, and donation acceptance.

Environment, Health and Sustainability Commission Chairman Nancy Herzel presented the proposed plans of the Butterfly Garden and Sweet Leaf's cost proposal of \$13,000.00, which includes 2 years of maintenance. Chairman Herzel stated that Planet Nichols Hills would be contributing \$10,474.97 and the remaining funds would be raised by donors.

**MOTION:** Goetzinger moved to accept the proposal and donation made under 9a. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

- b. PUBLIC HEARING: An ordinance amending Section 50-188 and 50-372 of the Nichols Hills Code regarding drainage information required for Building Permit applications and Certificate of 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 Hoffman opened the public hearing.

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

**MOTION:** Clements moved to approve agenda item 9b as presented.

Goetzinger seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Sody Clements               |
| <b>SECONDER:</b> | Steven J. Goetzing          |
| <b>AYES:</b>     | Clements, Goetzing, Hoffman |

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

**MOTION:** Goetzing moved to approve agenda 9b(i) – Emergency clause of the foregoing ordinance. Clements seconded the motion.

- c. PUBLIC HEARING: An ordinance amending Section 50-126 of the Nichols Hills Code regarding notice requirements for special permits related to communication towers, antennas, and small wireless facilities; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

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

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

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Sody Clements               |
| <b>SECONDER:</b> | Steven J. Goetzing          |
| <b>AYES:</b>     | Clements, Goetzing, Hoffman |

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

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

- d. An ordinance amending Section 34-20 of the Nichols Hills City Code regarding the duties and responsibilities of the Nichols Hills Board of Park Commissioners; repealing all conflicting ordinances or parts of ordinances; providing for sever ability, and declaring an emergency.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

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

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

- e. A resolution authorizing the sale of \$6,600,000 of General Obligation Bonds, Series 2022 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.

City Manager Shane Pate presented the proposed resolution authorizing the sale of the General Obligation Bonds, Series 2022, which was authorized on February 13, 2019 by the vote of the people. The total amount is \$6,600,000.00 which will be disbursed as follows: \$3,000,000.00 Streets, \$1,700,000.00 Water System Improvements, \$700,000.00 Sanitary Sewer System, \$600,000.00 Fire for a new engine, \$500,000.00 Technology, \$100,000.00 Police vehicles and equipment. Mr. Chris Cameron, Financial Advisor with BOK Financial, answered questions from the City Council members.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

- f. Request to seek bids for WC-1901 2019 GO Bond Issue Water Improvements Waterline along Kelly Avenue and receive and approve plans for the same.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

g. Christmas Bonuses for City Employees.

**MOTION:** Clements moved to approve agenda item 9g, \$200.00 Christmas Bonuses for City Employees, as presented. Goetzinger seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

h. Employee premium pay from available American Rescue Plan Act and other funds.

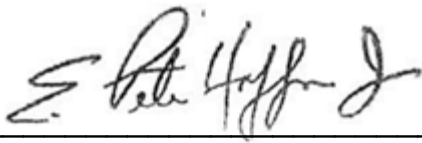
**MOTION:** Goetzinger moved to approve agenda item 9h, \$1,000.00 premium pay from available American Rescue Plan Act and other funds, as presented. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Steven J. Goetzinger          |
| <b>SECONDER:</b> | Sody Clements                 |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |

10. Adjournment

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>   |
| <b>MOVER:</b>    | Sody Clements                 |
| <b>SECONDER:</b> | Steven J. Goetzinger          |
| <b>AYES:</b>     | Clements, Goetzinger, Hoffman |



\_\_\_\_\_  
Mayor  
City of Nichols Hills, Oklahoma



\_\_\_\_\_  
City Manager  
City of Nichols Hills, Oklahoma



\_\_\_\_\_  
City Clerk  
City of Nichols Hills, Oklahoma