

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, December 14, 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 4:34 PM on
the 10th day of December, 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. November 9, 2021 City Council Minutes
 - b. November 23, 2021 Special City Council Minutes

MOTION: Clements moved to approve the November 9, 2021 and November 23, 2021 minutes as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	Steven J. Goetzinger
AYES:	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 congratulated the City on their AA+ Bond Rating. Mayor Hoffman thanked the Sanitation Department for their hard work the past few weeks. Mayor Hoffman also welcomed our new employee, Rachel Gerber, to the Utility Billing Department.

Councilman Clements congratulated Lindy Hough, Risk Manager, on graduating from college.

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

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

5. Total Warrants & Claims \$741,467.65
- a. Consideration of approval, acceptance, rejection, and/or postponement of the following: Claims List for 2021-2022

a. General Fund	\$251,246.17
b. Street & Alley Fund	1,214.62
c. Designated Funds – Police	185.00
d. Nichols Hills Municipal Authority	110,823.09
e. General Fund – CIP	53,952.88

f. Designated Funds – Parks	42,500.00
g. General Obligation Bond Funds	281,545.89

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
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. 3 with Jenco Construction for the Fire Station Addition and Renovation project in the amount of \$117,705.00.

BACKGROUND: City Architect has verified quantities and recommends approval, to be paid from 2018 GO Bonds, 2019 GO Bonds, and other funds.

- b. Pay Estimate No. 1 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 \$99,923.61.

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

- c. Invoice No. 16758 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$17,466.58, to be paid from 2020 GO Bonds and other funds.

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

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

- d. Invoice No. 8201A with Howard-Fairbairn Site Design, Inc for Love Family Park Landscape Architectural services, to be paid from Park Designated Fund and other funds.
- e. Invoice No. 24606 with Oakley's, Inc for Western Avenue Beautification project, to be paid from General Fund Capital Improvement and other funds.

MOTION: Clements moved to approve item 6d, invoice for Howard-Fairbairn Site Design, Inc for \$42,500.00, and 6e, invoice for Oakley's Inc. for \$48,266.00, as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	Steven J. Goetzinger
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 \$2,558.75.

- 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.
- d. Request from Information Systems Manager Neil Gray to purchase and install a remote radio handset for the Public Works radio system. The total will not exceed \$1,800.00 as approved in the 2021-2022 CIP budget.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	Sody Clements
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 adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. Accept the Annual Comprehensive Financial Report and Accompanying Independent Auditor's Reports for the fiscal year ended June 30, 2021.

Mr. Dan Bledsoe, CPA and Partner with Finley & Cook, presented to City Council the auditor's report with the audit opinion for fiscal year ending June 30, 2021.

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

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

- b. Receive bids for sale of \$6,600,000 General Obligation Bonds, Series 2022, and award sale of bonds to the bidder bidding the lowest interest cost.

Mr. Cameron Bertelli, with BOK Financial Securities, presented the summary of bond bids to the City Council. Mr. Bertelli recommended the sale of \$6,600,000 General Obligation Bonds, Series 2022 be awarded to the lowest bidder, The Baker Group.

MOTION: Goetzinger moved to award the sale of the bonds to The Baker Group in accordance with proposed minutes as presented. Clements seconded the motion.

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

- c. An ordinance providing for the issuance of General Obligation Bonds in the sum of Six Million Six Hundred Thousand Dollars (\$6,600,000) 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 2022"; 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: Clements moved to approve agenda item 9c as presented. Goetzinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	Steven J. Goetzinger
AYES:	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 9c(i) - Emergency clause of the foregoing ordinance. Clements seconded the motion.

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

- d. Request to seek bids for Love Family Park and receive and approve plans for the same.

Mr. Scott Howard, landscape architect with Howard-Fairbairn Site Design, reviewed the timeline for seeking bids for the Love Family Park.

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

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

- e. A resolution awarding contract to the lowest responsible bidder for WC-1901 Waterline Improvement project North Kelly Avenue from Wilshire Boulevard to Britton Road, and authorizing execution of the contract, bonds, and related instruments.

MOTION: Goetzinger moved to award the contract for WC-1901 Waterline Improvement project North Kelly Avenue from Wilshire Boulevard to Britton Road as discussed in agenda item 9e to Cimarron Construction Company for \$561,555.00. Clements seconded the motion.

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

- f. **PUBLIC HEARING:** An ordinance amending Chapter 50 of the Nichols Hills City Code regarding certain defined terms related to development; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed amendments to the City Code to City Council members.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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 9f(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

- g. PUBLIC HEARING: An ordinance amending Section 50-140 of the Nichols Hills City Code regarding prohibited exterior building materials; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed amendment to the City Code to the Council members.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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 9g(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

- h. PUBLIC HEARING: An ordinance amending Section 50-372 of the Nichols Hills City Code regarding survey requirements for applications for Building Commission Certificates of Approval; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed amendment to the City Code concerning survey requirements to the City Council members.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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 9h(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

- i. PUBLIC HEARING: An ordinance amending Section 50-345 and 50-378 of the Nichols Hills Code regarding approval of minor revisions to projects approved by the Building Commission; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed amendment to the City Code to the City Council members.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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 9i(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

- j. PUBLIC HEARING: Amendment to the Nichols Hills Building Commission Building Demolition, Design, and Construction Guidelines.

Mrs. Carla Sharpe, attorney for the City, presented the proposed amendments to the Nichols Hills Building Commission Guidelines to the City Code.

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: Goetzinger moved to approve agenda item 9j as presented. Clements seconded the motion.

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

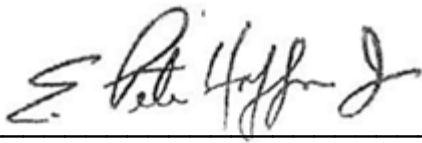
- k. Participation in funding a quiet zone at Wilshire Boulevard and Classen Boulevard and provide contribution amount.

Following discussion among City Council members, no action was taken.

10. Adjournment

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
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