

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, June 9, 2020 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 4:18 PM on
the 5th day of June, 2020.**

1. Call to Order and Pledge of Allegiance
2. Roll Call

Attendee Name	Title	Status	Arrived
Sody Clements		Present	
Steven J. Goetzinger		Absent	
E. Peter Hoffman		Present	

3. Minutes
 - a. May 12, 2020 City Council Minutes

MOTION: Hoffman moved to approve the May 12, 2020 minutes as presented. Clements seconded the motion.

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

4. Departmental Reports

Discussion, consideration, and possible approval or acceptance 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

Vice Mayor Hoffman reported on the progress of the federal grant application to create a regional pandemic resiliency facility to help the community. Vice Mayor Hoffman thanked City Manager Shane Pate and ACOG for all the hard work that has gone into completing this application. Mr. Pate also thanked ACOG, Vice Mayor Hoffman, and staff for the teamwork in putting our applications best foot forward.

Mayor Clements thanked the City staff for their hard work during the past months through the pandemic.

MOTION: Hoffman moved to approve the May 2020 departmental reports as presented. Clements seconded the motion.

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

5. Total Warrants & Claims \$1,024,678.68
- a. Discussion, consideration and possible approval of the following:

a. General Fund	121,582.91
b. Designated Funds	85.00
c. Nichols Hills Municipal Authority	74,062.87
d. General Fund Capital Improvement	28,952.26
e. General Obligation Bond Funds	799,995.64

Mayor Clements reported on the progress of the Shop Local

campaign. Several of our residents and merchants are working on a campaign to bring more shoppers into the City of Nichols Hills. More information on activities will be announced in the future.

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

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

6. Consent Docket - Construction

Discussion, consideration, and possible approval or action with respect to the following:

- a. Amendment No. 1 for Project No. WC-1802 with Downey Contracting for Water Well #17 Waterline Relocation, in the amount of \$143.00.

BACKGROUND: The amendment increases the contract amount to \$55,900.00. The original contract amount was \$55,757.00.

- b. Amendment No. 2 for Project No. PC-1704, PC-1705, & PC-1802 with CGC, LLC for 6700 and 6800 Blocks of West Grand Boulevard, 6500 Block of West Grand Boulevard, and 1200 Block of Sherwood Lane, in the amount of \$(39,077.37).

BACKGROUND: The amendment decreases the contract amount to \$1,409,665.91. The original contract amount was \$1,353,000.00.

- c. Pay Estimate No. 1 for Project No. FC-1901 with Grounds Guys of Edmond, for Irrigation Improvements in the amount of \$52,639.98.

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

- d. Pay Estimate No. 3 (Final) for Project No. WC-1802 with Downey Contracting, for Water Well #17 Waterline Relocation in the amount of \$13,516.94, and place maintenance bonds into effect.

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

- e. Pay Estimate No. 10 (Final) for Project No. PC-1704, PC-1705, and PC-1802 with CGC, LLC, for 6700 & 6800 Blocks of West Grand Boulevard, 6500 Block of West Grand Boulevard, and 1200 Block of Sherwood Lane in the amount of \$95,948.08, and place maintenance bonds into effect.

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

- f. Pay Estimate No. 7 for Project No. FC-1701, PC-1803, PC-1804, PC-1901, and PC1902 with Rudy Construction Co. for Public Works Facility Phase III, 1700 Block of Windsor Place, sidewalk along Stratford between Grand Boulevard and Wilshire Boulevard, 1100 Block of Hempstead Place, and Trenton Road between Fenwick and Tedford in the amount of \$448,151.15.

BACKGROUND: City Engineer has verified quantities and recommends approval, to be paid from 2016 GO Bonds, 2017 GO Bonds, 2018 GO Bonds, 2019 GO Bonds, and other funds.

- g. Pay Estimate No. 7 for Project No. WW-1703 with Layne Christensen Co., for Water Well #10 in the amount of \$5,651.55.

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

- h. Pay Estimate No. 3 for Project No. WW-1804 with Layne Christensen Co. for Water Well #17 in the amount of \$21,422.50.

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

- i. Invoice No. 15063 with Frankfurt-Short-Bruza Associates, PC for Fire and City Hall Improvements in the amount of \$95,410.00, to be paid from 2020 GO Bonds and other funds.

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

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

7. Consent Docket - General

Discussion, consideration, and possible approval or action with respect to 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. 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.
- c. Easement to Oklahoma Gas and Electric Company for electric utilities at City Hall property, located at 6407 Avondale Drive, Nichols Hills, Oklahoma.
- d. State Auditor's Certificate and Order to County Clerk and County Treasurer regarding the City Treasurer, approval of all necessary documents in furtherance of the foregoing, and further authorizing Mayor to sign and certify all necessary documents in furtherance of the foregoing.
- e. Request from Information Systems Manager Neil Gray to purchase new computer equipment for data centers located at City Hall and Public Works from State Contract #SW1020D not to exceed \$200,000.00, to be paid from 2020 GO Bonds and other funds.

Contracts and Agreements

- f. Landscape Maintenance Contract with Northwest Lawn for Fiscal Year 2020-2021.
- g. Automatic Aid Agreement between The City of the Village and the City of Nichols Hills for Fiscal Year 2020-2021.
- h. A resolution renewing, adopting, and approving the EMSA Interlocal Cooperation Agreement for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021.
- i. Renewal of Section 125 Cafeteria Plan and Section 105 HRA Plan Fiscal Year 2020-2021.
- j. Code Red Service Agreement with Onsolve (Code Red) for Fiscal Year 2020-2021.
- k. Renewal of Solid Waste Collection Agreement with Republic Services for Fiscal Year 2020-2021.
- l. Renewal of Solid Waste Disposal Agreement with Republic Services for Fiscal Year 2020-2021.
- m. Household Hazardous Waste Agreement with the Midwest City Municipal Authority for Fiscal Year 2020-2021.
- n. Minor Repairs and Maintenance on Streets Agreement with Oklahoma County for Fiscal Year 2020-2021

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

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

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

Items listed in this section of this Agenda are usually discussed, considered, and voted on individually by the City Council.

Discussion, consideration, and possible approval or action with respect to the following:

- a. Request from Christ the King Catholic School Parent - Teacher Organization to hold the 2020 "CK RUN," to be held on September 26, 2020.

Ben Poe and Matt Cagile presented the request of the parent-teacher organization of Christ the King Catholic School to host their fifth annual "CK RUN," to be held on September 26, 2020.

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, Hoffman
ABSENT:	Goetzinger

- b. An Emergency Ordinance of the City Council of the City of Nichols Hills, Oklahoma, imposing regulations associated with the COVID-19 Coronavirus disease.

MOTION: Hoffman moved to approve agenda item 9b, version 4.1, as presented. Clements seconded the motion.

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

- i. Consider, discuss, and approve or disapprove the emergency section of the foregoing ordinance.

MOTION: Hoffman moved to approve agenda item 9b(i) -

Emergency clause of the foregoing ordinance. Clements seconded the motion.

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

- c. PUBLIC HEARING: Resolution approving and adopting budgets for Fiscal Year 2020-2021 for General Fund, Nichols Hills Municipal Authority, Street & Alley Fund, General Fund Capital Improvements, Nichols Hills Municipal Authority Capital Improvements, 911 Funds, Designated Account Funds, Sinking Fund, Police Impound Fund, Water Impact Fee Fund, Sewer Impact Fee Fund, Drainage Fee Fund, Internal Service Fund, and General Obligation Funds.

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

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, Hoffman
ABSENT:	Goetzinger

- d. Budget adjustments for fiscal year 2019-2020 for General Fund and Sinking Fund.

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, Hoffman
ABSENT: Goetzinger

- e. Request to seek bids for Project No. SC-2001 2020GO Bond City-Wide Sanitary Sewer Improvements and receive and approve plans for the same.

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, Hoffman
ABSENT: Goetzinger

- f. Workers' Compensation Plan renewal for July 1, 2020 to June 30, 2021. Risk Manager Lindy Hough recommends approval of the renewal.

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

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

- g. Purchase of insurance policies for property, liability, business interruption, Umbrella, bonds for City Manager, City Clerk/Finance Director, City Treasurer, Assistant City Clerk/Finance Director, and public employee faithful performance blanket position bond for FY 2020- 2021.

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

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

- h. Employee Benefit plans for the 2020-2021 fiscal year, concerning health, dental, vision, and life insurance, the Keystone flex plan, HRA, and American Fidelity Worksite Benefits, as proposed and to be serviced by Montgomery Integra Insurance; and authorize the City Manager to sign all documents necessary to execute the agreements.

BACKGROUND: For the 2020-2021 fiscal year, the City will transition from a fully-insured plan using a commercial carrier to a self-funded plan with Assured Benefits Administrators serving as a Third Party Administrator (TPA). Dental insurance will continue to be provided by Delta Dental. Vision insurance will continue to be provided by VSP.

Vice Mayor Hoffman thanked City Manager Shane Pate, staff and City Council members for continuing to look at ways to save money in every department which has put the City in a great financial position.

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

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

BOARD APPOINTMENT - PLANNING COMMISSION

- i. Planning Commission Appointment - Ward One

MOTION: Hoffman moved to approve the recommendation and appointment of Mike Biddinger as a member to the Planning Commission. Clements seconded the motion.

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

j. Planning Commission Appointment - Ward Two

MOTION: Hoffman moved to approve the recommendation and appointment of Barbara Gilbert as a member of the Planning Commission. Clements seconded the motion.

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

k. Planning Commission Appointment - Ward Three

MOTION: Hoffman moved to approve the recommendation and appointment of Ron Byrne as a member of the Planning Commission. Clements seconded the motion.

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

BOARD APPOINTMENT - BOARD OF ADJUSTMENT

l. Board of Adjustment Appointment - At-Large Member

MOTION: Hoffman moved to approve the appointment of John Covington as a member of the Board of Adjustment. Clements

seconded the motion.

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

m. Board of Adjustment Appointment - Ward Two

MOTION: Hoffman moved to approve the appointment of Robert Slater as a member of the Board of Adjustment. Clements seconded the motion.

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

n. Board of Adjustment Appointment - Ward Three

MOTION: Hoffman moved to approve the appointment of Kathy Lippert as a member of the Board of Adjustment. Clements seconded the motion.

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

BOARD APPOINTMENT - ENVIRONMENT, HEALTH & SUSTAINABILITY COMMISSION

o. Environment, Health & Sustainability Commission Appointment - Ward One

MOTION: Hoffman moved to approve the appointment of Caroline Patton as a member of the Environment, Health & Sustainability

Commission. Clements seconded the motion.

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

- p. Environment, Health & Sustainability Commission Appointment - Ward Two

MOTION: Hoffman moved to approve the appointment of Tyfanna Johnson as a member of the Environment, Health & Sustainability Commission. Clements seconded the motion.

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

BOARD APPOINTMENT - BOARD OF PARK COMMISSIONERS

- q. Board of Park Commissioners Appointment - At Large Appointment

No action taken.

- r. Board of Park Commissioners Appointment - Ward One

No action taken.

- s. Board of Park Commissioners Appointment - Ward Two

MOTION: Hoffman moved to approve the appointment of Patty Anthony as a member of the Board of Park Commissioners. Clements seconded the motion.

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

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, Hoffman
ABSENT:	Goetzinger



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma