

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, November 10, 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 3:25 PM on
the 6th day of November, 2020.**

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 13, 2020 City Council Minutes - Special Meeting
 - b. October 13, 2020 City Council Minutes

MOTION: Hoffman moved to approve the October 13, 2020 Special Meeting and October 13, 2020 Regular Meeting minutes as presented. Goetzinger seconded the motion.

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

4. Departmental Reports

Discussion, consideration, and possible approval or acceptance 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

Mayor Clements thanked all City employees for their hard work all year but especially the past 2 weeks with the ice storm. She stated that this has been an unusual year and that Nichols Hills had been reported as the 2nd Safest City in the state of Oklahoma.

Vice-Mayor Hoffman gave his ACOG report. He reported on the importance of maintaining our water wells, existing and any possible new wells in case of future droughts.

MOTION: Goetzinger moved to approve the October 2020 departmental reports as presented. Hoffman seconded the motion.

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

5. Total Warrants & Claims \$751,677.00
- a. Discussion, consideration, and possible approval of the following:
Claims List for 2020-2021

a. General Fund	\$134,287.23
b. Designated Funds - Police	102.00
c. Nichols Hills Municipal Authority	107,700.18
d. Municipal Authority – CIP	15,108.88
e. General Obligation Bond Funds	494,478.71

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

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

6. Consent Docket - Construction

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

- a. Amendment No. 1 for Project No. WW-1703 with Layne Christiansen Co, for Water Well #10, in the amount of \$(5,621.00).

BACKGROUND: The amendment decreases the contract amount to \$717,524.00. The original contract amount was \$719,527.00.

- b. Pay Estimate No. 10 (Final) for Project No. WW-1703 with Layne Christensen Co., for Water Well #10 in the amount of \$39,313.30, 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.

- c. Pay Estimate No. 8 for Project No. WW-1804 with Layne Christensen Co. for Water Well #17 in the amount of \$38,400.90.

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

- d. Pay Estimate No. 5 for Project No. PC-2001 with Crossland Heavy Contractors, Inc. for Paving Improvements to the 1800 Block of Devonshire Boulevard and 1700 Block of Kingsbury Lane in the amount of \$292,500.75.

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

- e. Pay Estimate No. 6 for Project No. FC-1901 with Grounds Guys of Edmond for Irrigation Improvements in the amount of \$12,265.12.

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

- f. Change Order No. 1 for Project No. FC-1901 Irrigation Improvements with Grounds Guys of Edmond in the amount of \$11,558.16.

BACKGROUND: The amendment increases the contract amount to \$252,114.81. The original contract amount was \$240,556.65.

- g. Pay invoice 13813 for Project No. FC-1901 with Grounds Guys of Edmond for Irrigation Improvements in the amount of \$11,558.16.

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

- h. Pay Final retainage invoice for Project No. FC-1901 with Grounds Guys of Edmond for Irrigation Improvements in the amount of \$10,598.68, and place maintenance bonds into effect.

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

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

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

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. Updated Schedule of Regular Meetings for the Nichols Hills City Council 2021.
- c. Request from Public Works Director Randy Lawrence for maintenance on Water Well #14, not to exceed \$22,000. To be paid from 2020 GO Bonds and other funds.
- d. Request from Public Works Director Randy Lawrence for pump replacement on Water Well #14, not to exceed \$18,000. To be paid from 2020 GO Bonds and other funds.
- e. Request from Public Works Director Randy Lawrence to engage a contractor to replace the Public Works Facility gutters, not to exceed \$3,200. To be paid from Nichols Hills Municipal Authority-CIP and other funds.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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.

Mr. Roshan Pujari spoke to the City Council concerning the governing of the City.

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. A resolution authorizing the sale of \$7,800,000 of General Obligation Bonds, Series 2021 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 Attorney John Williams presented the proposed resolution authorizing the sale of the General Obligation Bonds, Series 2021, which was authorized on February 13, 2019 by the vote of the people. The total amount is \$7,8000,000.00 which will be disbursed as follows: \$3,019,000.00 Streets, \$2,989,000.00 Water System Bonds, \$320,000.00 Sanitary Sewer System Bonds, \$630,000.00 Parks Bonds, \$730,000.00 Public Works Facility Improvements Bonds, and \$112,000.00 Police Bonds. Bids for the sale of the bonds will be due December 8, 2020 at 11:30 am. Mr. Cameron Bertelli, with BOK Securities, reviewed the sale of the bonds and answered questions from the City Council.

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

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

- b. PUBLIC HEARING: An affidavit combining two lots generally located at 6820 NW Grand Boulevard in Nichols Hills, Oklahoma.

Mr. Scott Spradling and Kraig May, attorneys for the applicant, presented the application on behalf of the applicants. Following

discussion among City Council members and staff, Mayor Clements opened the public hearing. No others expressing a desire to be heard, the public hearing was closed.

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

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

- c. A resolution declaring an emergency to exist in Nichols Hills; ratifying and approving the City Manager's October 27, 2020 declaration of an emergency; ratifying and approving purchases made and contracts entered into by the City Manager pursuant to the City Manager's declaration; and authorizing and directing the City Manager to make additional emergency purchases related to disaster relief and preparedness.

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

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

- d. An ordinance amending Chapter 36 of the Nichols Hills City Code to address the collection and disposal of tree limbs; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

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

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

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

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

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

e. A resolution adopting the City of Nichols Hills, Oklahoma - City Council Handbook as the City Council's Best Practices Handbook.

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

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

f. A resolution awarding contract to the lowest responsible bidder for WC-1902, WC-1903, WC-2001 Waterline projects 2019-2020 GO Bond Issue Bedford Drive 12" water line, Wilshire Boulevard 12" tower line, and Greystone Avenue tower 8" blow off, and authorizing execution of the contract, bonds, and related instruments; or alternatively reject all bids and request to seek new bids.

MOTION: Hoffman moved to reject all bids and request to seek new bids. Goetzinger seconded the motion.

RESULT: REJECT BIDS [UNANIMOUS]
MOVER: E. Peter Hoffman
SECONDER: Steven J. Goetzinger
AYES: Clements, Goetzinger, Hoffman

- g. A resolution awarding contract to the lowest responsible bidder for PC-2002 Paving Improvements 2020 GO Bond Issue North Pennsylvania Avenue from Wilshire Boulevard to Westminster Place and the 1600 Block of Drury Lane, and authorizing execution of the contract, bonds, and related instruments.

MOTION: Goetzinger moved to approve agenda item 9g, Resolution 1400, awarding the contract to Rudy Construction Company for \$1,598,277.20. Hoffman seconded the motion.

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

- h. Christmas Bonuses for City Employees.

MOTION: Hoffman moved to approve agenda item 9h, \$400.00 Christmas Bonuses for City Employees, as presented. Goetzinger seconded the motion.

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

- i. An ordinance amending the Nichols Hills City Code to add an additional special speed limit on Bedford Drive between Trenton Road and Western Avenue; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

City Council members and staff discussed different options to monitor speeding on City streets. City Council instructed City staff to further research the speed limit monitoring signs that are

available and present a report in the future.

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

10. Adjournment

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

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

Mayor
City of Nichols Hills, Oklahoma

City Manager
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma