

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, October 8, 2019 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original agenda filed in the Office of the City Clerk at 3:30 PM on the 4th day of October, 2019.

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. September 10, 2019 City Council Minutes

MOTION: Clements moved to approve the September 10, 2019 minutes as presented. Hoffman seconded the motion.

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

4. Departmental Reports

Discussion, consideration, and possible approval or acceptance of the following:

- a. Police Department Report
- b. Court Monthly Report
- c. Fire Department
- d. Public Works Report
- e. Risk Manager Report

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

Vice Mayor Clements requested Police Chief Cox to define what a stop meant at a stop sign and the legal age to operate a golf cart in Nichols Hills. Chief Cox explained that a stop was a temporary cease in all movement. To drive golf carts on public roads, the cart must be completely licensed and insured; however, the age of the driver is not required.

Councilman Hoffman gave a report on ACOG. ACOG continues to work on the percentage of ODOT money to be allocated for parks, sidewalks, and trails to create more walkability in our communities.

MOTION: Hoffman moved to accept the September 2019 departmental reports, 4a - 4k, as presented. Clements seconded the motion.

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

- l. Presentation of Nichols Hills Fire Department Life Saving Awards to Captain Bennie Harris, Lieutenant Wayne Knight, and Firefighter Nathaneal Crownover.

Mayor Goetzinger spoke of the true meaning of service to Nichols Hills and its citizens and how that service was provided by Nichols Hills Fire Captain Bennie Harris, Lieutenant Wayne Knight, and Firefighter Nathaneal Crownover. On June 15, 2019 Nichols Hills Fire Department received a call of a cardiac arrest. When they

arrived, Mr. Bruno was performing CPR on his wife, Kim. With the life-saving skills that were provided to Mrs. Bruno by these firemen, her life was saved. Assistant Fire Chief Kenny Reyes and Fire Chief Kevin Boydston presented the Life Saving Award to Captain Harris, Lieutenant Knight and Firefighter Crownover. Mrs. Kim Bruno pinned the medals on each recipient. Also, Mr. and Mrs. Bruno gave a donation to the Nichols Hills Crime and Fire Protection Fund for any future equipment or training. Mrs. Bruno also thanked her husband, Steve, Phyllis Stowe, Dr. Ron White and wife Lynne, and Louise McCune.

MOTION: Clements moved to approve the recognition and accept the gift. Hoffman seconded the motion.

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

5. Total Warrants & Claims \$513,253.49

- a. Discussion, consideration, and possible approval of the following:
Claims List for 2019-2020

a. General Fund	\$106,500.30
b. Nichols Hills Municipal Authority	106,667.36
c. General Fund Capital Improvement	24,762.00
d. Nichols Hills Municipal Authority Capital Improvement	6,074.40
e. General Obligation Bond Funds	269,249.43

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, Goetzinger, Hoffman

6. Consent Docket - Construction

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

- a. Change Order No. 1 for Project No. SC-1801 with Urban Contractors, LLC for City-Wide Sanitary Sewer Rehabilitation in the amount of \$34,975.00.

BACKGROUND: The change order increases the contract amount to \$302,317.80. The original contract amount was \$237,658.00.

- b. Pay Estimate No. 3 for Project No. SC-1801 with Urban Contractors, Inc. for City-Wide Sanitary Sewer Rehabilitation in the amount of \$119,641.54.

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

- c. Pay Estimate No. 8 for Project No. WW-1702 with Layne Christensen Co., for Water Well #23 in the amount of \$96,419.30.

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

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

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

7. Consent Docket - General

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

- a. Wireless Communications Master Plan Agreement with Monte R. Lee and Company.

- b. Accept City Manager authorization to purchase a 2019 Ford Escape for the new Code Enforcement Officer, paid in the amount of \$20,693.00 from the 2019-2020 General Fund CIP.
- c. Request from Allied Arts to install 100 banners in recognition of Allied Arts Month. Banners will be displayed within the City of Nichols Hills between February 1, 2020 and February 14, 2020.

Allied Arts representative, Manikandan Arumugam, made a presentation with respect to the banner application for their upcoming event in February 2020 to recognize Allied Arts individual donors and answered questions from the City Council.

- d. Discussion, consideration, and possible approval or disapproval of 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. Schedule of Regular Meetings and Application Deadlines for Public Hearings before the Nichols Hills City Council 2020.
- f. 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.

MOTION: Hoffman moved to approve agenda item 7a - 7f as presented. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
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

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. Demolition application for 6512 NW Grand Boulevard in Nichols Hills.

Mr. Sam Gresham, architect for the property owner, provided the name of the general contractor, Kent Hoffman Construction, to the City Council. City Council and staff discussed the application.

MOTION: Hoffman moved to approve the demolition application as amended by Sam Gresham, project architect. Goetzinger seconded the motion.

RESULT:	APPROVED [2 TO 1]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Goetzinger, Hoffman
NAYS:	Clements

b. Demolition application for 1812 Coventry Lane in Nichols Hills.

Mayor Goetzinger discussed the concerns of two story homes being constructed next to one story homes. City Council and staff discussed the application. Council members indicated they have questions regarding this application and a desire for the applicant to be present to answer their questions.

MOTION: Clements moved to take no action on agenda item 9b. Hoffman seconded the motion.

RESULT:	NO ACTION TAKEN
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c. Demolition application for 1827 Drakestone Avenue in Nichols Hills.

Mr. Jimmy Motiei with Majestic Construction LLC reviewed the

application with City Council. City Council members and staff discussed the application.

MOTION: Hoffman moved to defer agenda item 9c to the November 12, 2019 City Council meeting for the applicant to provide more information. Clements seconded the motion.

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

d. Demolition application for 1123 Bedford Drive in Nichols Hills.

Mr. Eric Carlson with European Dekor LLC presented the plans for the new home at 1123 Bedford Drive. City Council members discussed the plans at length with Mr. Carlson.

MOTION: Clements moved to deny agenda item 9d. Hoffman seconded the motion.

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

e. Discussion, Consideration and Possible Action regarding a resolution authorizing the sale of \$7,800,000 of General Obligation Bonds, Series 2020 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 2020. Mr. Williams stated the issuance of the bonds will not raise property taxes. The funds will be used for water and sewer projects along with the renovation and improvement of the Fire Station and Fire Department. The money will become available in January 2020. Mr. Williams provided City Council members with the preliminary official statement. Mr. Zach Robinson with BOK Securities reviewed the sale of the bonds. Bids for the sale of the bonds will be due November 12, 2019 at 11:00 am. Mr. Robinson answered questions from City Council.

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, Goetzinger, Hoffman

- f. A resolution appointing the Nichols Hills Building Commission as provided for in Section 50-352, Chapter 50, of the Nichols Hills City Code

MOTION: Clements moved that Larry Herzel, Tori Raines, Sam Gresham, John Lippert, and Rusty Caston be appointed to the Building Commission under the following terms. Larry Herzel to serve a one-year term, ending October 8, 2020. Tori Raines to serve a two-year term, ending October 8, 2021. Sam Gresham to serve a two-year term, ending October 8, 2021. John Lippert to serve a three-year term, ending October 8, 2022. Rusty Caston to serve a three-year term, ending October 8, 2022. Hoffman seconded the motion.

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

- g. Presentation by Carla Sharpe, Attorney for the City, regarding a proposed landlord permit ordinance and process.

Carla Sharpe, legal council for the City of Nichols Hills, gave a presentation regarding a proposed landlord permit ordinance. The proposed ordinance addresses property maintenance, yard maintenance, payment for utility service, noise and disorderly behavior, signs, pets, business use of residential property, and curfew for minors. City Council members requested that this item be put on a future agenda for approval.

- h. Presentation by Bryan Mitchell, Engineer for the City, regarding drainage fee options for the City of Nichols Hills.

Mr. Bryan Mitchell, Engineer for the City, gave a presentation on establishing a drainage fee to help with the maintenance and operation of the City's drainage system. Mr. Mitchell reviewed four different ways to establish the fee; line item budget based on sales tax revenue; flat fee; variable fee; and scaled flat fee based on property lot sizes. This fee would allow for both proactive and reactive responses to the City's drainage system needs.

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