

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, February 13, 2018 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the City Clerk at 2:05 PM
on the 9th day of February, 2018.**

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

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

PROCLAMATION

Proclamation declaring the week of March 25, 2018 through March 31, 2018 as Arbor Week in the City of Nichols Hills.

Vice-Mayor Hoffman read the proclamation declaring the week of March 25th - 31st as Arbor week in the City of Nichols Hills.

3. Minutes
 - a. January 9, 2018 City Council Minutes
 - b. December 12, 2017 Minutes - Special Joint meeting with City Council

MOTION: Goetzinger moved to approve agenda item 3a and 3b minutes as presented. Hoffman seconded the motion.

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

4. Departmental Reports for January 2018

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

- a. Police Department Report
- b. Court Report
- c. Fire Department Report
- d. Public Works Report
- e. Risk Manager Report
- f. New Resident List
- g. Treasurers Report
- h. Finance Director's Report
- i. Information System Manager's Report
- j. Engineers Report
- k. ACOG Report

MOTION: Goetzinger moved to accept the January 2018 departmental reports as presented. Hoffman seconded the motion.

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

5. Total Warrants & Claims

\$419,372.22

a. Discussion, consideration and possible approval of the following:

a. General Fund	106,957.76
b. Designated Funds - Police	1,479.74
c. Nichols Hills Municipal Authority	124,779.39
d. General Fund Capital Improvement	16,997.66
e. Designated Funds - Parks	2,697.91
f. General Obligation Bond Funds	166,459.76

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:	Goetzinger, Hoffman
ABSENT:	Clements

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Change Order No. 2 for Project No. SC-1701 with Jordan Contractors, Inc. for Sanitary Sewer Rehabilitation - City Wide in the amount of \$5,950.00.

BACKGROUND

This change order increases the contract amount to \$235,893.82.
The original contract amount was \$219,048.12.

- b. Pay Estimate No. 2 for Project No. SC-1701 with Jordan Contractors, Inc. for Sanitary Sewer Rehabilitation - City Wide in the amount of \$49,791.88.

BACKGROUND

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

- c. Pay Estimate No. 4 for Project No. PC-1701 with SAC Services, Inc., for Paving Improvements to 1600 Block of Queenstown Road in the amount of \$85,734.78.

BACKGROUND

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

- d. Pay Estimate No. 20 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$121,364.12.

BACKGROUND

Danny Choate, of Bockus Payne & Associates Architects, has verified quantities and recommends approval, to be paid from 2016 GO Bonds and other funds.

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

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

- a. Acceptance of the 2017 City of Nichols Hills Annual Report

MOTION: Goetzinger moved to accept the 2017 City of Nichols Hills Annual Report as presented. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Goetzinger, Hoffman
ABSENT:	Clements

8. Citizens Desiring to be heard

Except as noted in the Public Hearing(s) below, no one expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. PUBLIC HEARING in connection with the commencement renewal proceedings, under Section 626 of the federal 1984 Cable Act, of the cable franchise agreement between Cox Communications, L.L.C. ("Cox") and the City of Nichols Hills, for the purpose of receiving comments from the public regarding future cable-related community needs and interests, and the performance of Cox under the existing cable franchise agreement.

Shane Pate, City Manager advised this is the first step to the franchise renewal of Cox Communications, LLC and the City of Nichols Hills. No action is to be taken by City Council at this time, other than holding a public hearing to receiving comments for residents.

Vice-Mayor Hoffman opened the public hearing. Ms. Kathy Loggie, who resides on Trenton Rd, explained they often experience bad reception and some pixel issues. No others expressed a desire to be heard; therefore, public hearing was closed.

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

- b. Request from Police Chief Steven Cox to purchase a new Police Vehicle from Oklahoma State Contract SW035 for an amount not to exceed \$35,000, as approved in the FY 2017-2018 CIP budget; declare 2009 Chevrolet Malibu (VIN 1G1ZK57769F166897) as surplus; and approval to trade or sell to the highest and best bidder, or to properly dispose of should no successful bid be received.

MOTION: Goetzinger moved to approve agenda item 9b, purchase of a new police vehicle and declaring the 2009 Chevrolet Malibu as surplus. Hoffman seconded the motion.

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

10. Items for Separate Vote - Ordinances, Resolutions and Related Matters

Discussion, consideration and possible approval of the following:

- a. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of the issuance of a special permit to Sprint Spectrum L.P., represented by Verticom, for the purpose of installation of new or additional communications equipment on existing tower located at 1009 NW 75th Street, Nichols Hills, Oklahoma. (PC 2018-02)

Shane Pate, City Manager, stated this is one of three similar agenda items for City Council members to consider. Planning Commission members unanimously recommended approval of both AT&T special permit request; and the Sprint special permit request received a recommendation of approval with a vote of 4-0

with John McCaleb abstaining.

Following discussion, Vice-Mayor Hoffman opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Goetzinger moved to approve the special permit application (PC 2018-02). Hoffman seconded the motion.

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

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of the issuance of a special permit to AT&T, represented by CRB Companies, LLC, for the purpose of installation of new or additional communications equipment on existing tower located at 1009 NW 75th Street, Nichols Hills, Oklahoma. (PC 2018-01)

Vice-Mayor Hoffman opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Goetzinger moved to approve the special permit application (PC 2018-01). Hoffman seconded the motion.

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

- c. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of the issuance of a special permit to AT&T, represented by CRB Companies, LLC, for the purpose of installation of new or additional communications equipment on existing tower located at 1849 East Westminster, Nichols Hills, Oklahoma. (PC-2018-03)

Vice-Mayor Hoffman opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed.

MOTION: Goetzinger moved to approve the special permit application (PC 2018-03). Hoffman seconded the motion.

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

- d. Discussion, consideration and possible approval or disapproval of a resolution declaring an emergency to exist in connection with damage to city streets as a result of a recent water main break; ratifying and approving the City Manager's January 30th, 2018 Declaration of Emergency ("City Manager's Declaration"); ratifying and approving purchases made and contracts entered into pursuant to the City Manager's Declaration; and authorizing and directing the City Manager to make additional emergency purchases related to the emergency.

Shane Pate, City Manager explained that an emergency was declared on January 30, 2018, as a result of a water main break causing an unexpected and unforeseen failure of the paving of a portion of Lenox Avenue between Glenbrook Terrace and NW 63rd Street. Further, he explained, a resolution is before them to ratify and approve the City Managers declaration of an emergency.

MOTION: Goetzinger moved to ratify the emergency and approve the resolution provided in agenda item 10d declaring an emergency to exist in connection with damage to city streets as a result of a recent water main break. Hoffman seconded the motion.

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

- e. Discussion, consideration and possible approval or disapproval of an agreement between the City of Nichols Hills and the Board of County Commissioners of Oklahoma County for reconstruction of Lenox Avenue, from NW 63rd Street to approximately 465 linear feet north.

BACKGROUND

Work includes, but is not limited to, roadway excavation, including haul, placing geotextile for stabilization and compacting a crushed rock base and placement of an asphalt roadway. Total amount of the agreement is not to exceed \$50,000. The City will reimburse Oklahoma County for 100% of the project costs under this agreement.

MOTION: Goetzinger moved to approve the agreement between the City of Nichols Hills and the Board of County Commissioners of Oklahoma County for reconstruction of Lenox Avenue, from NW 63rd Street to approximately 465 linear feet north. Hoffman seconded the motion.

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

- f. Discussion, consideration and possible approval or disapproval of a resolution awarding contract to MTZ Construction Co., as the lowest responsible bidder for PC-1703 Paving Improvements to the intersection of Huntington Avenue and Canterbury Place, and authorizing execution of the contract, bonds and related instruments.

MOTION: Goetzinger moved to approve Agenda item 10f, a resolution awarding contract to MTZ Construction Co., as the lowest responsible bidder for PC-1703 Paving Improvements to the intersection of Huntington Avenue and Canterbury Place, and authorizing execution of the contracts, bonds and related instruments. Hoffman seconded the motion.

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

- g. Discussion, consideration and possible approval or disapproval of 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: Goetzinger moved to approve Agenda item 10g, 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. Hoffman seconded the motion.

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

- h. 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.

MOTION: Goetzinger moved to approve agenda item 10h, 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. Hoffman seconded the motion.

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

11. 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:	Goetzinger, Hoffman
ABSENT:	Clements

Mayor
City of Nichols Hills, Oklahoma

City Manager
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma