

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, August 14, 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 1:32 PM on the 10th day of August, 2018.

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. July 10, 2018 Minutes

MOTION: Goetzinger moved to approve the July 10, 2018 minutes as presented. Clements seconded the motion.

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

4. Departmental Reports for July 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

Councilman Sody Clements thanked the Nichols Hills Police Department for their House Check Program and Extra Watch Program.

Craig Wallace with Smith Roberts Baldischwiler, LLC reported on the grants that are available through ACOG and ODOT and the City projects which may be eligible.

MOTION: Clements moved to approve the July 2018 departmental reports as presented. Goetzinger seconded the motion.

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

5. Total Warrants & Claims \$957,529.20

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

a. General Fund	289,463.59
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b. Designated Funds	118.53
c. Nichols Hills Municipal Authority	107,341.21
d. General Fund Capital Improvement	67,375.18
e. General Obligation Bond Funds	499,824.69

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

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Amendment No. 1 for Project No. PC-1702 with Atlas Paving. for Grand Boulevard Paving Improvements, Phase II in the amount of <\$7,000.00>.

BACKGROUND

This amendment decreases the contract amount to \$1,066,723.35.
The original contract amount was \$1,051,223.35.

- b. Pay Estimate No. 4 for Project No. PC-1702 with Atlas Paving Co., for Grand Boulevard Paving Improvements, Phase II in the amount of \$253,673.53.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from 2012 GO Bonds and other funds.

- c. Amendment No. 1 and Change Order No. 2 (Final) for Project No. PC-1703 with MTZ Construction Co, for paving improvements to the intersection of Huntington Ave and Canterbury Place in the amount of \$9,002.77 and \$12,990 respectively.

BACKGROUND

This amendment/change order increases the contract amount to \$254,594.77. The original contract amount was \$227,765.

- d. Pay Estimate No. 3 (Final) for Project No. PC-1703 with MTZ Construction Co., for Paving improvements to the intersection of Huntington Avenue and Canterbury Place in the amount of \$114,089.47.

BACKGROUND

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

- e. Pay Estimate No. 2 for Project No. FC-1702 with Grooms Irrigation Co, for City-Wide Irrigation Improvements in the amount of \$51,632.50.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from 2016 GO Bonds and other funds.

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

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

Annual Contracts

- a. Amended and restated Landscape Maintenance Contract with Northwest Lawn for Fiscal Year 2018-2019.

MOTION: Goetzinger moved to approve the amended and restated Landscape Maintenance Contract with Northwest Lawn for Fiscal Year 2018-2019. Clements seconded the motion.

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

8. Citizens Desiring to be heard

No one expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Request from Risk Manager, Lindy Hough to purchase new exercise equipment not to exceed \$4,117, as approved in the FY 2018-2019 CIP budget.
- b. Request from Police Chief Steven Cox to purchase a new Ford Police Interceptor SUV and all the necessary equipment needed to put the vehicle into service from Oklahoma State Contract SW0305, as approved in the FY 2018-2019 CIP budget.
- c. Recommendation from Court Clerk to write off uncollectible fine receivables of individuals who are deceased, in the amount of \$3,400.

- d. Recommendation from City Clerk to write off uncollectible utility receivables of individuals who are deceased, in the amount of \$524.91.
- e. Request from Fire Chief, Kevin Boydston to purchase radio communication equipment for two Emergency Operations locations.
- f. Discussion, consideration, and possible approval or disapproval of budget adjustment #2 for Fiscal Year 2018-2019.
- g. Request from Administration department to purchase LED light fixtures for City Hall as approved in the 2018-2019 General Fund CIP.
- h. Request from Public Works Directory Randy Lawrence to purchase a 2020 Freightliner M2-106 Chassis with Leach 25 yard rear loader body sanitation truck from Oklahoma State Contract SW-197, for an amount not to exceed \$175,000 as approved in the FY 2018-2019 CIP budget; declare 2014 Freightliner 108SD (VIN 1FVHG5CY7EHFS7614) 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: Clements moved to approve items 9a - h as presented.
Goetzinger seconded the motion.

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

BOARD APPOINTMENTS - ENVIRONMENT, HEALTH &
SUSTAINABILITY COMMISSION

- i. Environment, Health & Sustainability - Ward Three

MOTION: Clements moved to approve the recommendation and appointment of Andrew C. Thomas to the Environmental, Health and Sustainability Commission. Hoffman seconded the motion.

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

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 an ordinance amending the Section 50-26 of the Nichols Hills City Code and the official zoning district map to rezone and redistrict the properties located in Nichols Hills, Oklahoma at 1114 Sherwood Lane and generally known as Nichols Hills Manor, 1110 Sherwood Lane and generally known as Sherwood Arms Condominiums, and 6405 Grandmark Drive and generally known as Grandmark Condominiums from the "C-2" Retail Business District to the "R-3" Multiple-Family Residential District; repealing all ordinances or parts of ordinances in conflict; providing for severability; and declaring an emergency.

PUBLIC HEARING: Following discussion among City Council Members and staff, Mayor Hoffman opened the public hearing.

No others expressed a desire to be heard, the public hearing was closed.

MOTION: Goetzinger moved to approve agenda item 10a as presented. Clements seconded the motion.

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

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

MOTION: Clements moved to approve agenda item 10a(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

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 8, Building and Building regulations, and Chapter 50, Zoning, of the Nichols Hills City code regarding demolition of buildings, including dwellings; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Ms. Carla Sharpe, legal counsel for the City of Nichols Hills, summarized the proposed demolition ordinance. Ms. Sharpe explained the revisions concerning unsafe buildings, demolition and moving of buildings and dwellings and the necessary steps that would need to be completed to obtain a demolition permit. Following discussion among City Council members and staff, Mayor Hoffman opened the public hearing.

No others expressing a desire to be heard, the public hearing was closed.

MOTION: Clements moved to approve item 10b as presented. Goetzinger seconded the motion.

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

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

MOTION: Goetzinger moved to approve item 10b(i) - Emergency clause of the foregoing ordinance. Clements seconded the motion.

- c. 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: Clements moved to approve item 10c as presented.
Goetzinger seconded the motion.

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

- d. Discussion, consideration and possible approval or disapproval of a Resolution authorizing and approving the release by the City of Nichols Hills, Oklahoma of the November 10, 2015 Wilshire Property Interim Access Easement Agreement recorded in Book 13002, Page 1694 of the Oklahoma County Clerk's Records and the December 18, 2015 Broadway Property Interim Access Easement Agreement recorded in Book 13002, Page 1724 of the Oklahoma County Clerk's Records, which easements provided access for the City of Nichols Hills, Oklahoma to its Water Well Site #10, and approving an Interim Access Easement Agreement in favor of the City of Nichols Hills, Oklahoma to be granted by 82nd Street Development LLC, an Oklahoma limited liability company, to provide alternate access for the City of Nichols Hills, Oklahoma to its Water Well Site #10.

MOTION: Goetzinger moved to approve item 10d as presented.
Clements seconded the motion.

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

- e. Regarding the building located at 1620 Norwood Place (“the building”) in the City of Nichols Hills, Oklahoma, take the following actions: (1) receive report from the City Manager regarding the current condition of the building and any information provided to him by the owner thereof regarding the owner’s plans to either renovate the building in accordance with a building permit issued by the City or to comply with the July 10, 2018 Resolution of the City Council of the City of Nichols Hills which Resolution, among other things, (a) declared that the building is dilapidated and detrimental to the health, safety, benefit and welfare of the general public and constitutes a fire hazard by virtue of such; (b) directed that the building be torn down, razed and removed by the owner of it with work to commence by August 24, 2018 and to be complete by August 31, 2018; and (c) directed that the building be boarded and secured pending demolition; (2) discussion and consideration of the City Manager’s report; and (3) discussion, consideration, and possible action to amend or revoke the July 10, 2018 Resolution based on the City Manager’s report, all to ensure that the building is either going to be renovated in a timely fashion in accordance with the City’s building permit and applicable laws or to be demolished as required by the Resolution.

MOTION: Goetzinger moved for approval of agenda item 10e, resolution 8-10-18-4.1A as presented. (Which revoked the July 10, 2018 resolution.) Clements seconded the motion.

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

- f. Discussion, consideration and possible approval or disapproval of a resolution appointing Judge Charles B. Lutz, Jr., as Municipal Judge Emeritus; providing for services and compensation.

MOTION: Clements moved to approve item 10f, a resolution appointing Judge Charles B. Lutz, Jr., as Municipal Judge Emeritus; providing for services and compensation. Goetzinger seconded the motion.

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

11. Adjournment

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

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