# MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, September 11, 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 1:18 PM on the 7th day of September, 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 | |

Oath of Office for newly appointed Municipal Judge for the City of Nichols Hills.

Hon. Judge Thomas Riesen, Special District Judge of Oklahoma County, administered the Oath of Office for newly appointed Municipal Judge Kevin Krahl for the City of Nichols Hills.

Presentations

Presentation of the Urban Forestry Services' written assessment of condition of trees in Nichols Hills.

Mark Bays, Urban Forestry Coordinator, and Riley Coy, Urban Partnership Coordinator, with the Oklahoma Forestry Services presented the tree risk assessment that was performed on 139 trees in Grand Boulevard Park, Kite Park and Davis Park. Mr. Bays congratulated the City on being a Tree City of the USA for 30 years. Mr. Bays and Mr. Coy reviewed their assessment which

rated the trees into four categories of risk to the public, Extreme Risk, High Risk, Moderate Risk, and Low Risk. From those four categories their recommendation was to remove 9 trees, prune and monitor 125 trees.

3. Minutes
   a. July 10, 2018 1 P.M. Minutes
   b. August 14th, 2018 1:30 P.M. Minutes
   c. August 14th, 2018 5:30 P.M. Minutes
   d. August 16th, 2018 1 P.M. Minutes

**MOTION:** Goetzinger moved to approve the minutes included in agenda item 3a - 3d, as presented. Clements seconded the motion.

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

4. Departmental Reports for August 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

Mayor Hoffman recognized Public Works employee Michael Harris for his assistance with Bob Allen in clearing the walking paths of low hanging branches in our parks.

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

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

5. Total Warrants & Claims $799,543.46

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

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| a. General Fund | 385,294.86 |
| b. Designated Funds | 77.90 |
| c. Nichols Hills Municipal Authority | 120,986.27 |
| d. General Fund Capital Improvement | 22,956.61 |
| e. Nichols Hills Municipal Authority – CIP | 35,101.85 |
| f. General Obligation Bond Funds | 235,125.97 |

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

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| **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. Change Order No. 1 for Project No. FC-1702 with Grooms Irrigation Company for City-Wide Irrigation Improvements in the amount of $1,277.43.

BACKGROUND

This change order increases the final contract amount to $171,791.93. The original contract amount was $170,514.50.

b. Pay Estimate No. 3 for Project No. FC-1702 with Grooms Irrigation Co, for City-Wide Irrigation Improvements in the amount of $73,047.33.

BACKGROUND

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

c. Amendment No. 2 and Change Order No. 2 for Project No. PC-1702 with Atlas Paving Company for paving improvements to Grand Boulevard Paving Improvements, Phase II, in the amount of $26,832 and $<78,705> respectively.

BACKGROUND

This amendment/change order decreases the contract amount to $1,014,850.35. The original contract amount was $1,051,223.35.

d. Pay Estimate No. 5 for Project No. PC-1702 with Atlas Paving Co., for Grand Boulevard Paving Improvements, Phase II in the amount of $87,207.63.

BACKGROUND

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

e. Payment of Invoice No. 3521 for Project No. FC-1801 with Southwest Water Works, LLC for Fiber Optic Conduit in the amount of $13,442.

BACKGROUND

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

f. Payment of Invoice No. 18-65 for TV Work on Queenstown with Urban Contractors in the amount of $750.

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 - 6f Consent Docket Construction as presented. Goetzinger seconded the motion.

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| **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:

a. Request from Police Chief Steven Cox to purchase new portable and mobile radios from Oklahoma State Contract 1053EF to be paid with proceeds from a $52,465.88 Homeland Security Grant.

b. Request to purchase two new 2019 Ford Escapes from Oklahoma State Contract SW-035, and declare surplus and trade in a 2008 Chevy C1500 Pickup VIN 1GCEC14X08Z309145 and 2010 Ford Ranger VIN 1FTKR1ED5APA70988 for an amount not to exceed $44,000, as submitted by Public Works Director, Randy Lawrence, to be paid from the 2018-2019 CIP Budget.

c. Discussion, consideration and possible approval or disapproval of an agreement by and between the Office of Attorney General of the State of Oklahoma and the Nichols Hills Police Department regarding acceptance of a $15,000 grant for the purchase of technology to support violent crime intervention and enforcement.

**MOTION:** Goetzinger moved to approve item 7a - 7c Consent Docket General as presented. Clements seconded the motion.

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

8. Citizens Desiring to be heard

Peggy Crawford spoke to the City Council members suggesting that a box be placed at City Hall for spent small batteries for the City to take to WM Recycle America on NW 4th. She also asked that the lawn care companies not be allowed to blow the grass trimmings into the street and for construction contractors to clean the streets of nails and screws.

9. Items for Separate Vote - Ordinances, Resolutions and Other Matters

Discussion, consideration and possible approval of the following:

a. Partial lump sum distribution of pension benefits from Oklahoma Municipal Retirement Fund for retiring employee Larry Gardner.

**MOTION:** Clements moved to approve agenda item 9a, partial lump sum distribution of pension benefits from Oklahoma Municipal Retirement Fund for retiring employee Larry Gardner. Goetzinger seconded the motion.

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| **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 Section 50-130 of the Nichols Hills City Code regarding accessory sign regulations, adding restrictions on political signs in Residential Districts, and allowing for removal of all unlawfully placed accessory signs by the City; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

**PUBLIC HEARING:** Following discussion among City Council Members, Mayor Hoffman 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. Clements seconded the motion.

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| **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 9b(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

c. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Fee Schedule regarding signs; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

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

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| **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 9c(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

d. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 32 of the Nichols Hills City Code regarding the offenses of possession of marijuana and possession of drug paraphernalia; 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. Clements seconded the motion.

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| **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 9d(i) - Emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

e. Recommendation from City Clerk to write off uncollectible utility receivables of accounts with balances longer than 5 years, in the amount of $2,680.14.

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

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

f. Discussion, consideration and possible action to accept the following donation from Nichols Hills Crime and Fire Prevention, Inc.: a license plate recognition system for the Nichols Hills Police Department. This donation is valued at approximately $25,000.

Mr. Tom Kilpatrick, on behalf of the Nichols Hills Crime and Fire Prevention, Inc., spoke to the City Council members about their donation of a Vigilant License Plate Recognition system to the Nichols Hills Police Department. Mr. Kilpatrick described the benefits of having this software which uploads the information in an online data base that is shared with all the states, Canada and Mexico. This provides law enforcement an enhanced ability to

track people and to help solve cases. The equipment and software has been installed in one patrol car and is now collecting information. Chief Cox thanked Nichols Hills Crime and Fire Prevention, Inc. for their continued support.

**MOTION:** Clements moved to approve the donation from the Nichols Hills Crime and Fire Prevention, Inc. Goetzinger seconded the motion.

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

10. Adjournment

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

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

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Mayor
City of Nichols Hills, Oklahoma

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City Manager
City of Nichols Hills, Oklahoma

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City Clerk
City of Nichols Hills, Oklahoma