

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, August 8, 2017 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the Municipal Clerk at
3:45 PM on the 4th day of August, 2017.**

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 11, 2017 at 5:30 PM Regular City Council Meeting
 - b. July 11, 2017 at 3:30 PM Special City Council minutes

MOTION: Hoffman moved to approve the regular and special City Council July 11, 2017 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 for July 2017

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. City Treasurer's Report
- h. Finance Director's Report
- i. Information System Manager's Report
- j. Engineers Report
- k. ACOG Report

MOTION: Goetzinger moved to approve the July 2017 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 \$1,048,039.13

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

a. General Fund	390,306.34
b. Street & Alley	0.00
c. Designated Funds	0.00
d. Nichols Hills Municipal Authority	144,407.79
e. General Fund Capital Improvement	3,567.00
f. 911 Fund	419.94
g. Architect, Engineer & Design Fund	22,239.35
h. General Obligation Bond Funds	487,098.71

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
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-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$2,316,432.50.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from the 2015-2016 GO Bonds and other funds.

- b. Change Order No. 1 for Project No. PC-1603 with MTZ Construction., for paving drainage improvements to Pennsylvania Avenue, Wilshire Boulevard and Town Center Parking Lot in the amount of \$41,585.00.

BACKGROUND

This increases the original contract amount from \$697,948.00 to \$739,533.00 with MTZ Construction Inc., to be paid out of the 2012-2013 GO Bonds and other funds.

- c. Pay Estimate No. 9 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$185,479.74.

BACKGROUND

City Engineer has verified quantities and recommends approval, to

be paid from the 2015-2016 GO Bonds and other funds.

- d. Pay Estimate No. 3 for Project No. PC-1603, paving and drainage improvements to Pennsylvania Avenue, Wilshire Boulevard and Town Center Parking in the amount of \$276,472.78, to MTZ Construction.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from the 2012-2016 GO Bonds and other funds.

- e. Pay Estimate No. 16 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$28,120.00.

BACKGROUND

City Engineer recommends approval of Application for Payment #16, to be paid from the 2016 GO Bonds and other funds.

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

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

- a. Interlocal agreement with Oklahoma County for jail services.

MOTION: Hoffman moved to approve agenda item 7a, Interlocal agreement with Oklahoma County for jail services. Goetzinger seconded the motion.

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

8. Citizens Desiring to be heard

No one present expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Discussion, consideration and possible approval or disapproval of a Revocable Right-of-Way Use Permit issued to OKC-NHP, LLC for the purpose of constructing, installing, and maintaining footings and other portions of a wall structure, landscaping and irrigation in the public right-of-way along the northern boundary of Northwest 63rd Street.

Tim Johnson with Johnson & Associates spoke on behalf of the applicant. He stated "The City's right-of-way is part of the grading, to make this site work better we had to raise this parking lot up to meet ADA standards and that required us to put on the backside of our curb a little turn down retaining wall, it's more of a footing than anything else". The applicant does plan on planting new trees and will continue to irrigate as they have been.

MOTION: Goetzinger moved to approve agenda item 9a, a Revocable Right-of-Way Use Permit issued to OKC-NHP, LLC for the purpose of constructing, installing, and maintaining footings and other portions of a wall structure, landscaping and irrigation in the public right-of-way along the northern boundary of Northwest 63rd Street. Hoffman seconded the motion.

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

- b. Discussion, consideration, and possible approval or disapproval of a flyer entitled, "NEW City of Nichols Hills Bicycling, Jogging & Walking Ordinances," as recommended by the Environment, Health and Sustainability Commission, and directing staff to distribute such flyer to the public by including it in the next utility bill.

MOTION: Hoffman moved to approve agenda item 9b, a flyer entitled, "NEW City of Nichols Hills Bicycling, Jogging & Walking Ordinances," as recommended by the Environment, Health and Sustainability Commission, and directing staff to distribute such flyer to the public by including it in the next utility bill. Goetzinger seconded the motion.

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

- c. Request to purchase television and exercise equipment which includes delivery, installation and inspection of new equipment for an amount not to exceed \$9,200.00, as submitted by Risk Manager, Lindy Hough, to be paid from the 2017-2018 Capital Improvement Budget.

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

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

- d. Request to purchase a new 2016 Freightliner, M2-106 Chassis with a 2016 Leach 2R111 heavy duty 25 yard rear loader VIN GHHK8778702312 and declare surplus and trade in a 2011 International 7400 SBA sanitation truck VIN 1HTWGAAR5J411354 for an amount not to exceed \$153,000.00, as submitted by Public Works Director, Randy Lawrence, to be paid from the 2017-2018 Capital Improvement Budget.

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

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

- e. Planning Commission Appointment for Ward Three fulfilling the unexpired term of Larry Savage, which term will expire in 2019.

I, Sody Clements, Mayor of the City of Nichols Hills, Oklahoma upon the recommendation of Ward 3 (three) Council Member Steven Goetzinger, hereby appoint Ron Byrne, a resident of Ward 3 (three), as a member of the Planning Commission of the City of Nichols Hills, Oklahoma, for a term expiring at the regular meeting of the Council in June of 2019, or until his/her successor takes office.

MOTION: Goetzinger moved to approve the recommendation and appointment of Ron Byrne as a member of the Planning Commission. Hoffman seconded the motion.

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

- f. Request to purchase four recliner's, four mattresses and a kitchen table and chairs for an amount not to exceed \$5,000.00, as submitted by Fire Chief, Kevin Boydston, to be paid from the 2017-2018 Capital Improvement Budget.

MOTION: Hoffman moved to approve agenda item 9f. Goetzinger seconded the motion.

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

- g. Recommendation from Court Clerk to write off uncollectible receivables of individuals who are deceased, in the amount of \$1,425.50.

MOTION: Goetzinger moved to approve agenda item 9g. Hoffman seconded the motion.

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

- h. Request to purchase capital improvement software to aid in cyber, network and individual computer security. Cost will not exceed \$8,400 as budgeted in the 2017-2018 Capital Improvement Budget. Request submitted by Information System Manager, Neil Gray.

MOTION: Hoffman moved to approve agenda item 9h. Goetzinger seconded the motion.

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

- i. Request to purchase capital improvement equipment for the City Hall training room, not to exceed \$7,500 as budgeted in the 2017-2018 Capital Improvement Budget. Request submitted by Information System Manager, Neil Gray.

MOTION: Goetzinger moved to approve agenda item 9i. Hoffman seconded the motion.

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

- j. Request to purchase 11 new workstation computers, 13 new computer monitors, one new laptop and two new network domain controllers, to be purchased from State Contract, not to exceed \$24,670 as budgeted in the 2017-2018 Capital Improvement Budget. Request submitted by Information System Manager, Neil Gray

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

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

- k. Request to proceed with the Government Channel Improvements project. Project includes the purchase and installation of equipment, to be purchased from State Contract, not to exceed \$20,000, to be paid from 2017 GO Bond Funds. Request submitted by Information System Manager, Neil Gray.

MOTION: Goetzinger moved to approve agenda item 9k, request to proceed with the Government Channel Improvements project. Hoffman seconded the motion.

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

- l. Discussion, consideration, and possible approval or disapproval of Amendment to Solid Waste Disposal Agreement between the City of Nichols Hills and Republic Services/Allied Waste.

MOTION: Hoffman moved to approve agenda item 9l, approval of Amendment to Solid Waste Disposal Agreement between the City of Nichols Hills and Republic Services/Allied Waste. Goetzinger seconded the motion.

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

- m. Request to award bid received for Project PC-1701 for Paving Improvements to the 1600 block of Queenstown Road, as recommended by City Engineer Karl Baldischwiler, or alternatively, reject all bids and request to seek new bids.

MOTION: Goetzinger moved to award the bid for Project PC-1701 for Paving Improvements to the 1600 block of Queenstown Road, to SAC Services, INC. as the lowest and best bid for \$665,639.30. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 8, Buildings and Building Regulations, Article XI, Contractor Registration, of the Nichols Hills City Code by adding a definition of “general contractor” and adding a requirement that all general contractors register with the City before working in the City; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10a, an ordinance amending Chapter 8, Buildings and Building Regulations, Article XI, Contractor Registration, of the Nichols Hills City Code by adding a definition of “general contractor” and adding a requirement that all general contractors register with the City before working in the City. Goetzinger seconded the motion.

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

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.

MOTION: Goetzinger moved to approve item 10a(i) - emergency clause of the foregoing ordinance. Hoffman seconded the motion.

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

- b. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 8, Buildings and Building Regulations, Article IX, House Moving and Demolition, of the Nichols Hills City Code by increasing the fee for demolition of buildings; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10b, an ordinance amending Chapter 8, Buildings and Building Regulations, Article IX, House Moving and Demolition, of the Nichols Hills City Code by increasing the fee for demolition of buildings. Goetzinger seconded the motion.

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

- i. Discuss, consider 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. Hoffman seconded the motion.

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

- 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: Hoffman moved to approve Agenda item 10c, 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. Goetzinger seconded the motion.

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

- 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.

MOTION: Goetzinger moved to approve Agenda item 10d, 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:	Clements, Goetzinger, Hoffman

- e. Discussion, consideration, and possible approval or disapproval of an ordinance amending Chapter 3 of the Nichols Hills City Code regarding fees for sign permits and inspections; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve Agenda item 10e, an ordinance amending Chapter 3 of the Nichols Hills City Code regarding fees for sign permits and inspections. Goetzinger seconded the motion.

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

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.

MOTION: Goetzinger moved to approve agenda item 10e(i) - emergency clause of the foregoing ordinance. Hoffman seconded the motion

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

11. Adjournment

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

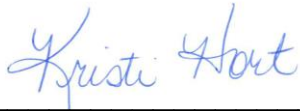
RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma