

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, November 14, 2017 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the City Clerk at 2:10 PM
on the 9th day of November, 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	

Presentations by Oklahoma Water Pollution Control Association

Mr. Ryan Kintner - Medium Water Well System Operator of the Year

Mr. Ron Burnett - Water System Operator Newcomer of the Year

Mr. Alex Gallegos and Mr. Paul Johnson - Maintenance Team of the year

Mr. Bill Clark and Mr. Stan Greil from Oklahoma Water Pollution Control Association and Rose State College presented the awards listed above. City Council and staff congratulated these employees on the great efforts they put forth.

3. Minutes
 - a. September 12, 2017

MOTION: Hoffman moved to approve the September 12, 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 September and October 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. Treasurers Report
- h. Finance Director's Report
- i. Information System Manager's Report
- j. Engineers Report
- k. ACOG Report

MOTION: Hoffman moved to accept the September 2017 and October 2017 departmental reports as presented. Goetzinger seconded the motion.

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

5. Total Warrants & Claims \$615,700.64

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

a. General Fund	145,767.05
b. Designated Funds – Fire & General	35.33
c. Designated Funds – Police	190.99
d. Nichols Hills Municipal Authority	133,795.81
e. General Fund Capital Improvement	11,795.97
f. Nichols Hills Municipal Authority-Capital Improvement	26,320.00
g. General Obligation Bond Funds	308,227.56

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

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Pay Estimate No. 1 for Project No. PC-1701 with SAC Services, Inc., for Paving Improvements to 1600 Block of Queenstown Road in the amount of \$56,724.50.

BACKGROUND

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

- b. Pay Estimate No. 11 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$108,803.67.

BACKGROUND

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

- c. Pay Estimate No. 5 (Final) for Project No. PC-1603, paving and drainage improvements to Pennsylvania Avenue, Wilshire Boulevard and Town Center Parking in the amount of \$22,862.65, to MTZ Construction and place maintenance bonds into effect.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from 2012-2013 GO Bonds and other funds.

- d. Pay Estimate No. 19 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$8,332.07.

BACKGROUND

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

- e. Discussion, consideration and possible approval of request to purchase and install three air conditioning units for City Hall, for an amount not to exceed \$44,000, to be paid from 2016 GO Bond funds and from other funds.

MOTION: Goetzinger moved to approve 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. Discussion, consideration and possible action regarding Christmas Bonuses for City Employees.

MOTION: Hoffman moved to hereby approve a \$100 Christmas bonus for each employee of the City of Nichols Hills, Oklahoma.

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

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. TO BE READ INTO THE MINUTES: The City of Nichols Hills has received from Oklahoma Department of Environmental Quality, Permit No. WT000055170241 for unpermitted construction and modifications to a 4-MGD Chlorine gas distribution chlorination system located at the existing high service pump station building, and appurtenances to serve the City of Nichols Hills, Oklahoma County, Oklahoma.

MOTION: Goetzinger moved to confirm item 9a has been read into the minutes. 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 the City of Nichols Hills Budgeting and Financial Planning Policies.

MOTION: Hoffman moved to approve item 9b as presented. Goetzinger seconded the motion.

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

- 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, 2018 and February 14, 2018.

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

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

- d. Purchase a new Police Patrol Vehicle, not to exceed \$35,000 as approved in the FY 2017-2018 CIP budget and declare 2014 Ford Interceptor (VIN 1FAHP2MK2FG117722) 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: Hoffman moved to approve item 9d, the purchase of a new police patrol vehicle, and declaring the 2014 Ford Interceptor (VIN 1FAHP2MK2FG117722) as surplus. Goetzinger seconded the motion.

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

- e. Request to purchase capital improvement replacement virtual desktop server. Cost will not exceed \$10,500 as budgeted in the 2017-2018 Capital Improvement Budget. Request submitted by Information System Manager, Neil Gray.

MOTION: Goetzinger moved to approve item 9e, the purchase of a replacement virtual desktop server. Hoffman seconded the

motion.

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

- f. Request to purchase a Zetron Fire department tone-out system, state contract price is \$37,000. To be paid from 2017-2018 Capital Improvement Budget funds, GO Bond funds and other funds. Request submitted by Information System Manager, Neil Gray.

MOTION: Hoffman moved to approve item 9f, the purchase of a Zetron tone-out system for the Fire Department. Goetzinger seconded the motion.

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

- g. Request from the Fire Department to purchase two capital improvement items: (a) a forcible door entry training prop, not to exceed \$2,800; and, (b) twelve personal firefighter bailout self-rescue systems, not to exceed \$4,150, as approved in the FY 2017-2018 CIP budget.

MOTION: Goetzinger moved to approve item 9g, the purchase of (a) a forcible door entry training prop and (b) twelve personal firefighter bailout self-rescue systems for the Fire Department. Hoffman seconded the motion.

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

- h. Discussion, consideration and possible approval or disapproval of Estoppel Certificate requested by Wells Fargo Bank, N.A., and Global Gaming RP, LLC, sublessee with respect to Amended and Restated Lease Agreement dated September 9, 1986, by and between the City of Nichols Hills, Oklahoma and the Oklahoma City Zoological Trust; authorizing and approving execution of Estoppel Certificate, and such other actions as are necessary to complete the Estoppel Certificate.

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

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

- i. Recommendation from Court Clerk to write off uncollectible receivables of individuals who are deceased, in the amount of \$1,031.25.

MOTION: Goetzinger moved to approve item 9i, authorizing the Court Clerk to write off uncollectible receivables of individuals who are deceased. Hoffman seconded the motion.

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

- j. Schedule of 2018 Regular Nichols Hills City Council Meetings.

MOTION: Hoffman moved to approve the schedule of 2018 regular meetings for Nichols Hills City Council. Goetzinger seconded the motion.

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

- k. Discussion, consideration and possible approval of Park Management Agreement by and between the City of Nichols Hills, Oklahoma and Nichols Hills Parks, Inc.

No action taken.

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 Chapter 50, Zoning, and Chapter 8, Buildings and Building Regulations, of the Nichols Hills City Code regarding demolition and removal of dwellings; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mayor Clements opened the Public Hearing. Mr. John Frank expressed concerns over property rights and dissemination of information. Having no others present express a desire to be heard, the public hearing was closed.

MOTION: Goetzinger moved to continue this item to the regularly scheduled City Council meeting of December 12, 2017 at 5:30 PM. Hoffman seconded the motion.

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

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

No action taken.

- b. Discussion, consideration and possible approval or disapproval of a Resolution directing the City Manager to procure a study of Dwellings in the City to assess each as to their significance as a “City Resource” as defined by Division 6, Demolition and Removal of Dwellings, Article II, District Regulations, Chapter 50, Zoning, to assist the City Manager in making his required findings regarding Dwellings proposed for demolition and removal.

MOTION: Hoffman moved to continue this item to the regularly scheduled City Council meeting of December 12, 2017 at 5:30 PM. Goetzinger seconded the motion.

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

- c. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 34, Parks and Recreation, of the Nichols Hills City Code regarding a prohibition of spreading ashes of cremated human remains, spreading ashes of cremated animal remains, and burying dead animals in parks and other public places; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Goetzinger moved to approve agenda item 10c as presented. Hoffman seconded the motion.

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

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

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

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

- d. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 34, Parks and Recreation, of the Nichols Hills City Code regarding Nichols Hills Parks, Inc., parks in subdivisions created by plat, creation of new parks, donations to parks, adoption of parks, and correcting a scriveners' error in Ordinance 1106 regarding revocable permits for activities in parks and other public places; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

No action taken.

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

No action taken.

- e. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 2 of the Nichols Hills City Code regarding the sale of surplus personal property; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Goetzinger moved to approve agenda item 10e as presented. Hoffman seconded the motion.

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

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

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

- f. Discussion, consideration and possible approval or disapproval of a resolution approving and adopting a methodology for calculating system development charges related to the City's water and wastewater systems.

MOTION: Goetzinger moved to approve agenda item 10f as presented. Hoffman seconded the motion.

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

- g. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 3 of the Nichols Hills City Code regarding the City fee schedule; amending Chapter 46 of the Nichols Hills City Code to provide for capacity charges for the City's water and wastewater systems; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

City Council members, City Attorney and staff discussed the proposed ordinance in length.

MOTION: Hoffman moved to approve the ordinance in agenda item 10g as modified during the meeting. Clements seconded the motion.

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

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

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

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

- h. Discussion, consideration and possible approval or disapproval of a resolution appointing a building code committee to review the City's building materials regulations, exterior construction standards, and building and safety-related codes to make recommendations with regards thereto to the City Council.

The City manager advised he had a list of the recommended committee members from council members and staff.

MOTION: Goetzinger moved to approve agenda item 10h and appoint Mr. Larry Herzel, Mr. Sam Gresham, Mr. Tom Krone and Mr. Corbyn Roberts to the Building Code Committee. Hoffman seconded the motion.

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

- i. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 44, Traffic and Motor Vehicles, of the Nichols Hills City Code regarding stop intersections; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10i as presented. Goetzinger seconded the motion.

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

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

MOTION: Goetzinger moved to approve agenda item 10c(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

j. 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: Hoffman moved to approve agenda item 10j as presented. Goetzinger seconded the motion.

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

k. 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 10k as

presented. 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