

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, February 14, 2017 at 5:30 PM
Public Works, 1009 NW 75th
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the Municipal Clerk at 3
PM on the 10th day of February, 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	

- a. Discussion, consideration and possible approval or disapproval of appointment of G.P. Johnson Hightower as City Treasurer effective immediately, and authorizing Mr. Hightower to take all actions necessary and appropriate to fulfill office of City Treasurer, approval of all necessary documents in furtherance of the foregoing, and further authorize Mayor to sign and certify all necessary documents in furtherance of the foregoing.

MOTION: Clements moved to approve the appointment of G. P. Johnson Hightower as City Treasurer, effective immediately and authorize Mr. Hightower to take all actions necessary and appropriate to fulfill the office of City Treasurer, approval of all necessary documents in furtherance of the foregoing, and further authorize the Mayor to sign and certify all necessary documents. Hoffman seconded the motion.

Upon the appointment of Mr. Hightower, Municipal Judge Charles

Lutz Jr. administered the oath of office and loyalty oath to Mr. Hightower.

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

3. Minutes

a. January 10, 2017

MOTION: Hoffman moved to approve the January 10, 2017 minutes as presented. Clements seconded the motion.

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

4. Departmental Reports for

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

MOTION: Clements moved to approve the January 2017 departmental reports as presented. Hoffman seconded the motion.

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

5. Total Warrants & Claims \$840,089.74

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

a. General Fund	153,491.24
b. Street & Alley	0.00
c. Designated Funds	294.40
d. Nichols Hills Municipal Authority	72,322.85
e. General Fund Capital Improvement	13,066.50
f. Nichols Hills Municipal Authority - CIP	0.00
g. Architect, Engineer & Design Fund	6,644.00
h. General Obligation Bond Funds	594,270.75

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

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Change Order No. 2, for Project No. CH-1601 for the Town Hall Renovation Project, to be paid out of the 2016 GO Bonds and other funds.

- b. Change Order No. 1 to AT&T agreement CWOTS No: 196-15, increasing the original estimate amount by \$13,925.93, for additional work related to rerouting and burying all fiber and copper aerial facilities to enter Town Hall in a buried environment for the City of Nichols Hills Town Hall Renovation Project. This increases the original contract amount to \$51,658.86, to be paid from the general fund and other funds.
- c. Pay Estimate No. 5 for Project No. WW-1501 with Layne Christensen Co., for Water Well #12 project in the amount of \$78,010.20. City Engineer has verified quantities and recommends approval, to be paid from the 2014 GO Bonds and other funds.
- d. Pay Estimate No. 10 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$199,515.54, to be paid from the 2016 GO Bonds and other funds.
- e. Pay Estimate No. 3 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$150,197.85. City Engineer has verified quantities and recommends approval, to be paid from the 2015 GO Bonds and other funds.
- f. Pay Estimate No. 7 for Project No. PC-1501 with SAC Services, Inc., for paving improvements to Dorchester Drive and Elmhurst Avenue in the amount of \$1,811.86, to be paid from the 2015 GO Bonds and other funds.
- g. Pay Estimate No. 12 with Nash Construction, Co., for Project No. PC-1201, paving and drainage improvements to Pennsylvania Avenue from NW 63rd to Grand Boulevard in the amount of \$4,280.04, to be paid from the 2013 GO Bonds and other funds.
- h. Pay Estimate No. 2 for Project No. DC-1501, drainage improvements to Dorset Drive between North Grand Boulevard and Wilshire Boulevard in the amount of \$126,816.35, to Urban Contractors, LLC. City Engineer has verified quantities and recommends approval to be paid out of 2015 GO Bonds and other funds.

MOTION: Clements moved to approve agenda items 6a - 6h consent docket construction as presented. Hoffman seconded the motion.

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

- a. Budget Adjustment #2 for Fiscal Year 16-17.
- b. Lump sum distribution of pension benefits from Oklahoma Municipal Retirement Fund for retiring employee Lloyd Arinwine.

MOTION: Hoffman moved to approve agenda item 7a and 7b.
Clements seconded the motion.

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

- c. Discussion regarding Governor Fallin's proposal to eliminate grocery sales tax.

Discussion only.

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. Request from Nichols Hills Garden & Outdoor Living Tour 2017 to be held on Saturday, June 3, 2017 or, if rained out on Sunday, June 4, 2017 and install 20 banners along Pennsylvania Avenue and Grand Boulevard between May 22, 2017 and June 5, 2017.

MOTION: Clements moved to approve the Nichols Hills Garden & Outdoor Living Tour 2017, to be held on Saturday, June 3 2017 or, if rained out on Sunday, June 4, 2017 and install 20 banners along Pennsylvania Avenue and Grand Boulevard between May 22, 2017 and June 5, 2017. Hoffman seconded the motion.

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

- b. Authorizing Oklahoma City Memorial Marathon to install approximately 60 banners within the city limits of The City of Nichols Hills between April 15, 2017 and April 30, 2017.

MOTION: Hoffman moved to approve the Oklahoma City Memorial Marathon to install 60 banners within the city limits of the City of Nichols Hills between April 15, 2017 and April 30, 2017. Clements seconded he motion. Jordan Wood Director of Operations of Memorial Marathon is present.

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

- c. Request to award bid received for Project PC-1603 for Drainage improvements to Pennsylvania Avenue from N.W. 63rd to Camden Way, Wilshire Avenue from Brentwood Avenue to Western Avenue, Town Center Parking Lot as recommended by City Engineer Karl Baldischwiler, or alternatively, reject all bids and request to seek new bids.

MOTION: Clements moved to award the bid for Project PC-1603 for Drainage Improvements to Pennsylvania Avenue from NW 63rd to Camden Way, Wilshire Avenue from Brentwood Avenue to

Western Avenue, Town Center Parking Lot to MTZ Construction, INC. as the lowest and best bid for \$697,948.00. Hoffman seconded the motion.

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

- d. Discussion, consideration and acknowledgment of City Manager's City Sales Tax Financial Report.

City Manager Shane Pate presented the City Sales Tax Financial Report to the Board.

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

- e. Request to declare old hand held radios and consoles as surplus and approval to trade in items against the purchase of new dispatch radio equipment under State Contract #SW1053H, which purchase was authorized at the January 10, 2017 City Council meeting.

This item was voted on after agenda item 10d.

MOTION: Hoffman moved to approve agenda item 9e. Clements seconded the motion.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: E. Peter Hoffman
SECONDER: Sody Clements
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 combining two lots generally located at 1713 Pennington Way into one lot.

Mr. Sam Gresham spoke on behalf of the applicants. Following the discussion among City Council members and staff, Mayor Goetzinger opened the public hearing. Mr. Randolph Meyers, 1710 Camden Way spoke in support of the applicants' request. Mr. Ken Hoffman also spoke in support of the applicants' request. Seeing no others express a desire to be heard, the public hearing was closed. City Council members acknowledged receipt of letters from property owners within 300 feet of this property. All letters expressed their support of this request.

MOTION: Clements moved to approve agenda item 10a. Hoffman seconded the motion.

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

- b. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding portable toilets; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Clements moved to approve agenda item 10b. Hoffman seconded the motion.

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

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

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

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

- c. Discussion, consideration, and possible approval or disapproval of an ordinance amending Chapter 10, Article II of the Nichols Hills City Code regarding peddlers and solicitors and enacting a “No Knock List” regulation; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10c. Clements seconded the motion.

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

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

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

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

- d. 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: Hoffman moved to approve agenda item 10d, an ordinance amending the Nichols Hills City Code regarding the sale of surplus personal property. Clements seconded the motion.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: E. Peter Hoffman
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 item 10d(i) - Emergency clause of the foregoing ordinance. Hoffman seconded the motion.

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

- e. Discussion, Consideration and Possible Action regarding a resolution authorizing the sale of \$4,200,000 of General Obligation Bonds, Series 2017 of the City of Nichols Hills, Oklahoma; fixing the amount of bonds to mature each year; fixing the manner, time and place the bonds are to be sold; authorizing the City Clerk to give notice of said sale as required by law and to publish notice of sale; approving and authorizing official statements; authorizing and approving contracts for bond counsel, financial advisor and paying agent-registrar services and amendments thereto, and waiving selection pursuant to a competitive process; and, authorizing executions and actions necessary for issuance and delivery of the bonds, and providing for other aspects of the bonds.

MOTION: Clements moved to approve the resolution authorizing the sale of Series 2017 General Obligation Bond. Hoffman seconded the motion.

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

11. Adjournment

MOTION: Hoffman moved to adjourn the meeting. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
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