

## MINUTES

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

1. Call to Order and Pledge of Allegiance

2. Roll Call

| Attendee Name        | Title | Status  | Arrived |
|----------------------|-------|---------|---------|
| Sody Clements        |       | Present |         |
| Steven J. Goetzinger |       | Absent  |         |
| E. Peter Hoffman     |       | Present |         |

3. Minutes

a. February 14, 2017

**MOTION:** Hoffman moved to approve the February 14, 2017 minutes as presented. Clements seconded the motion.

|                  |                             |
|------------------|-----------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

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:** Hoffman moved to approve the February 2017 departmental reports as presented. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

5. Total Warrants & Claims \$942,652.71

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

|                                            |            |
|--------------------------------------------|------------|
| a. General Fund                            | 97,244.21  |
| b. Street & Alley                          | 0.00       |
| c. Designated Funds                        | 320.96     |
| d. Nichols Hills Municipal Authority       | 72,031.37  |
| e. General Fund Capital Improvement        | 148,370.69 |
| f. Nichols Hills Municipal Authority - CIP | 0.00       |
| g. Architect, Engineer & Design Fund       | 23,592.85  |
| h. General Obligation Bond Funds           | 601,092.63 |
|                                            |            |

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Amendment No. 1, in the amount of \$32,075.73 for Project No. PC-1501 with SAC Services, Inc. for Paving Improvements To Dorchester Drive and Elmhurst Avenue. This increases the original contract amount to \$1,005,172.47 to be paid from 2014-2015 GO Bonds and other funds.
- b. Pay Estimate No. 4 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$217,834.05. City Engineer has verified quantities and recommends approval, to be paid from the 2015 GO Bonds and other funds.
- c. Pay Estimate No. 6 for Project No. WW-1501 with Layne Christensen Co., for Water Well #12 in the amount of \$93,234.33. City Engineer has verified quantities and recommends approval, to be paid from the 2014 GO Bonds and other funds.
- d. Pay Estimate No. 11 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$188,153.71, to be paid from the 2016 GO Bonds and other funds.
- e. Pay Estimate No. 8 for Project No. PC-1501 with SAC Services, Inc., for Paving Improvements to Dorchester Drive and Elmhurst Avenue in the amount of \$60,329.27, to be paid from the 2015 GO Bonds and other funds.

**MOTION:** Hoffman moved to approve item 6a - 6e, noting agenda item 6a is decreasing the original contract amount to \$1,005,172.47. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

- a. Request from Mercy Health Foundation to install approximately 20 banners along Pennsylvania Avenue and Grand Boulevard, proposed to occur between November 21, 2017 and December 4, 2017.

**MOTION:** Hoffman moved to approve item 7a - Mercy Health Foundation banner application. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

8. Citizens Desiring to be heard

No one expressed a desire to be heard.

9. Items for Separate Vote - General

- a. Discussion, consideration and possible approval or disapproval of extending the lease agreement with OKC-NHP, LLC for office space located at 1117 Northwest 63rd Street in Nichols Hills, Oklahoma.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

Discussion, consideration and possible approval of the following:

- b. Discussion, consideration, and possible action regarding the applicability of the provisions of the Peddlers and Solicitors Ordinance regarding the No Knock List and the No Solicitation signs to charitable, religious, and political solicitors

Discussion only.

- c. Proclamation declaring the week of March 19, 2017 through March 25, 2017 as Arbor Week in the City of Nichols Hills.

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

- d. Proclamation declaring April 8 and April 9, 2017 as Redbud Classic Weekend in the City of Nichols Hills.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

- e. Review, approve, ratify and accept contract and bonds, which may include construction, maintenance and performance bonds, relating to Project PC-1603 for the 2012-2013 GO Bond Issues for paving and drainage improvements.

**MOTION:** Hoffman moved to accept contracts and bonds from MTZ Construction, Inc. relating to Project PC-1603 for the 2012-2013 GO Bond Issues for paving and drainage improvements. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

10. Items for Separate Vote - Ordinances, Resolutions and Related Matters

Discussion, consideration and possible approval of the following:

- a. Consider, discuss and approve a resolution ratifying, acknowledging, accepting and approving continuing disclosure policies and procedures for the City of Nichols Hills, Oklahoma and its public trusts and authorities and matters related thereto.

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

- b. Consideration, discussion and possible approval or disapproval of a resolution adopting a policy regarding collection of delinquent utility accounts.

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

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

- c. Receive bids for sale of \$4,200,000 General Obligation Bonds, Series 2017, and award sale of bonds to the bidder bidding the lowest interest cost.

**MOTION:** Bids were presented to City Council. Following discussion, Hoffman made a motion to accept the bid from UMB Bank N.A.. Clements seconded the motion.

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

- d. Discussion, consideration and possible action regarding an ordinance providing for the issuance of general obligation bonds in the sum of four million two hundred thousand dollars (\$4,200,000) by the City of Nichols Hills, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "general obligation bonds, series 2017"; prescribing redemption provisions; designating bonds for purposes of certain provisions of the internal revenue code; providing for registration thereof; appointing a paying-agent registrar for the issue and matters related thereto; approving the official statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; approving the forms of a continuing disclosure agreement and an official statement; authorizing the approval of a continuing disclosure agreement, an official statement and other contracts and instruments necessary to consummate sale, issuance and delivery of the bonds and disbursement of proceeds of the bonds; fixing other details of the bond sale and issuance; and declaring an emergency.

**MOTION:** Following discussion among City Council, City Attorney and staff, Hoffman moved to approve agenda item 10d as presented. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

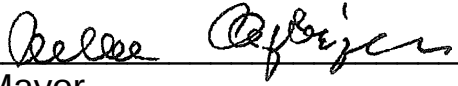
- i. Consider, discuss and approve or disapprove the emergency section of the foregoing ordinance.

**MOTION:** Hoffman moved to approve the emergency clause for the foregoing ordinance. Clements seconded the motion.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b> |
| <b>MOVER:</b>    | E. Peter Hoffman            |
| <b>SECONDER:</b> | Sody Clements               |
| <b>AYES:</b>     | Clements, Hoffman           |
| <b>ABSENT:</b>   | Goetzinger                  |

## 11. Adjournment

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



Mayor  
City of Nichols Hills, Oklahoma



City Manager  
City of Nichols Hills, Oklahoma



City Clerk  
City of Nichols Hills, Oklahoma