

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, April 11, 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		Present	
E. Peter Hoffman		Present	

3. Minutes

a. March 14, 2017

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

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

4. Departmental Reports for March 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

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

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

5. Total Warrants & Claims \$549,604.54

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

a. General Fund	98,314.44
b. Street & Alley	352.00
c. Designated Funds	238.00
d. Nichols Hills Municipal Authority	72,257.01
e. General Fund Capital Improvement	33,116.06
f. Nichols Hills Municipal Authority - CIP	28,735.47
g. Architect, Engineer & Design Fund	11,613.73
h. General Obligation Bond Funds	304,977.83

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

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Amendment No. 1 (Final), decreases in the amount of \$673,025.90 for Project No. PC-1201 for paving and drainage improvements to Pennsylvania Avenue from Northwest 63rd Street to Grand Boulevard.

Background: This reduces the original contract amount to \$1,313,040.00 with Nash Construction Co., to be paid out of the 2012-2013 GO Bonds and other funds.

- b. Pay Estimate No. 5 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue, in the amount of \$183,791.27.

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

- c. Pay Estimate No. 13 (Final) for Project No. PC-1201 with Nash Construction Co., for paving and drainage improvements to Pennsylvania Avenue from Northwest 63rd Street to Grand Boulevard in the amount of \$97,017.06, to be paid from the 2012-2014 GO Bonds and other funds, and place maintenance bonds into effect.

- d. Pay Estimate No. 12 with Jenco Construction, for Project No. CH-1601, Town Hall renovation in the amount of \$101,688.00, to be paid from the 2016 GO Bonds and other funds.

MOTION: Hoffman moved to approve item 6a - 6d as presented. Clements seconded the motion.

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

None.

8. Citizens Desiring to be heard

Except as noted in the Public Hearing(s) below, no one present expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Request from Christ the King Catholic School Parent - Teacher Organization to hold the 2017 "CK RUN".

Background: Consists of a 5K, a 1 mile for school-age children and a "dash" for pre-school children on September 9, 2017.

Alyssa Farrell presented the request of the parent-teacher organization of Christ the King Catholic School to host a "CK Run". She stated this is not a fundraiser, but a celebration of the community, if a profit is made 50% of the profit would go towards Parks Inc.

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

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

- b. Discussion, consideration and possible action regarding the replacement of tile shingles on Nichols Hills entry monument markers.

MOTION: Clements makes the motion to replace the shingles with the stone red blend. Hoffman seconded the motion.

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

- c. Update on improvements to Grand Boulevard Park.

Council member Hoffman updates Council on improvements to Grand Boulevard Park.

- d. The Fire Department requests approval to declare 1 Multi-Gas Monitor device as surplus for trade in and purchase of a replacement unit from our operational budget.

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

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sody Clements
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. PUBLIC HEARING: Discussion, consideration, and possible approval or disapproval of an ordinance amending Chapter 50 of the Nichols Hills City Code regarding open house signs; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency.

The public hearing was opened. Having no one present express a desire to be heard, the public hearing was closed.

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

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

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

MOTION: Clements moved to approved agenda item 10a(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

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 50 of the Nichols Hills City Code regarding the definitions of Lots, Aggregate Lots, Combined Lots; and Aggregate Lots and Combined Lots with frontage on two non-intersection streets, as such terms may be referenced in the “E-1” Estate District, the “E-2” Urban Estate District, the “R-1-75” Single-Family Residential District, the “R-2” Two-Family Residential District, the “R-3” Multiple Family Residential district, the “U-4” Church District, the “C-1” Office District, and the “C-2” Retail Business District; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Attorney for the City, Carla Sharpe, provided some context about the ordinance being considered, regarding the definitions of lots, aggregate lots, combined lots; and aggregate lots and combined lots with frontage on two non-intersection streets.

The public hearing was opened. Having no one present express a desire to be heard, the public hearing was closed.

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

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

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

MOTION: Clements moved to approved agenda item 10b(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

- c. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 50 of the Nichols Hills City Code regarding the definition of “Fence” and “Accessory Building, Structure, or Use;” repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Continued to next meeting.

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.
- d. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding peddlers and solicitors; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to table agenda item 10d. Clements seconded the motion.

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

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.
- e. Discussion, consideration, and possible approval or disapproval of an ordinance regarding portable toilets; providing for severability; and declaring an emergency.

Following discussion among City Council members and staff, the public hearing was opened. Kent Hoffman, Jeff Blake, Joe Goodnoh and Chris Moock all spoke against the ordinance.

Seeing that no others present expressed a desire to be heard, the public hearing is closed.

MOTION: Hoffman makes the motion to enact the ordinance and states “Portable toilets used on private construction sites within the city shall be located at least 12 feet from the back of the street curb from the pavement edge if there is no curb and at least six feet from any side or rear property line” and strike the emergency clause. Clements seconded the motion.

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

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.
- f. Discussion, consideration, and possible approval or disapproval, upon the recommendation of the Nichols Hills Environment, Health and Sustainability Commission, of an ordinance amending the Nichols Hills City Code regarding restrictions on smoking and uses of tobacco products and vapor products and providing for penalties and fines for violation of such restrictions; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Staff request to table.

- i. Discuss, consider and approve or disapprove the emergency section of the foregoing ordinance.
- g. 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 10g, 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. Clements seconded the motion.

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

11. Adjournment

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

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



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma