

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, June 13, 2017 at 5:30 PM
Town Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the Municipal Clerk at
3:30 PM on the 9th day of June, 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. April 24, 2017 City Council/Planning Commission
- b. May 2, 2017 City Council/Municipal Authority
- c. May 9, 2017
- d. May 11, 2017 City Council/Municipal Authority

MOTION: Hoffman moved to approve the April 24, May 2, May 9 and May 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 May 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: Goetzing moved to approve the May 2017 departmental reports as presented. Hoffman seconded the motion.

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

5. Total Warrants & Claims \$893,238.94

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

a. General Fund	107,993.02
b. Street & Alley	45,776.04
c. Designated Funds	7.92
d. Nichols Hills Municipal Authority	88,071.98
e. General Fund Capital Improvement	6,203.04
f. Nichols Hills Municipal Authority - CIP	4,080.00
g. Architect, Engineer & Design Fund	18,588.00
h. General Obligation Bond Funds	622,518.94

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. Pay Estimate No. 1 for Project No. PC-1603, paving and drainage improvements to Pennsylvania Avenue, Wilshire Boulevard and Town Center Parking in the amount of \$234,342.79, to MTZ Construction.
- b. Pay Estimate No. 14 with Jenco Construction, for Project No. CH-1601, Town Hall renovation in the amount of \$73,720.00, to be paid from the 2016 G.O. Bonds and other funds.

BACKGROUND

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

- c. Pay Estimate No. 7 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$267,427.47.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from the 2015 G.O. Bonds and other funds.

- d. Pay Estimate No. 10 (FINAL) for Project No. PC-1501 with SAC Services, Inc., for paving improvements to Dorchester Drive and Elmhurst Avenue in the amount of \$42,359.04 and place Maintenance Bonds into effect.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from the 2014-2015 G.O. Bonds and other funds.

- e. Invoice for TV Work with Urban Contractors, LLC for Project No. SC-1701, sanitary sewer improvements - city-wide, in the amount of \$2,700.00.

BACKGROUND

City Engineer has verified quantities and recommends approval, to be paid from the 2017 G.O. 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. Request from Oklahoma County Medical Society Alliance to install 20 banners along Pennsylvania Avenue and Grand Boulevard within the City of Nichols Hills between October 2, 2017 and October 22, 2017.

Nicole Cook member of the Oklahoma County Medical Society Alliance spoke to Council members concerning the request.

MOTION: Goetzinger moved to approve agenda item 7a. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
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. Acknowledge donation of \$4,000 from Redbud Classic and Redbud Foundation Board of Directors to Nichols Hills Parks Inc., in appreciation of the City of Nichols Hills support of the 2017 event.

Mayor Clements acknowledged the donation and expressed her appreciation for it.

- b. Discussion regarding possible rezoning of the Planned Unit Development of Nichols Hills Executive Center for property at 6403 N.W. Grand Boulevard, Nichols Hills, Oklahoma.

Kelly Work attorney for the new owners of Nichols Hills Executive Center spoke on behalf of the Planned Unit Development. GSB architect on the property recognizes when approved in September of 2015 a tremendous amount of faith in Aubrey McClendon and his plan for the entrance into Nichols Hills. Mr. Work assures the Council that the City will be involved in the building to be erected and it is their intentions as the new owners that they will satisfy those same concerns. Mr. Work said he appreciated the City's concerns and the neighboring property owners and will be in communication with them regarding the plans. He said we understand we need to be in compliance with the current PUD and that if anything is needed to be done differently we will submit an amended PUD application. Mr. Work briefly introduces Zac Garsek outside council for the new owners, Joey Barton and Tim Johnson with Johnson & Associates.

After lengthy discussion by Council, Mayor Clements tables the agenda item until further information is provided.

- c. Discussion, consideration and possible action regarding designation of delegate and alternate delegates to the following Association of Central Oklahoma Governments (ACOG) boards and committees: ACOG Board of Directors; 9-1-1 ACOG Board of Directors; the Intermodal Transportation Policy Committee; and the Garber-Wellington Association Policy Committee.

Mayor Clements said she would like a brief monthly report from each meeting.

MOTION: Hoffman moved to nominate Hoffman as designated delegate, Clements and Goetzinger as alternate to ACOG Board of Directors, 9-1-1 ACOG Board of Directors, Intermodal Transportation Policy Committee and Garber-Wellington Association Policy Committee. Goetzinger seconded the motion.

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

- d. Budget adjustment for fiscal year 2016-2017.

City Manager Shane Pate informed Council that no action is required, we are within budget.

- e. Discussion, consideration and possible approval or disapproval of the State Auditor's Certificate and Order to County Clerk and County Treasurer regarding the 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: Goetzinger moved to approve agenda item 9e. Hoffman seconded the motion.

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

BOARD APPOINTMENTS - INVESTMENT POLICY
COMMITTEE

- f. Investment Policy Committee Appointment - At Large
Mayor Clements tabled item until another time.

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 a resolution amending the City's Investment Policy regarding purchases of direct obligations of the United States Government and modifying requirements for records maintained on broker/dealers; confirming the list of approved depository institutions; and confirming the list of approved broker/dealers.

City Treasurer highlighted the recommended modifications and their intent. These amendments will authorize the City to invest in Treasury Bills, along with authorized all approved depository banks to serve as broker dealers for the City of Nichols Hills. Additionally, the City shall maintain the annual audited or publicly available financial statement for each approved broker/dealer from which the City obtains investment services, which statement shall be no older than 15 months.

MOTION: Hoffman moved to approve resolution and modified investment policy for the City of Nichols Hills. Goetzinger seconded the motion.

- b. PUBLIC HEARING: Resolution approving and adopting budgets for Fiscal Year 2017-2018 for General Fund, Nichols Hills Municipal Authority, Street & Alley Fund, General Fund Capital Improvements, Nichols Hills Municipal Authority Capital Improvements, 911 Funds, Designated Account Funds, Sinking Fund and General Obligation Funds.

Mayor Clements opened the public hearing. City Manager Shane Pate informed City Council there has been no changes since our last workshop. Seeing no others expressing a desire to be heard, the public hearing is closed.

MOTION: Goetzinger moved to approve agenda item 10b, adopting budgets for Fiscal Year 2017-2018. Hoffman seconded the motion.

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

- c. Discussion, consideration and possible determination and approval regarding the impact of a proposal to construct a building on vacant property generally located between Western Avenue and Grand Boulevard on the north side of N.W. 63rd Street, which is located in the "TC" Town Center Overlay District.

Tim Johnson of Johnson and Associates speaks on behalf of the applicants. This is the third and final time I will be here. The building is a mirror image that was approved with Building A, and will remove some of the parking lot so there will be a front parking lot.

MOTION: Hoffman moved to determine that the impact on the Town Center Overlay District is minor and to approve the proposal. Goetzinger second 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 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 10d, 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. 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 the Nichols Hills City Code regarding Life and Safety Inspection Fees for Commercial Development; 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 the Nichols Hills City Code regarding Life and Safety Inspection Fees for commercial Development. 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 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

- f. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code by adding regulations regarding bicycling and jogging in the City; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve the ordinance with the following changes in Section 38-275 Subsection (a) after 500 feet, or carrying a flash light that is visible from a motor vehicle at a distance of at least 500 feet. And that the ordinance be modified in Section 38-274 replace same direction as traffic and now changing as near to the edge of the street as practical. Section 38-275 Subsection (b) after on coming traffic and as near to the edge of the street as practical. 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 10f(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

- g. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding impoundment of vehicles for various violations; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10g, an ordinance amending the Nichols Hills City Code regarding impoundment of vehicles for various violations. 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 10g(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

- h. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding prohibited activities in parks and public places and requiring a permit for certain activities in parks and public places; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10h, an ordinance amending the Nichols Hills City Code regarding prohibited activities in the park and public places and requiring a permit for certain activates in parks and public places. 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 10h(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

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

MOTION: Hoffman moved to approve agenda item 10i, an ordinance amending the Nichols Hills City Code regarding water rates and charges. 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 10i(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.

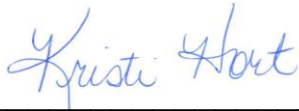
RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Steven J. Goetzinger
AYES:	Clements, Goetzinger, Hoffman



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma