

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, July 11, 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
3:00 PM on the 7th day of July, 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. June 13, 2017

MOTION: Hoffman moved to approve the June 13, 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 June 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
- k. ACOG Report

MOTION: Goetzinger moved to approve the June 2017 departmental reports as presented. Hoffman seconded the motion.

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

5. Total Warrants & Claims \$1,146,500.56

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

a. General Fund	366,128.81
b. Street & Alley	6,782.73
c. Designated Funds	0.00
d. Nichols Hills Municipal Authority	114,226.11
e. General Fund Capital Improvement	1,328.97
f. Nichols Hills Municipal Authority - CIP	0.00
g. Architect, Engineer & Design Fund	10,202.00
h. General Obligation Bond Funds	647,831.94

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. Amendment No. 1/Change Order No. 2, with Urban Contractors, LLC, in the amount of \$<1,510.96> and \$7,450.00, respectfully for Project No. DC-1501, drainage improvements to Dorset Drive between North Grand Boulevard and Wilshire Boulevard. This brings the original contract amount to \$230,480.04.

BACKGROUND

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

- b. Pay Estimate No. 15 with Jenco Construction, for Project No. CH-1601, Town Hall renovation in the amount of \$124,288.12.

BACKGROUND

City Engineer recommends approval of Application for Payment #15, to be paid from the 2016 GO Bonds and other funds.

- c. Pay Estimate No. 8 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$197,483.90.

BACKGROUND

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

- d. Pay Estimate No. 2 for Project No. PC-1603, paving and drainage improvements to Pennsylvania Avenue, Wilshire Boulevard and Town Center Parking in the amount of \$153,832.03, to MTZ Construction.

BACKGROUND

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

- e. Pay Estimate No. 1 (Final) for Project No. DC-1501 with Urban Contractors, LLC, for drainage improvements to Dorset Drive between North Grand Boulevard in the amount of \$42,627.33, to be paid from the 2014-2015 GO Bonds and other funds, and place maintenance bonds into effect.

BACKGROUND

A final inspection has been held and construction appears to be complete and in accordance with the plans and specifications. City Engineer recommends approval for the final claim to be paid.

- f. Request for Water Well #19 for maintenance and rehabilitation, in the amount of \$41,885.00 to Frontier Logging, to be paid from the 2014 GO Bonds and other funds.

MOTION: Goetzinger moved to approve item 6a - 6f 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. Annual Contracts and Agreements
 - i. Automatic Aid Agreement between The City of the Village and the City of Nichols Hills.
 - ii. Accounting & Financial Consulting Contract with Crawford and Associates.
 - iii. Continuing Hazardous Waste agreement with the City of Midwest City.
 - iv. Arledge & Associates, PC, audit engagement letter and Compilation Engagement letter for the fiscal year end June 30, 2017.
 - v. Interlocal agreement with Oklahoma County for minor repairs and maintenance for city streets.
 - vi. Landscape Maintenance Contract with Northwest Lawn.
 - vii. Custodial services with Aspen Building Services for Fiscal Year 2017-2018.
 - viii. Legal Services Contract with Williams, Box, Forshee & Bullard, P.C..
 - ix. Insurance Benefits - Insurica
 - x. Fire Equipment Agreement with Board of County Commissioners of Oklahoma County.
 - xi. Frontier Logging
 - xii. Discussion, consideration and possible approval or disapproval of a resolution renewing, adopting and approving the EMS Interlocal Cooperation Agreement for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018.
 - xiii. Discussion, consideration and possible approval or disapproval of a resolution renewing, adopting and approving an annual agreement with Tyler Technologies, Inc. for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018.
 - xiv. Solid Waste with Republic Services for Fiscal Year 2017-2018.
 - xv. Engineering Services Agreement with Smith, Roberts, Baldischwiler

MOTION: Hoffman moved to approve item 7a, annual contracts and agreements as presented. 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

No one present expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Renewal of general liability, automobile, property, inland marine, law enforcement, employment practices, public entity management liability, commercial crime, excess errors and omissions liability, umbrella liability and terrorism insurance policies with Travelers Insurance for the 2017-2018 policy term, and authorizing. Risk Manager Lindy Hough recommends approval.

MOTION: Goetzinger moved to agenda item 9a, renewing general liability, automobile, property, inland marine, law enforcement, employment practices, public entity management liability, commercial crime, excess errors and omissions liability, umbrella liability and terrorism insurance policies with Travelers Insurance for the 2017-2018 policy term. Hoffman seconded the motion.

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

- b. Application by Cumberland Drive, LLC for approval of a final plat for Cumberland Court regarding property along Cumberland Drive (renamed "Cumberland Court" in the final plat) in between Avondale Drive and North Western Avenue in Nichols Hills, Oklahoma and acceptance of dedications.

Tim Johnson with Johnson & Associates spoke on behalf of the applicant. This is the final step to bring the plat in front of Council. He stated the sidewalk should be done no later than two weeks from now.

MOTION: Goetzinger moved to approve the final plat for Cumberland Court regarding property along Cumberland Drive (renamed "Cumberland Court" in the final plat) in between Avondale Drive and North Western Avenue in Nichols Hills, Oklahoma and approve acceptance of dedications. Hoffman seconded the motion.

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

- c. Concerning request to hold the 2018 Redbud Classic on April 7th and 8th; along with request to install banners along Pennsylvania, Grand Boulevard and Avondale Drive within the City of Nichols Hills, between March 22, 2018 and April 9, 2018.

Patty Anthony thanks the City of Nichols Hills for making the 35th Anniversary of the Red Bud Classic so special and presents the request to Council.

MOTION: Hoffman moved to approve the request to hold the 2018 Redbud Classic on April 7th and 8th; along with request to install banners along Pennsylvania, Grand Boulevard and Avondale Drive within the City of Nichols Hills, between March 22, 2018 and April 9, 2018. Goetzinger seconded the motion.

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

- d. Discussion, consideration and possible action regarding tort claim submitted by Kelly A. Hensley.

MOTION: Goetzinger moved to deny the tort claim submitted by Kelly A. Hensley and directed Risk Manager Lindy Hough to submit the claim to the City's Insurance. Hoffman seconded the motion.

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

- e. Discussion, consideration and possible action regarding tort claim submitted by Cary and Treca Baetz.

MOTION: Hoffman moved to deny the tort claim submitted by Cary and Treca Baetz and directed Risk Manager Lindy Hough to submit the claim to the City's Insurance. Goetzinger seconded the motion.

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

- f. Discussion, consideration, and possible action regarding providing mandatory residential house side recycling services.

Crystal Griffis of Republic Services presents recycling services

offered to Council.

Cindy and Jessica Chapline of 1516 Glenwood Avenue spoke in favor of recycling.

MOTION: After lengthy discussion among staff and Council Goetzinger moved to seek direction by petition to see if our citizens want recycling. Clements seconded the motion.

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

- g. Request to purchase a new Zetron Max radio console for Police Dispatch from Stolz Telecom under State Contract for an amount not to exceed \$25,000.00, as submitted by Information Systems Manager, Neil Gray, to be paid from the 2017-2018 Capital Improvement Budget.

MOTION: Hoffman moved to approve item 9g, request to purchase a new Zetron Max radio console for Police Dispatch from Stolz Telecom under State Contract for an amount not to exceed \$25,000.00, to be paid from the 2017-2018 Capital Improvement Budget. Goetzinger seconded the motion.

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

- h. Request to purchase two new Apple iPads from Verizon Wireless for the Fire Department for an amount not to exceed \$2,000.00, as submitted by Information Systems Manager, Neil Gray, to be paid from the 2017-2018 Capital Improvements Budget.

MOTION: Goetzinger moved to approve item 9h, the purchase of two new iPads for the Fire Department for an amount not to

exceed \$2,000.00. Hoffman seconded the motion.

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

- i. Request permission to move forward in preparation of purchasing Phase 2 of the Hearing Loop which includes installation of amplifier equipment, final testing and certification for an amount not to exceed \$3,950.00, as submitted by Risk Manager, Lindy Hough, to be paid from the 2017-2018 General Capital Improvement Budget.

MOTION: Hoffman moved to approve agenda item 9i, permission to move forward in preparation of purchasing Phase 2 of the Hearing Loop which includes installation of amplifier equipment, final testing and certification for an amount not to exceed \$3,500.00. Goetzinger seconded the motion.

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

- j. Discussion, consideration, and possible approval or disapproval of employee supplemental compensation from available funds in the Fiscal Year 2016-2017 General Fund and NHMA budgets, and budget adjustment #1 for Fiscal Year 2017-2018.

MOTION: Goetzinger moved to approve agenda item 9j, employee supplemental compensation from available funds in the Fiscal Year 2016-2017 General Fund and NHMA budgets, and budget adjustment #1 for Fiscal Year 2017-2018. Hoffman seconded the motion.

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

- k. Workers Compensation Plan Renewal for July 1, 2017 to June 30, 2018. Risk Manager Lindy Hough recommends approval of the renewal and the interest credit of \$2,262.00 to be applied to next year's premium.

MOTION: Hoffman moved to approve agenda item 9k, workers compensation plan renewal for July 1, 2017 to June 30, 2018. Goetzinger seconded the motion.

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

- l. Discussion, consideration, and possible approval or disapproval of a Merchant Processing Application and Agreement between the City and Capital Bankcard, with Authorization to the City Manager to complete and execute the Merchant Processing Application and Agreement.

MOTION: Goetzinger moved to approve agenda item 9l, a Merchant Processing Application and Agreement between the City and Capital Bankcard, with Authorization to the City Manager to complete and execute the Merchant Processing Application and Agreement. Hoffman seconded the motion.

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

- m. Discussion, consideration, and possible approval or disapproval of Amendment to Renewal Contract for Collection of Commercial Solid Waste between the City of Nichols Hills and Republic Services/Allied Waste.

MOTION: Hoffman moved to approve agenda item 9m, amendment to renewal contract for collection of commercial solid waste between the City of Nichols Hills and Republic Services/Allied Waste. Goetzinger seconded the motion.

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

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 an ordinance amending the Nichols Hills City Code regarding the fee for impoundment of vehicles for various violations; providing for severability; and declaring an emergency.

MOTION: Goetzinger moved to approve agenda item 10a, an ordinance amending the Nichols Hills City Code regarding the fee for impoundment of vehicles for various violations. Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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 agenda item 10a(i) - emergency clause of the foregoing ordinance. Goetzinger seconded the motion.

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

- b. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding an increase in court costs and changes to the amount and schedule of fines reflecting the increase in court costs and increase in state-mandated penalty assessment; providing for severability; and providing an effective date.

MOTION: Goetzinger moved to approve agenda item 10b, an ordinance amending the Nichols Hills City Code regarding an increase in court costs and changes to the amount and schedule of fines reflecting the increase in court costs and increase in state mandated penalty assessment. Hoffman seconded the motion.

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

- c. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 38 of the Nichols Hills City Code by adding regulations regarding lights required on bicycles in the City; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Hoffman moved to approve agenda item 10c, an ordinance amending Chapter 38 of the Nichols Hills City Code by adding regulations regarding lights required on bicycles in the City. 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 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

- d. A resolution of the Council of the City of Nichols Hills, Oklahoma, and the Trustees of the Nichols Hills Municipal Authority, authorizing, for the 2017-2018 Fiscal Year, the purchase of items from state contracts awarded by the State Purchasing Director of the Central Purchasing Division of the Office of Management and Enterprise Services of the State of Oklahoma.

MOTION: Hoffman moved to approve agenda item 10d, a resolution of the Council of the City of Nichols Hills, Oklahoma, and the Trustees of the Nichols Hills Municipal Authority, authorizing, for the 2017-2018 Fiscal Year, the purchase of items from state contracts awarded by the State Purchasing Director of the Central Purchasing Division of the Office of Management and Enterprise Services of the State of Oklahoma. Goetzinger seconded the motion.

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

- e. Resolution of the City of Nichols Hills City Council establishing the Nine-One-One Emergency telephone rate for calendar year 2018.

MOTION: Goetzinger moved to approve agenda item 10e, a resolution of the City of Nichols Hills City Council establishing the Nine-One-One Emergency telephone rate for calendar year 2018. 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 a resolution declaring an emergency to exist in connection with the City's water distribution system, ratifying and approving the City Manager's June 22nd, 2017 Declaration of an Emergency ("City Manager's Declaration"); ratifying and approving purchases made and contracts entered into pursuant to the City Manager's Declaration; and authorizing and directing the City Manager to make additional purchases related to the emergency.

MOTION: Hoffman moved to approve agenda item 10f, a resolution declaring an emergency to exist in connection with the City's water distribution system, ratifying and approving the City Manager's June 22nd, 2017 Declaration of an Emergency ("City Manager's Declaration"); ratifying and approving purchases made and contracts entered into pursuant to the City Manager's Declaration; and authorizing and directing the City Manager to make additional purchases related to the emergency. Goetzinger seconded the motion.

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

- 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: Goetzinger 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. 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 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 10h, 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. Goetzinger seconded the motion.

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

11. Adjournment

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

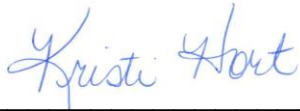
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman
AYES:	Clements, Goetzinger, Hoffman



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma