

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, July 12, 2016 at 5:30 PM
Public Works, 1009 NW 75th
Nichols Hills/OKC, OK 73116

**Original Agenda Filed in the Office of the Municipal Clerk at
3:45 PM on the 8th day of July, 2016.**

1. Call to Order and Pledge of Allegiance
2. Roll Call

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

3. Minutes
 - a. March 8, 2016 Minutes
 - b. May 24, 2016 Minutes 1 PM Meeting
 - c. May 24, 2016 Minutes 2:30 PM Meeting
 - d. June 14, 2016 Minutes

Clements moved to approve agenda items 3a, 3b, 3c and 3d (minutes) as presented. Hoffman seconded the motion

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

4. Departmental Reports for June 2016

Discussion, consideration and possible approval or acceptance of the following:

- a. Police Department Report
- b. Court Report
- c. Fire Department
- d. Public Works Report
- e. Risk Manager
- f. New Resident List
- g. City Treasurer's Report
- h. Finance Director's Report
- i. Information System Management Report
- j. Engineers Report

Hoffman moved to approve the June 2016 departmental reports as presented. Clements seconded the motion.

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

PRESENTATION: Recognition of Firefighters Tyler Barry and Chris Brown

Firefighters Tyler Barry and Chris Brown were recognized for completion of their firefighter probationary training. Their families were present and the wives pinned their personalized firefighter badges on the uniforms.

5. Total Warrants & Claims \$998,120.56

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

a. General Fund	147,492.84
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b. Street & Alley	0.00
c. Designated Funds	0.00
d. Nichols Hills Municipal Authority	98,086.68
e. General Fund Capital Improvement	9,109.27
f. 9-1-1 Fund	0.00
g. Nichols Hills Municipal Authority - Capital Improvement	1,109.40
h. Architect, Engineer & Design Fund	63,707.61
i. General Obligation Bond Funds	678,614.76

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:	Goetzinger, Clements, Hoffman

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Pay Estimate No. 3 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$129,960, to be paid from the 2016 GO Bonds and other funds.
- b. Pay Estimate No. 2 for Project No. PC-1501 with SAC Services, Inc., for the Paving Improvements to Dorchester Drive in the amount of \$236,351.13, to be paid from the 2014 GO Bonds and other funds.
- c. Pay Estimate No. 1 for Project No. WW-1501 with Layne Christenson Co., for Water Wells #12 in the amount of \$219,150.75. City Engineer has verified quantities and recommends approval to be paid from the 2014 GO Bonds and other funds.

Hoffman moved to approve Item 6 - Consent Docket Construction as presented. Clements seconded the motion.

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

- a.
 - i. Annual Consulting agreement with Wiley Rice
 - ii. Renewal of Section 125 Cafeteria Plan and Section 105 HRA Plan FY 2016-2017
 - iii. Interlocal agreement with Oklahoma County for jail services
 - iv. Custodial services with Strategic Janitorial Solutions for FY 2016-2017
 - v. Continuing Hazardous Waste agreement with the City of Midwest City.
 - vi. Interlocal agreement with Oklahoma County for minor repairs and maintenance for city streets.
 - vii. Solid Waste with Republic Services for FY2016-2017
 - viii. Uniforms with Unifirst for FY2016-2017
 - ix. Engineering Services Agreement with Smith, Roberts, Baldischwiler
 - x. Automatic Aid Agreement between The City of the Village and the City of Nichols Hills
 - xi. Arledge & Associates, PC, audit engagement letter and Compilation Engagement letter for the fiscal year end June 30, 2016.
 - xii. Accounting & Financial Consulting Contract with Crawford and Associates
 - xiii. Annual Software Maintenance - Tyler Tech (Incode) 2016-2017

- xiv. Landscape Maintenance Contract with Northwest Lawn
- xv. Fire Equipment Agreement with Board of County Commissioners of Oklahoma County
- xvi. Insurance Benefits - Insurica
- xvii. Legal Services Contract with Williams, Box, Forshee & Bullard, PC

Clements moved to approve the agenda item 7a, contracts and agreements for fiscal year 2016-2017 as presented. Hoffman seconded the motion.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sody Clements

SECONDER: E. Peter Hoffman

AYES: Goetzinger, Clements, Hoffman

8. Citizens Desiring to be heard
No one expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Receive update regarding the Grand Boulevard Redevelopment Committee.

Clements moved to receive the report of the Grand Boulevard Redevelopment Committee. Hoffman seconded the motion.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sody Clements

SECONDER: E. Peter Hoffman

AYES: Goetzinger, Clements, Hoffman

- b. Concerning request to hold the 2017 Redbud Classic on April 8th and 9th; along with request to install banners along Pennsylvania, Grand Boulevard and Western Avenue within the City of Nichols Hills, between March 23, 2017 and April 10, 2017.

Hoffman moved to approve the 2017 Redbud Classic and banner request. Clements seconded the motion.

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

c. Acceptance of a permanent easement from Jeremy K. Webb and Laura J Webb for property situated in Oklahoma County, Oklahoma to wit:

- i. A portion of Lots One (1) and Two (2), Block Seventy-one (71), NICHOLS HILLS, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Six (6), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, lying within a tract of land described in JOINT TENANCY WARRANTY DEED, conveyed unto Jeremy K. Webb and Laura J. Webb, husband and wife, recorded in Document Number 2008113110, Book 10888, Page 1020 of the Oklahoma County Clerk's office, being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 2, said point is also the Southwesterly corner of the tract of land described in said JOINT TENANCY WARRANTY DEED;

THENCE North 26°51'32" East, along the westerly line of said JOINT TENANCY WARRANTY DEED, a distance of 33.99 feet;

THENCE South 00°40'08" West, a distance of 34.38 feet to a point on the southerly line of said JOINT TENANCY WARRANTY DEED;

THENCE North 74°49'22" West, along said Southerly line, a distance of 15.49 feet to the POINT OF BEGINNING.

Said tracts of land when combined contain an area of 258 square feet or 0.0059 acres, more or less.

The bearing of North 26°51'32" East, described as the easterly line of the WARRANTY DEED recorded in Document Number

20150727010995050, Book 12885, Page 368, was used as the basis of bearing for this legal description.

- d. Acceptance of a permanent easement from Veronica Pastel Egelston for property situated in Oklahoma County, Oklahoma to wit:

- i. A portion of Lot One (1), Block Seventy-one (71), NICHOLS HILLS, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Six (6), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, lying within a tract of land described in JOINT TENANCY WARRANTY DEED, conveyed unto Robert B. Egelston and Veronica Pastel Egelston, husband and wife, recorded in Document Number 2007082806, Book 10507, Page 1247 of the Oklahoma County Clerk's office, being more particularly described as follows:

The East Five (5) feet of the West Fifteen (15) feet of said JOINT TENANCY WARRANTY DEED.

Said tract of land contains an area of 833 square feet or 0.0191 acres, more or less.

- e. Acceptance of a permanent easement from Ellen O'Brien Byrne and Ronald Joseph Byrne, Trustees of Ellen O'Brien Byrne Revocable Trust dated May 10, 2006 for property situated in Oklahoma County, Oklahoma to wit:

- i. A portion of Lot Two (2), Block Seventy-one (71), NICHOLS HILLS, according to the recorded plat thereof, being a part of the Northeast Quarter (NE/4) of Section Six (6), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma County, Oklahoma, lying within a tract of land described in QUIT CLAIM DEED, conveyed unto Ellen O'Brien Byrne and Ronald Joseph Byrne, Trustees of the Ellen O'Brien Byrne Revocable Trust, recorded in Document Number 2008036467 Book 10759, Page 1188 of the Oklahoma County Clerk's office, being more particularly described as follows:

The East Eight (8) feet of said QUIT CLAIM DEED.

Said tract of land contains an area of 1628 square feet or 0.0374 acres, more or less

Hoffman moved to approve the permanent easements included in agenda items 9c, 9d and 9e. Clements seconded the motion.

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

- f. Purchase a new Police Patrol Vehicle, not to exceed \$35,000 and an Administrative vehicle, not to exceed \$30,000, as approved in the FY 2016-2017 CIP budget and declare 2009 Chevrolet Impala (VIN 2G1WB57K491177444) as surplus and approval to trade or sell to the highest and best bidder or to properly dispose of should no successful bid be received.

Hoffman moved to approve item 9f, the purchase of a police patrol vehicle and an administrative vehicle and surplus a 2009 Chevrolet Impala. Clements seconded the motion.

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

- g. Board of Park Commissioners Appointment - Ward One

Sody Clements, council member for Ward 1 nominated and appointed Karen Browne as the Ward 1 member of the Board of Park Commissioners, for a term expiring in June 2019. Clements moved to approve the nomination and appointment of Karen Browne as a member of the Board of Park Commissioners. Hoffman seconded the motion.

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

- h. Discussion, consideration and possible approval or disapproval of an Economic Development Agreement by and between the City of Nichols Hills, Oklahoma and Cumberland Drive, L.L.C. regarding construction and maintenance of public infrastructure improvements within the Cumberland Court development.

Council and staff discussed the proposed agreement with representatives from Cumberland Drive, L.L.C.

Following discussion, Hoffman moved too approve the Economic Development Agreement by and between the City of Nichols Hills, Oklahoma and Cumberland Drive, L.L.C. Clements seconded the motion.

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

- i. Discussion, consideration and possible approval or disapproval of a Revocable Right-of-Way Use Permit issued to OKC-NHP, LLC for the purpose of constructing, installing, and maintaining landscaping and irrigation in certain public rights-of-way along the southerly boundary of Avondale Drive and southwesterly boundary of Mulberry Lane.

Clements moved to approve the Revocable Right-of-way Use Permit issued to OKC-NHP, LLC. Hoffman seconded the motion.

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

- j. Requesting approval to solicit bids for Cumberland Drive paving project to be paid from the Street and Alley Fund.

Hoffman moved to approve the solicitation of bids for Cumberland Drive paving project. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	E. Peter Hoffman
SECONDER:	Sody Clements
AYES:	Goetzinger, Clements, 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 a resolution accepting and approving the application and proposal of Cumberland Drive, L.L.C. concerning paving & storm sewer plans and water line plans; and granting Cumberland Drive, L.L.C. leave to commence work in accordance with such plans and under the direction and supervision of the City Engineer.

Clements moved to approve the resolution accepting and approving the application and proposal of Cumberland Drive, L.L.C. concerning paving and storm sewer plans and water lines plans; and granting Cumberland Drive, L.L.C. leave to commence work in accordance with such plans and under the direction and supervision of the City Engineer. Hoffman seconded the motion.

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

- b. Discussion, consideration, and possible approval or disapproval of an ordinance amending Chapter 36, Section 36-26 of the Nichols Hills City Code regarding maximum size of garbage receptacles; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Hoffman moved to approve agenda item 10b, an ordinance amending the Nichols Hills City Code regarding the maximum size of garbage receptacles. Clements seconded the motion

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

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

Clements moved to approve Item 10b(i) - Emergency clause of the foregoing Ordinance. Hoffman seconded the motion.

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

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

Hoffman moved to approve agenda item 10c, an ordinance amending the Nichols Hills City Code regarding solid waste collection and disposal rate and charges. Clements seconded the motion.

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

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

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:	Goetzinger, Clements, 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 2016-2017 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.

Hoffman moved to approve Agenda item 10d, a resolution authorizing, for the 2016-2017 fiscal year, the purchase of items from state contracts awarded by the State Purchasing Director of Central Purchasing Division of the Office of Management and Enterprise Services of the State of Oklahoma. Clements seconded the motion

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

11. Adjournment

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: Goetzinger, Clements, Hoffman


Chairman
City of Nichols Hills, Oklahoma


City Manager
City of Nichols Hills, Oklahoma


City Clerk
City of Nichols Hills, Oklahoma