

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, October 11, 2016 at 5:30 PM
Public Works, 1009 NW 75th
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the Municipal Clerk at
4:30 PM on the 7th day of October, 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	

PRESENTATIONS BY Oklahoma Water Pollution Control Association

Mr. Sam Drain with Oklahoma Water Pollution Control Association shared the application and decision making process for the awards distribution. He stated, he was proud and pleased to present the following three awards to Nichols Hills employees.

a. **Mr. Quincy Colbert - Line Maintenance Newcomer of the Year**

Mr. Quincy Colbert was honored and awarded the Line Maintenance Newcomer of the Year Award. He was congratulated by City Council and fellow Nichols Hills employees.

b. **Mr. Ty Barrett - Small System Line Maintenance Operator of the Year**

Mr. Ty Barrett was honored and awarded the Small System Line Maintenance Operator of the Year Award. Fellow colleagues, City Council and staff congratulated Ty.

c. **Mr. Randell Lawrence - Public Works Director of the Year**

Mr. Drain presented Mr. Randy Lawrence with the Public Works Director of the Year Award. He was congratulated by City Council and fellow Nichols Hills employees.

3. Minutes

- a. September 13, 2016 Minutes
- b. September 29, 2016 Minutes

Clements moved to approve the September 13, 2016 and September 29, 2016 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 September 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 September 2016 departmental

reports as presented. Clements seconded the motion.

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

5. Total Warrants & Claims \$875,213.13

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

a. General Fund	116,420.32
b. Street & Alley	0.00
c. Designated Funds	187.00
d. Nichols Hills Municipal Authority	164,768.88
e. General Fund Capital Improvement	5,087.09
f. Architect, Engineer & Design Fund	45,484.40
g. General Obligation Bond Funds	543,265.44

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. 5 for Project No. PC-1501 with SAC Services, Inc., for paving improvements to Dorchester Drive and Elmhurst Avenue in the amount of \$187,304.73, to be paid from the 2015 GO Bonds and other funds.

- b. Pay Estimate No. 11 with Nash Construction, Co., for Project No. PC-1201, Paving Improvements on Pennsylvania Ave from NW 63rd to Grand Boulevard in the amount of \$15,103.96, to be paid from the 2016 GO Bonds and other funds.
- c. Pay Invoice No. 0150126 Project No. FC-1401 with Petroleum Marketers Equipment Co., LLC, for the AIM Setup on the Public Works Fueling Station in the amount of \$472.04, to be paid from the 2014 GO Bonds and other funds.
- d. Pay Estimate No. 3 (Final) for Project No. FC-1401 with Petroleum Marketers Equipment Co., LLC, for the Public Works Fueling Station in the amount of \$6,890.85, to be paid from the 2014 GO Bonds and other funds, and place maintenance bonds into effect.
- e. Pay Invoice No. 3782 to Dalton's Plumbing, Inc. for gas line installation from generator to new meter location on Water Wells #2, #5 & #8 in the amount of \$6,990, to be paid from the 2014 GO Bonds and other funds.
- f. Pay Estimate No. 6 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$269,895, to be paid from the 2016 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. Request from Allied Arts to install 100 banners in recognition of Allied Arts Month. Banners will be displayed within the City of Nichols Hills between February 1, 2017 and February 14, 2017.

Clements moved to approve the request from Allied Arts to install 100 banners in recognition of Allied Arts Month. Banners will be

displayed within the City of Nichols Hills between February 1, 2017 and February 14, 2017. 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. The tort claim submitted by Kent Hoffman Construction, for \$9,005.18, for repair work for water leak at 2433 Grand Circle. Risk Manager Lindy Stormont recommends denial of the claim and submission to the city's insurance.

Council member Peter Hoffman advise Mayor Goetzinger he will recuse himself from the next agenda item. Additionally, he stated he will leave the council chambers during the discussion of this item.

Clements moved to deny the tort claim submitted by Kint Hoffman Construction and directed Risk Manager Lindy Stormont to submit the claim to the City's Insurance. Goetzinger seconded the motion.

RESULT: **APPROVE DENIAL OF TORT CLAIM [2 TO 0]**
MOVER: Sody Clements
SECONDER: Steven J. Goetzinger
AYES: Goetzinger, Clements
RECUSED: Hoffman

- b. Maddie Algeo with Pure Barre Studio request to hold a total body workout class in Kite Park on October 17, 2016 and October 24, 2016.

Ms. Maddie Algeo with Pure Barre Studio spoke to council members requesting approval to hold a total body workout class in Kite Park on October 17th and 24th. Following discussion, Hoffman moved to deny the request. Clements seconded the motion.

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

- c. Discussion, consideration and possible approval or disapproval of a perpetual easement granting OKC-NHP, LLC the right of access, ingress and egress over, across and through the following described real property:

A tract of land being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Twelve (12) North, Range Three (3) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being a portion of Lots Thirty-one (31) and Thirty-two (32) Block One (1) as shown on the recorded plat AMENDED PLAT OF BLOCKS A-B-C-D-E-1-2-3 & 26 NICHOLS HILLS, being more particularly described as follows:

Beginning at the Southwest (SW) Corner of said Lot 31, said point being the POINT OF BEGINNING;

THENCE North 00°12'00" West, along and with the West line of said Lot 31, a distance of 79.97 feet;

THENCE South 45°23'15" East, departing said West line, a distance of 70.48 feet to a point on the East line of said Lot 32;

THENCE South 00°12'00" East, along and with the East line of said Lot 32, a distance of 30.20 feet to the Southeast (SE) Corner of said Lot 32;

THENCE South 89°41'23" West, along and with the South line of said Lots 32 & 31, a distance of 50.00 feet to the POINT OF BEGINNING.

Clements makes the motion to approve agenda item 9c, to be modified, finalized and executed by the Mayor with the advice of the City Attorney and Assistant City Manager. Hoffman seconded the motion.

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

- d. Review, approve, ratify and accept contract and bonds with Game Time/Cunningham Recreation, which may include construction, maintenance and performance bonds, relating to Project FC-1601 for General Fund Capital Improvement project for Davis Park Playground Improvements.

Clements moved to review, approve, ratify and accept contract and bonds with Game Time/Cunningham Recreation, relating to Project FC-1601, Davis Park Playground Improvements. Hoffman seconded the motion.

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

- e. 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 the southwesterly boundary of Mulberry Lane.

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

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

- f. Review, approve, ratify and accept contract and bonds with SAC Services, Inc., which may include construction, maintenance and performance bonds, relating to Project FC-1501 for the 2015 and 2016 GO Bond Issue for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue.

Clements moved to review, approve, ratify and accept contract and bonds with SAC Services, Inc., relating to Project FC-1501, Grand Boulevard Park Improvements. Hoffman seconded the motion.

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

- g. Review, approve, ratify and accept contract and bonds with Urban Contractors, which may include construction, maintenance and performance bonds, relating to Project FC-1501 for the 2015 GO Bond Issue for Drainage Improvements to Dorset Drive, between N. Grand Boulevard and Wilshire Boulevard.

Hoffman moved to review, approve, ratify and accept contract and bonds with Urban Contractors, relating to Project FC-1501, drainage improvements to Dorset Drive. Clements seconded the motion.

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

- h. Request to purchase fire department radio repeater, estimated total cost of \$9,000 as approved in the FY 2016-2017 CIP budget and other funds.

Hoffman moved to approve agenda item 9h, to purchase fire department radio repeater, estimated total cost of \$9,000 as approved in the FY 2016-2017 CIP budget and other funds. Clements seconded the motion.

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

- i. Discussion and possible action regarding mechanisms and procedures for controlling speeding traffic on streets in the City, including but not limited to modifying speed limits on certain streets, speed bumps, and enforcement procedures with respect to citation issuance and fine collection.

Following lengthily discussion no formal action was taken.

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 sewer service rates and charges; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve item 10a amending the ordinance of the Nichols Hills City Code regarding sewer service rates and charges. Hoffman seconded the motion.

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

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

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

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

- b. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding the use of large scale receptacles; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve item 10b amending the ordinance of the Nichols Hills City Code regarding large scale receptacles. Hoffman seconded the motion.

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

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

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

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

- c. Discussion, consideration and possible approval or disapproval of a resolution of the Council of the City of Nichols Hills, Oklahoma opposing State Question 777.

Hoffman moved to table agenda item 10c opposing State Question 777. Clements seconded the motion.

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

Clements 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: Sody Clements
SECONDER: E. Peter Hoffman
AYES: Goetzinger, Clements, Hoffman

11. Adjournment

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

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



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma



Chairman
Nichols Hills Municipal Authority
Nichols Hills, Oklahoma



General Manager
Nichols Hills Municipal Authority
Nichols Hills, Oklahoma



Secretary
Nichols Hills Municipal Authority
Nichols Hills, Oklahoma