

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, December 13, 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
10:45 AM on the 9th day of December, 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. October 11, 2016 Minutes
 - b. October 17, 2016 Minutes
 - c. November 8, 2016 Minutes

Clements moved to approve the October 11, 2016, October 17, 2016 and November 8, 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 November 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 Manager's Report
- j. Engineers Report

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

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

Proclamations and Recognitions

- k. PRESENTATION: Recognition of 25 years of Municipal Government Service

*Mr. Steven Francis

*Mr. Chris Crane

Mayor Goetzinger presented Mr. Steven Francis a 25 years of

municipal government certificate. He was congratulated by City Council and fellow Nichols Hills employees.

Mr. Chris Crane was not in attendance, but also received a 25 years of municipal government certificate.

5. Total Warrants & Claims \$638,466.92

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

a. General Fund	112,556.59
b. Street & Alley	0.00
c. Designated Funds	379.87
d. Nichols Hills Municipal Authority	86,685.14
e. General Fund Capital Improvement	11,153.81
f. Nichols Hills Municipal Authority - CIP	0.00
g. Architect, Engineer & Design Fund	6,663.25
h. General Obligation Bond Funds	421,028.26

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. 8 with Jenco Construction, for Project No. CH-1601, Town Hall Renovation in the amount of \$219,543.86, to be paid from the 2016 GO Bonds and other funds.

- b. Pay Estimate No. 6 for Project No. PC-1501 with SAC Services, Inc., for paving improvements to Dorchester Drive and Elmhurst Avenue in the amount of \$35,476.32, to be paid from the 2015 GO Bonds and other funds.
- c. Pay Estimate No. 1 for Project No. FC-1501 with SAC Services, Inc., for Grand Boulevard Park Improvements from Bedford Drive to Brentwood Avenue in the amount of \$81,257.06, to be paid from the 2015 GO Bonds and other funds.
- d. Pay Estimate No. 3 for Project No. WW-1501 with Layne Christensen Co., for Water Well #12 project in the amount of \$36,205.45. City Engineer has verified quantities and recommends approval, to be paid from the 2014 GO Bonds and other funds.

Hoffman moved to approve agenda item 6a-6d 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. Discussion, consideration and possible action regarding Christmas Bonuses for City Employees.

Clements moved to approve agenda item 7a in the amount of \$100 as budgeted. 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. Discussion, consideration, and possible approval or disapproval of a flyer entitled, "18 Ways to Reduce Waste," as recommended by the Environment, Health and Sustainability Commission, and directing staff to distribute such flyer to the public by including it in the next utility bill.

Environment, Health and Sustainability Chairman, Nancy Herzel presented a flyer the EHSC would like the City to include in the January utility bill. The flyer is designed to encourage residents to reduce waste.

Hoffman moved to approve agenda item 9a as presented.
Clements seconded the motion.

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

- b. Review, approve, ratify and accept Emergency Contract and performance, maintenance and defect bonds with Southwest Water Works, L.L.C., relating to Project WC-1602 for emergency waterline repairs along N.W. 63rd Street and Western Avenue.

Clements moved to approve item 9b in the amount of \$56,000.00.
Hoffman seconded the motion.

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

- c. Discussion, consideration, and possible action regarding days when open house signs may be displayed on property being offered for sale.

Hoffman makes the motion to ask staff to prepare a resolution stating you can place open house signs after 9:00 AM on Thursday. Clements seconded the motion.

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

- d. Accept the Comprehensive Annual Financial Report and Accompanying Independent Auditor's report for the fiscal year ended June 30, 2016.

Clements moved to accept the Comprehensive Audit Financial Report and Accompanying Independent Auditor's report for the fiscal year ended June 30, 2016. Hoffman seconded the motion.

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

- e. Discussion and consideration of request to extend the boundaries of the ABC-O Alcoholic Beverage Overlay District to include all of the Nichols Hills Plaza to permit and regulate the on-premises consumption of alcoholic beverages.

Hoffman moved to direct staff to prepare an ordinance extending the boundaries of the ABC-O Alcoholic Beverage Overlay District to include all of Nichols Hills Plaza to permit and regulate the on-premises consumption of alcoholic beverages. 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. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval deed combining vacant real property into two lots generally located between Western Ave. and Grand Blvd. on the north side of N.W. 63rd Street. The applicant is requesting approval of deeds containing the following legal descriptions:

Description of King's Court Tract 1:

A tract of land being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Twelve (12) North, Range Three (2) West of the Indian Meridian, Nichols Hills, Oklahoma County, Oklahoma, and being a part of Block Twenty-six (26) of AMENDED PLAT OF BLOCKS A-B-C-D-E-1-2-3 & 26 NICHOLS HILLS (Book 23 of Plats, Page 49); said tract BEING all of Lots Twenty-seven through Thirty (L27-L30) AND the South half (S/2) of the vacated East-West Alley (E/W alley) lying adjacent to said L27-L30, AND the West half (W/2) of Kings Court, a vacated public street, lying adjacent to L27-L30 and S/2 E/W alley, all lying within said Block 26; said tract more particularly described using meets and bounds as follows:

BEGINNING at the Southwest corner of Lot Twenty-seven (27) in said Block 26;

THENCE North 00°12'00" West, along the extended West line of said Lot 27, a distance of 123.60 feet to a point on the Centerline (C/L) of said vacated East-West Alley;

THENCE North 89°41'23" East, along the extended C/L of said vacated Alley, a distance of 150.00 feet to a point on the Centerline of vacated Kings Court;

THENCE South 00°12'00" East, along and with said C/L, a distance of 123.60 feet to the extended South line of L27-L30;

THENCE South 89°41'23" West, along said extended South line, a distance of 150.00 feet to the POINT OF BEGINNING.

Containing 18,540 square feet or 0.4256 acres, more or less.

Basis of Bearing: The South line of the Southwest Quarter (SW/4) of Section Five (5), Township Twelve (12) North, Range Three (2)

West, Indian Meridian, having an assumed bearing of South 89°41'23" West.

Description of King's Court Tract 2:

A tract of land being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Twelve (12) North, Range Three (2) West of the Indian Meridian, Nichols Hills, Oklahoma County, Oklahoma, and being a part of Block Twenty-six (26) of AMENDED PLAT OF BLOCKS A-B-C-D-E-1-2-3 & 26 NICHOLS HILLS (Book 23 of Plats, Page 49); said tract BEING all of Lots Nineteen through Twenty-six (L19-L26) AND the South half (S/2) of the vacated East-West Alley lying adjacent to said L19-26, all lying within said Block 26; said tract more particularly described using meets and bounds as follows:

BEGINNING at the Southwest corner of Lot Nineteen (19) in said Block 26;

THENCE North 00°12'00" West, along the extended West line of said Lot 19, a distance of 123.60 feet to a point on the Centerline (C/L) of said vacated East-West Alley;

THENCE North 89°41'23" East, along and with said C/L, a distance of 200.00 feet to the extended East line of Lot Twenty-six (26);

THENCE South 00°12'00" East, along said extended East line, a distance of 123.60 feet to a point on the South line of said L19-L26;

THENCE South 89°41'23" West, along and with said South line, a distance of 200.00 feet to the POINT OF BEGINNING.

Containing 24,720 square feet or 0.5675 acres, more or less.

Basis of Bearing: The South line of the Southwest Quarter (SW/4) of Section Five (5), Township Twelve (12) North, Range Three (2) West, Indian Meridian, having an assumed bearing of South 89°41'23" West.

No action was taken on this item.

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending section 50-26 of the Nichols Hills City Code and the Official Zoning District Map concerning territory within the "PUD" Planned Unit Development District and adopting and approving the Planned Unit Development District and adopting and approving the Planned Unit Development of Cumberland Court, located along Cumberland Drive between Avondale Drive and N. Western Avenue, as amended and restated, dated November 9, 2016; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mr. Tim Johnson presented the amended Planned Unit Development of Cumberland Court. Mayor Goetzinger opened the public hearing. Seeing that no one present expressed a desire to speak, the public hearing was closed.

Clements moved to approve agenda item 10b. 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 an ordinance correcting and 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 10c. 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 10c(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

- d. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding lawn and landscape irrigation; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10d. 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 10d(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

- e. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding the sale of surplus personal property; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10e. 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 10e(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

- f. Discussion, consideration, and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding rodent extermination requirements prior to house moving or demolition; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10f, an ordinance amending the Nichols Hills City Code regarding rodent extermination requirements prior to house moving or demolition and direct staff to look into other options. 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 10f(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

11. Adjournment

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

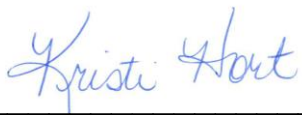
RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sody Clements
SECONDER:	E. Peter Hoffman
AYES:	Goetzinger, Clements, Hoffman



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