

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, November 10, 2015 at 5:30 PM
Town Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original Agenda Filed in the Office of the Municipal Clerk at 4:50 PM on the 6th day of November, 2015.

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 13, 2015 City Council Minutes

Goetzinger moved to approve the October 13, 2015 minutes as presented. Clements seconded the motion.

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

4. Departmental Reports for October 2015

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

- a. Police Department Report
- b. Court Report
- c. Fire Department
- d. Public Works
- 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

Clements moved to accept the October 2015 department reports as presented.
Goetzinger seconded the motion.

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

5. Total Warrants & Claims \$1,119,663.69

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

a. General Fund	106,549.28
b. Street & Alley	169.80
c. Designated Funds	58.95
d. Nichols Hills Municipal Authority	90,817.08
e. General Fund Capital Improvement	2,067.00
f. 9-1-1 Fund	0.00
g. Nichols Hills Municipal Authority - Capital Improvement	0.00
h. Architect, Engineer & Design Fund	28,869.74
i. General Obligation Bond Funds	891,131.84

Goetzinger moved to approve the total warrants and claims as presented. Clements seconded the motion.

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Change Order No. 2, in the amount of \$1,288.98 for Project No. FC-1302 for the Public Works Facility Expansion. This increases the original contract amount to \$1,032,553.91 to be paid out of the 2014 GO Bonds and other funds.
- b. Pay Estimate No. 7 for Project No. FC-1302, Public Works Facility Expansion Project in the amount of \$186,591.40, To Pillar Contracting, Inc. City Engineer has verified quantities and recommends approval to be paid out of 2014 GO Bonds and other funds.
- c. Pay Estimate No. 3 for Project No. PC-1201, Paving Improvements on Pennsylvania Ave from NW 63rd St to Grand Boulevard in the amount of \$213,252.62, to Nash Construction Co. To be paid out of 2012 GO Bonds and other funds.

- d. Pay Estimate No. 10 For Project No. SC-1302, City-Wide Sanitary Sewer Rehabilitation in the amount of \$1,283.93, to Urban Contractors, LLC. City Engineer has verified quantities and recommends approval. To be paid out of 2011 GO Bonds and other funds.
- e. Pay Estimate No. 4 for Project No. WC-1301, City-Wide Waterline Replacement in the amount of \$92,976.50, To Southwest Water Works, LLC. City Engineer has verified quantities and recommends approval to be paid out of 2012 GO Bonds and other funds.
- f. Pay Estimate No. 3 For Project No. WW-1401, Water Wells #2, #5, & #8 in the amount of \$322,252.05, To Layne Christensen Co. City Engineer has verified quantities and recommends approval to be paid out of 2013 GO Bonds and other funds.

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

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

7. Consent Docket - General

Discussion, consideration and possible approval of the following:

No action.

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. Authorizing Pi Beta Phi Alumnae to install 20 banners along Pennsylvania Avenue and Grand Boulevard within the City of Nichols Hills for the event to be held on March 2, 2016.

Goetzinger moved to approve agenda item 9a. Clements seconded the motion.

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

- b. Concerning request to place a "Slow children at play" sign near the corner of Larchmont and Trenton.

Clements moved to approve agenda item 9b. Goetzinger seconded the motion.

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

- c. Planning Commission Appointment for Ward Two.

No action taken.

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

- d. Discussion, consideration and possible action concerning request to proceed with purchasing process of playground equipment for Davis Park as approved in the FY 2015-2016 CIP budget.

Goetzinger moved to approve agenda item 9d as presented. Clements seconded the motion.

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

- e. Consideration, Discussion and Possible Approval or Disapproval of a Relocation Agreement regarding the relocation of City water lines in Adele Heights Addition in The City of Oklahoma City by and among the CITY OF NICHOLS HILLS, OKLAHOMA, the NICHOLS HILLS MUNICIPAL AUTHORITY, 9000 BROADWAY LLC, transferee from and successor in interest of THE OKLAHOMA PUBLISHING COMPANY, and WILSHIRE DEVELOPMENT, LLC, transferee from and successor in interest of ARCADIA FARM, L.L.C.

Clements moved to approve agenda item 9e as presented. Goetzinger seconded the motion.

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

- f. The tort claim submitted by Judy Richard, for \$132.30, for damage sustained to car tire. Risk Manager Lindy Stormont recommends denial of the claim and submission to the city's insurance.

Goetzinger moved to deny the tort claim and approve submittal to city's insurance. Clements seconded the motion.

RESULT:	APPROVE DENIAL OF TORT CLAIM [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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. Receive bids for sale of \$4,200,000 General Obligation Bonds, Series 2016, and award sale of bonds to the bidder bidding the lowest interest cost.

Clements moved to approve agenda item 10a as presented. Goetzinger seconded the motion.

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

- b. Discussion, Consideration and Possible Action regarding an ordinance providing for the issuance of General Obligation Bonds in the sum of Four Million Two Hundred Thousand Dollars (\$4,200,000) by the City of Nichols Hills, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2016"; prescribing redemption provisions; designating bonds for purposes of certain provisions of the Internal Revenue Code; providing for registration thereof; appointing a paying-agent registrar for the issue and matters related thereto; approving the Official Statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; authorizing the approval of a continuing disclosure agreement and other contracts and instruments necessary to consummate sale of the bonds and disbursement of proceeds of the bonds; fixing other details of the bond sale and issuance; and declaring an emergency.

Goetzinger moved to approve agenda item 10b as presented. Clements seconded the motion.

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

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

Clements moved to approve agenda item 10a(i) as presented. Goetzinger seconded the motion.

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

- c. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding revocable permits for signs encroaching on public lands, improvements or public rights-of-way; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Goetzinger moved to approve agenda item 10c as presented. Clements seconded the motion.

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

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

Clements moved to approve agenda item 10b(i) as presented. Goetzinger seconded the motion.

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

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

Clements moved to approve agenda item 10d as presented. Goetzinger seconded the motion.

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

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

Goetzinger moved to approve agenda item 10d(i) as presented. Clements seconded the motion.

RESULT: APPROVED [UNANIMOUS]
MOVER: Steven J. Goetzinger
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 penalties and fines for drug or drug paraphernalia offenses; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10e as presented. Goetzinger seconded the motion.

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

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

Goetzinger moved to approve agenda item 10e(i) as presented. Clements seconded the motion.

RESULT: APPROVED [UNANIMOUS]
MOVER: Steven J. Goetzinger
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 penalties and fines for driver's license offenses; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10f as presented. Goetzinger seconded the motion.

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

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

Goetzinger moved to approve agenda item 10f(i) as presented. Clements seconded the motion.

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

- g. 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 to rezone and redistrict property in Nichols Hills, Oklahoma located at 7601 Dorset Drive, 7605 Dorset Drive, 7607 Dorset Drive, 7609 Dorset Drive, and 7611 Dorset Drive from the "E-2" Urban Estate Zoning District to the "R-1-75" Single-Family Residential Zoning District; repealing all ordinances or parts of ordinances in conflict; providing for severability; and declaring an emergency.

Goetzinger moved to continue agenda item 10g until the next regular meeting of December 8, 2015. Clements seconded the motion.

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

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

No action taken.

- h. Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 46 of the Nichols Hills City Code regarding water well regulations; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve agenda item 10h as presented. Goetzinger seconded the motion.

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

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

Goetzinger moved to approve agenda item 10h(i) as presented. Clements seconded the motion.

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

- i. Discussion, Consideration and Possible Action to adopt a resolution authorizing the City Manager and City Clerk/Finance Director, or any one of them, to conduct banking business and to enter into related agreements on behalf of the City with approved depository institutions including, but not limited to, Pledge Agreements for Public Funds Held on Deposit, Tri-Party Public Deposit Pledge and Custody Agreements and similar agreements, and ratifying prior executions of such agreements by the City Manager and City Clerk/Finance Director.

Clements moved to approve agenda item 10i as presented. Goetzinger seconded the motion.

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

- j. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding notice requirements for zoning changes; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Goetzinger moved to continue agenda item 10j until the next regular meeting of December 8, 2015. Clements seconded the motion.

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

- k. Discussion, consideration and possible approval or disapproval of a resolution adopting the "ADA Title II Grievance Procedures for the City of Nichols Hills, Oklahoma" in accordance with Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131, et seq., as amended, and the regulations promulgated thereunder ("ADA"); and authorizing and directing the City Manager and Risk Manager to prepare all forms necessary for filing complaints alleging any action prohibited by the ADA, and to take all actions necessary to provide notice of the grievance procedures and forms to the public.

Clements moved to adopt the resolution in agenda item 10k as presented. Goetzinger seconded the motion.

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

- I. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding bicycle license requirements; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Goetzinger moved to approve agenda item 10I as presented. Clements seconded the motion.

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

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

Clements moved to approve agenda item 10I(i) as presented. Goetzinger seconded the motion.

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

11. Adjournment

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

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



Mayor
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma