

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, August 11, 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 4:30 PM on the 7th day of August, 2015.

1. Call to Order and Pledge of Allegiance

Mayor Hoffman welcomed Boy Scout Troop 4 and invited Boy Scout Carter Cole to lead the 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. April 14, 2015 City Council Minutes
- b. April 27, 2015 City Council Minutes
- c. May12, 2015 Minutes - Joint Meeting City Council & Nichols Hills Municipal Authority
- d. May 12, 2015 Minutes
- e. May 14, 2015 Minutes - Joint Meeting City Council & NHMA
- f. June 9, 2015 City Council Minutes
- g. June 22, 2015 City Council Minutes
- h. July 14, 2015 City Council Minutes

Mayor Hoffman advised Item 3d has been pulled from the agenda, and no action should be taken.

Goetzinger moved to accept agenda items 3a, 3b, 3c, 3e, 3f, 3g and 3h as presented. Clements seconded the motion.

No action taken on Item 3d.

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

4. Departmental Reports for July 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 July 2015 departmental reports. Goetzinger seconded the motion.

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

5. Total Warrants & Claims \$378,933.03

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

a. General Fund	196,827.58
b. Street & Alley	0.00
c. Designated Funds	970.05
d. Nichols Hills Municipal Authority	132,706.77
e. General Fund Capital Improvement	6,501.99
f. 9-1-1 Fund	0.00
g. Nichols Hills Municipal Authority - Capital Improvement	3,605.31
h. General Obligation Bond Funds	38,321.33

Geotzinger 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. 1, in the amount of \$4,164.93 for Project No. FC-1302 for the Public Works Facility Expansion. This increases the original contract amount to \$1,031,264.93 to be paid out of the 2014 GO Bonds and other funds.
- b. Pay Estimate No. 4 for Project No. FC-1302, Public Works Facility Expansion Project in the amount of \$88,534.23, 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. 5 For Project No. WW-1301, Water Well #26 Project in the amount of \$6,679.45, To Layne Christensen Co. City Engineer has verified quantities and recommends approval. To be paid out of 2011 GO Bonds and other funds.

Clements moved to approve items 6a, 6b and 6c 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:

- a. Concerning request to hold the 2016 Redbud Classic on April 9th and 10th; along with request to install between 40 and 50 banners along Pennsylvania, Grand Boulevard and Western Avenue within the City of Nichols Hills, between March 27, 2016 and April 11, 2016.

Patty Anthony and Lincoln McElroy spoke on behalf of the 2016 Redbud Classic committee. The beneficiary for the April 9th and 10th event will be Peppers Ranch Foster Care. Goetzinger moved to approve item 7a as presented. Clements seconded the motion.

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

- b. Request from Oklahoma County Medical Society Alliance to install 20 banners along Pennsylvania Avenue and Grand Boulevard within the City of Nichols Hills between October 5, 2015 and October 18, 2015.

Ms. Cara Falcon and Natasha Newman addressed City Council members concerning the banner application request submitted by the Oklahoma Medical Society Alliance for the October 18, 2015 event. Clements moved to approve item 7b as presented. Goetzinger seconded the motion.

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

c. CONTRACTS AND AGREEMENTS

- i. Landscape Maintenance Contract with Northwest Lawn
- ii. Fire Equipment Agreement with Board of County Commissioners of Oklahoma County
- iii. Engineering Contract with Smith Roberts Baldischwiler
- iv. Accounting & Financial Consulting Contract with Crawford and Associates

Goetzinger moved to approve item 7c - Contracts and Agreements as presented. Clements seconded the motion.

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

8. Citizens Desiring to be heard

Except as noted in the Public Hearing(s) below, no one expressed a desire to be heard.

9. Items for Separate Vote - General

Discussion, consideration and possible approval of the following:

- a. Concerning a budget adjustment for fiscal year 2015-2016.

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

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

- b. Purchase fire equipment, estimated total cost of \$34,200 as approved in the FY 2015-2016 CIP budget.

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

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

- c. Purchase one half-ton Pickup for the Street Department, not to exceed \$22,000 as approved in the FY 2015-2016 CIP budget and declare the 2007 Ford F150 EX Cab Pickup (VIN 1FTRX12W57NA72710) 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.

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

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

d. BOARD APPOINTMENTS - PLANNING COMMISSION

- a. Planning Commission Appointment for Ward Two for a three year term.

No action taken.

RESULT: **NO ACTION TAKEN**

e. BOARD APPOINTMENTS - ENVIRONMENTAL HEALTH SUSTAINABILITY

- i. Environment, Health & Sustainability Commission - Ward Two - fill vacant 2 year term

I, E. Peter Hoffman, Jr., City of Nichols Hills, Oklahoma Council member from Ward 2 (two), hereby appoint Tyfanna Johnson, a resident of Ward 2 (two), as a member of the Environmental, Health and Sustainability Commission, of the City of Nichols Hills, Oklahoma, for a term expiring at the regular meeting of the Council in June of 2017, or until his/her successor takes office.

Clements moved to accept the nomination of Ms. Tyfanna Johnson. Goetzinger

seconded the nomination.

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

f. BOARD APPOINTMENTS - PARK COMMISSION

i. Board of Park Commissioners Appointment - Ward Two - 2 year term

I E Peter Hoffman, Jr., City of Nichols Hills, Oklahoma Council member from Ward 2, hereby appoint Patty Anthony, a resident of Ward 2, as a member of the Board of Park Commissioners, for a term expiring at the regular meeting of the Council in June of 2017, or until his/her successor takes office.

Goetzinger moved to accept the nomination of Patty Anthony. Clements seconded the motion.

RESULT:	APPROVED [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. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of the issuance of a special permit to Sprint, represented by Branch Communication, for the purpose of upgrading existing facilities and equipment, and installation of new facilities and equipment referred to as antennas RRIS and RET Controllers on the water tower located at 1009 NW 75th Street, Nichols Hills, Oklahoma, and entering an agreement with respect to the same.

Goetzinger moved to continue this item to the next regular meeting of the Nichols Hills City Council, which will be Tuesday, September 8, 2015. Clements seconded the motion.

RESULT:	CONTINUED TO THE NEXT REGULAR [UNANIMOUS] Next: 9/8/2015 5:30 PM
MOVER:	Steven J. Goetzinger
SECONDER:	Sody Clements
AYES:	Goetzinger, Clements, Hoffman

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 50, Section 50-105, of the Nichols Hills City Code regarding requirements and procedures for amending a planned unit development in the "PUD" Planned Unit Development District; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion, Goetzinger made a motion 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 Item 10b - emergency clause of the foregoing Ordinance. Goetzinger seconded the motion.

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

- c. 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.

Upon the recommendation of City Attorney John Michael Williams, Clements made a motion to continue item 10C to the next regular meeting of the Nichols Hills City Council, which will be Tuesday, September 8, 2015. Goetzinger seconded the motion.

RESULT:	CONTINUED TO THE NEXT REGULAR [UNANIMOUS] Next: 9/8/2015 5:30 PM
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.

No action taken.

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

- d. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending Chapter 50 of the Nichols Hills City Code regarding the "TC" Town Center Overlay District; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

City Attorney John Michael Williams explained to City Council Members this ordinance pertains to the area south of Avondale and is a relaxation of the requirements. Mayor Hoffman opened the public hearing. Seeing no one presented expressed a desire to be heard, the public hearing was closed.

Following discussion, Goetzinger made a motion to approve agenda item 10d as amended. 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 Item 10d - emergency clause of the foregoing Ordinance. Goetzinger seconded the motion.

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

- e. Discussion, consideration and possible approval or disapproval of an ordinance regarding regulations for carrying or sale of weapons; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Following discussion, Goetzinger made a motion to approve agenda item 10e as amended. 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 Item 10e - emergency clause of the foregoing Ordinance.
Goetzinger seconded the motion.

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

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

Following discussion, Goetzinger made a motion to approve agenda item 10e 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 Item 10e - emergency clause of the foregoing Ordinance.
Goetzinger seconded the motion.

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

- g. Discussion, consideration and possible approval or disapproval of an ordinance amending the employee retirement system, defined contribution plan for the City of Nichols Hills, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Nichols Hills, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a retirement committee and providing for powers, duties, and rights of retirement committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investments part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code.

Following discussion, Clements made a motion to approve agenda item 10g 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, Goetzinger moved to adjourn the meeting. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
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