

MINUTES

Regular Meeting of the
Nichols Hills City Council
Tuesday, June 9, 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 5th day of June, 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 - No minutes to be considered at this meeting.

4. Departmental Reports for May 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
April 2015 Financials
May 2015 Financials
- i. Information System Management Report
- j. Engineers Report

Goetzinger made a motion to accept the departmental reports as presented, except item H. Clements seconded the motion.

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

5. Total Warrants & Claims \$286,193.67

Discussion, consideration and possible approval of the following:

a. General Fund	8,771.27
b. Street & Alley	44.15
c. Designated Funds	174.48
d. Nichols Hills Municipal Authority	72,327.29
e. General Fund Capital Improvement	14,994.28
f. 9-1-1 Fund	0.00
g. Nichols Hills Municipal Authority - Capital Improvement	11,794.30
h. General Obligation Bond Funds	102,087.90

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

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

6. Consent Docket - Construction

Discussion, consideration and possible approval of the following:

- a. Invoice for TV Sewer Line at 2303 Grand Boulevard in the amount of \$2,350 to Urban Contractors, LLC, to be paid out of 2013 GO Bond other funds.
- b. Invoice for Emergency Street Repair in the area of Huntington and Grand in the amount of \$2,200 to Nash Construction, to be paid out of 2012 GO Bond other funds.
- c. Pay Estimate No. 2 for Project No. FC-1302, Public Works Facility Expansion Project in the amount of \$24,578.40, to Pillar Contracting, Inc. City Engineer has verified quantities and recommends approval to be paid out of 2014 GO Bonds and other funds.
- d. Review, approve, ratify and accept contract and bonds, which may include construction, maintenance and performance bonds, relating to Project WW-1401 for the 2011 GO Bond Issue for Water Wells #2, #5 and #8.
- e. Review, approve, ratify and accept contract and bonds, which may include construction, maintenance and performance bonds, relating to Project PC-1201 for the 2012-2013 GO Bond Issue for Paving & Drainage Improvements to Pennsylvania Ave from NW 63rd St to Grand Boulevard.

Clements moved to approval the consent docket, items 6a, 6b, 6c, 6d and 6e 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. Entering into an agreement with Howard-Fairbairn Site Design, Inc. as the landscape architect for the Grand Boulevard Park Redevelopment Project to be paid from the 2015 and 2016 GO Bond Series.

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

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. Renewal of general liability, automobile, property, inland marine, law enforcement, employment practices, public entity management liability, commercial crime, excess errors and omissions liability, umbrella liability and terrorism insurance policies with Travelers Insurance for the 2015-2016 policy term, and authorizing the first payment of \$72,321.75. (Risk Manager Lindy Stormont recommends approval.)

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. Discussion, consideration and possible approval or disapproval of re-appointment of Gerald R. Marshall as City Treasurer effective July 1, 2015, authorization to Mr. Marshall to take all actions necessary and appropriate to fulfill office of City Treasurer, approval of all necessary documents in furtherance of the foregoing, and further authorize Mayor to sign and certify all necessary documents in furtherance of the foregoing.

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. The tort claim submitted by Gino Demarco, for an undetermined amount, for damage sustained to their home. Risk Manager Lindy Stormont recommends denial of the claim and submission to the city's insurance.

Clements moved to approve the denial of the tort claim submitted. Goetzinger seconded the motion.

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

- d. Accept the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ended June 30, 2014. This is the 18th consecutive year for the City of Nichols Hills to receive this award.

Goetzinger moved to accept the CAFR award. Clements seconded the motion.

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

- e. Regarding potential requirement of freeze and rain sensors for sprinkler systems.

Goetzinger moved to send this item to the Environmental, Health and Sustainability Commission for a recommendation. Hoffman seconded the motion.

RESULT: **APPROVED [2 TO 1]**
MOVER: Steven J. Goetzinger
SECONDER: E. Peter Hoffman, Vice-Mayor
AYES: Goetzinger, Hoffman
NAYS: Clements

- f. Budget adjustment for fiscal year 2014-2015.

No action taken.

RESULT: **NO ACTION TAKEN**

BOARD APPOINTMENTS - PLANNING COMMISSION

- g. Planning Commission Appointment for Ward Two.

No action taken.

h. Planning Commission Appointment for Ward One.

I Sody Clements, City of Nichols Hills, Oklahoma Council member from Ward 2, hereby appoint John McCaleb, 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 2018, or until his/her successor takes office.

Goetzinger moved to approve the appointment of John McCaleb to the Planning Commission, Hoffman seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven J. Goetzinger
SECONDER:	E. Peter Hoffman, Vice-Mayor
AYES:	Goetzinger, Clements, Hoffman

BOARD APPOINTMENTS - PARKS COMMISSION

i. Park Commissioners - Ward Two - 2 year term

No action taken.

BOARD APPOINTMENTS - ENVIRONMENT, HEALTH & SUSTAINABILITY
COMMISSION

j. Environment, Health & Sustainability Commission - Ward One - fill vacant 2 year term

No action taken.

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

No action taken.

l. Environment, Health & Sustainability Commission - Ward Three - 3 year term

I, Steve Goetzinger, City of Nichols Hills, Oklahoma Council member from Ward 3, hereby appoint Andrew Thomas, a resident of Ward 3, 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 Council in June of 2018, or until his/her successor takes office.

Goetzinger moved to approve the appointment of Andrew Thomas. Clements seconded the motion.

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

m. Environment, Health & Sustainability Commission - Ward Three - fill vacant 1 year term

I, Steve Goetzinger, City of Nichols Hills, Oklahoma Council member from Ward 1, hereby appoint Carlene Burger, a resident of Ward 1, 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 Council in June of 2016, or until his/her successor takes office.

Goetzinger moved to approve the appointment of Carlene Burger. Clements seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
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: Resolution approving and adopting budgets for Fiscal Year 2015-2016 for General Fund, Nichols Hills Municipal Authority, Street & Alley Fund, General Fund Capital Improvements, Nichols Hills Municipal Authority Capital Improvements, 911 Funds, Designated Account Funds, Sinking Fund and General Obligation Funds.

Mayor Hoffman opened the public hearing for the Fiscal Year 2015-2016 Budget. No one expressed a desire to be heard; therefore, the public hearing was closed.

Clements moved to approve item 10a and adopt the budget as presented. Goetzinger seconded the motion.

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

- 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 Glenbrook Park in Nichols Hills, 1601 NW 63rd Street, as amended and restated, dated May 6, 2015; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mayor Hoffman opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed. City Manager David Poole advised the Planning Commission continued this item to July and recommends City Council also continue this item.

Goetzinger moved to continue item 10b until July 14, 2015 at 5:30 pm which is the next regular meeting of the City Council. Clements seconded this 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 on the emergency section.

- c. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding walk-up automated teller machines and drive-up automated teller machines in the C-2 "Retail Business" zoning district; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mayor Hoffman opened the public hearing. No one expressed a desire to be heard; therefore, the public hearing was closed. Council was advised the Planning Commission recommends approval of this ordinance.

Clements moved to approve item 10c 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.
- d. Discussion, consideration and possible approval or disapproval of an ordinance amending the Nichols Hills City Code regarding no parking zone on the east side of the 7100 block of Waverly Avenue; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mr. Kent Hensley spoke to City Council members requesting reconsideration of the ordinance. Mr. Patrick Hensley also spoke against the parking regulations of this ordinance. Police Chief Richard Mask spoke to Council providing a summary of the results city's study of the parking issues.

Goetzinger moved to approve the ordinance in agenda item 10d 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 10d(1) - 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 amending the Nichols Hills City Code regarding a general schedule of fees; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Clements moved to approve 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 item 10e(1) - Emergency clause of the foregoing Ordinance. Clements seconded the motion.

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

- f. Resolution of the City of Nichols Hills City Council establishing the Nine-One-One Emergency telephone rate for calendar year 2016.

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

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

11. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 4:30 PM on the 5th day of June, 2015 and posted in prominent view on the bulletin board at City Hall, also known as Town Hall, 6407 Avondale Drive, at 4:50 PM on the 5th day of June, 2015.

Addendum filed in the Office of the City Clerk at 4:25 PM on the 8th day of June, 2015 and posted in prominent view on the bulletin board at City Hall, also known as Town Hall, 6407 Avondale Drive, at 4:35 PM on the 8th day of June, 2015.

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