

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
JULY 25, 2011

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in regular session at 5:30 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Mayor Homer Nicholson presiding:

Present: Homer Nicholson, Mayor
Paul Krueger, Commissioner
Diane Anderson, Commissioner
Bill Flegler, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, City Clerk/Finance Director

Absent: Lanita Chapman, Commissioner

Others Present: Chris Henderson, Terry Brown, Phil Johnston, Earl Watkins, Don Nuzum, Tana McKinley, Butch Herring, Hong Fu, City staff; Gayle Young, David Myers, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Gayle Young, Police Chaplin & Andy Taylor, Minister First Baptist Church
3. Pledge of Allegiance

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

The Board of Commissioners found #4, #5, #6, #7, #8, #9, #10, #11, #12, and #13 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Flegler seconded.

Roll: Yeas; Anderson, Flegler, Nicholson, and Krueger. Nays; None. Motion carried.

4. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held July 5, 2011, and regular session held July 11, 2011.

5. **RESOLUTION NO. 5917**

A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS AGAINST THE CITY OF PONCA CITY, OKLAHOMA.

6. **RESOLUTION NO. 5918**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF THE OFFICE THEREOF.

BOARD OR COMMISSION

NAME

TERM

TERM EXPIRATION

Marland Estate Commission

Angi Kennedy

Appointed

2014

7. Consider and vote on renewal agreement between the City of Ponca City and United Community Action Program, Inc. for transportation services provided by Cimarron Transit in the amount of \$25,000.00.
8. Consider and vote on the agreement with the Ponca City Public Schools to receive reimbursement in the amount of \$104,620.56 for providing school resource officers for the 2011-2012 School Year.
9. Consider and vote on a ten (10) year lease agreement with Greenwood Government Services, Inc. for Building #4 located on the Ponca City Regional Airport.
10. Consider and vote on a three-year lease agreement with Enrique Avila, dba Enrique's Café, for the continued use of the Airport Restaurant and Restaurant Office in operating their business.
11. Consider and vote on the farm lease renewal for Parcel #1 & #2 to Mary Jeans located on the Ponca City Regional Airport.
12. Consider and vote on the lease renewal with Ponca City Aviation Booster Club for Building #15 located on the Ponca City Regional Airport.
13. **RESOLUTION NO. 5919**

A RESOLUTION OF THE CITY OF PONCA CITY REQUESTING THAT THE OKLAHOMA MUNICIPAL LEAGUE SUPPORT LEGISLATION FOR THE 2012 STATE OF OKLAHOMA LEGISLATIVE SESSION.

****ITEMS REMOVED FROM THE CONSENT AGENDA****

14. None.

****COMMUNICATIONS FROM MAYOR AND COMMISSIONERS****

15. Commissioner Krueger congratulated Commissioner Anderson on her election. Mayor Nicholson asked that people take precaution during this hot weather.

****REPORTS****

16. **CITY MANAGER'S REPORT**

Stephenson advised that this is the week for the Grand National Motocross Races to be held here in Ponca City. Stephenson also stated that the Mayor was there to welcome them into the 109th heat. Stephenson added that they have estimated that there will be about 2100 riders participating in this year's event.

Stephenson also reminded the Commissioners that this Wednesday, July 27, 2011 Channel 5 will be in town to broadcast their 5:00 and 6:00 p.m. newscast, and they also will be participating in Operation Pioneer Spirit. Stephenson stated that they will broadcast from Wentz Pool, and the pool will be open for free swim that day.

Stephenson updated the Commissioners on the City's water system. Stephenson advised that

the Ponca City water system serves more than 11,409 residential, commercial, and industrial customers. Stephenson advised that currently the City's water system is in good shape and is expected to deliver satisfactory service. Stephenson advised that with the high temperatures the City is seeing an increase in demand for water usage. Stephenson said that currently the City is averaging 12.1 million gallons a day of water usage, compared to 9.2 million gallons a day for the previous year. Stephenson further stated that he would like the residents to be responsible and implement water conservation practices to protect this valuable resource.

Stephenson in conclusion informed everyone that the Kay County Commissioners voted today to enact a 30-day burn ban. Stephenson added that the burn ban is effective as of today, and will go until August 25, 2011.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

17A.

ORDINANCE NO. 6142

AN ORDINANCE AMENDING TITLE 11, CHAPTER 6 AND CHAPTER 17, OF THE CODE OF PONCA CITY, PROVIDING FOR THE APPLICATION OF SPECIFIC BULK STANDARDS FOR THE PLACEMENT OF ACCESSORY BUILDINGS; ESTABLISHING SETBACK REQUIREMENTS, REQUIRING NOTICE BE PROVIDED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Chris Henderson, Development Services Director, explained to the Commission that this Ordinance is in response to concerns raised by residents who live in an established neighborhood, and were concerned over the proliferation of an accessory building appearing in their neighborhood. Henderson stated that currently the City only regulates the size, the location, and the height of an accessory building. Henderson went on to say that the new Ordinance would require a building permit for an accessory building to be held for 10 days before issuance, City to post the subject property during the 10-day period in order to provide notice to residents of the pending building permit application, and require a side yard setback of (6) feet.. Henderson stated that this Ordinance addresses the concerns of the residents and gives residents the opportunity to gather their forces, check their covenants, and make sure the accessory building being contemplated meets the local protective covenants for that sub division. Henderson noted that this Ordinance does not apply to accessory buildings under 200 square foot in size.

Commissioner Flegler made the motion to approve the Ordinance amending Title 11, Chapter 6 and Chapter 17, of the Code of Ponca City, providing for the application of specific bulk standards for the placement of accessory buildings; establishing setback requirements, requiring notice be provided prior to the issuance of a building permit; repealing Ordinances in conflict; providing for severability and declaring an emergency. Anderson seconded.

Roll: Yeas; Flegler, Anderson, Nicholson, and Krueger. Nays; None. Motion carried.

17B. Consider and vote on the Emergency Clause of the Ordinance.

Commissioner Anderson made the motion to approve the emergency clause of the Ordinance. Flegler seconded.

Roll: Yeas; Anderson, Flegler, Nicholson, and Krueger. Nays; None. Motion carried.

18. Consider and vote to declare as surplus the Diesel Plant Engines and related equipment located at 1400 North Union, Ponca City, OK, and direct staff to secure final proposals for their removal.

Commissioner Krueger made the motion to approve the declaration of surplus of the Diesel Plant engines and related equipment located at 1400 North Union, Ponca City, OK, and direct staff to secure final proposals for their removal. Flegler seconded.

Roll: Yeas; Krueger, Flegler, Nicholson, and Anderson. Nays; None. Motion carried.

****CITIZENS COMMENTS****

19. None.

RECESS TO PONCA CITY UTILITY AUTHORITY MEETING

Commissioner Flegler made the motion to recess to the Ponca City Utility Authority at 5:55 p.m. Krueger seconded.

Roll: Flegler, Krueger, Nicholson, and Anderson. Nays; None. Motion carried.

20. Commissioner Flegler made the motion to enter into executive session at 5:58 p.m. pursuant to Title 25 Section 307 Oklahoma Statutes for purposes of conferring on matters pertaining to Economic Development upon finding that the matter to be discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business. Anderson seconded.

Roll: Yeas; Flegler, Anderson, , Nicholson, and Krueger.. Nays; None.. Motion carried.

21. **RETURN TO REGULAR SESSION**

At 6:28 p.m., the Board of Commissioners returned to regular session with no action being taken.

22. Commissioner Krueger made the motion to adjourn the regular session of the Board of Commissioners. Flegler seconded.

Roll: Yeas; Krueger, Flegler, Nicholson, and Anderson. Nays; None. Motion carried.

Mayor Nicholson adjourned the Board of Commissioners at 6:28 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF AUGUST 2011.

MAYOR

ATTEST:

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
JULY 25, 2011

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 5:30 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Chairman Homer Nicholson presiding.

Present: Homer Nicholson, Chairman
Diane Anderson, Trustee
Bill Flegler, Trustee
Paul Krueger, Trustee
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Lanita Chapman, Trustee

Others Present: Chris Henderson, Terry Brown, Earl Watkins, Tana McKinley, Butch Herring, Hong Fu, City staff; David Myers, PCDA; Beverly Bryant, Ponca City News.
Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 5:55 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2 and #3 noncontroversial and routine in nature by the governing body and are approved by one motion.

Trustee Flegler made the motion to approve the consent agenda. Anderson seconded.

Roll: Yeas; Flegler, Anderson, Nicholson, and Krueger. Nays; None. Motion carried.

2. Consider and vote upon the minutes of the regular session held July 11, 2011.

3. **RESOLUTION NO. 800**

***A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS AGAINST THE
PONCA CITY UTILITY AUTHORITY OF PONCA CITY, OKLAHOMA.***

****ITEMS REMOVED FROM THE CONSENT AGENDA****

4. None.

****NEW BUSINESS****

None.

5. Trustee Krueger moved to adjourn the Ponca City Utility Authority meeting at 5:57p.m. Flegler seconded.

Roll: Yeas; Krueger, Flegler, Nicholson, and Anderson. Nays; Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority at 5:57 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF AUGUST 2011.

CHAIRMAN:

ATTEST:

TRUST SECRETARY