

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
JANUARY 23, 2012

Southwest Business Products E815989JB

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
Lanita Chapman, Commissioner
Bill Flegler, Commissioner
Diane Anderson, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Paulette Cross, Deputy City Clerk

Absent: Marc LaBossiere, Finance Director/City Clerk

Others Present: Mike Lane, Mike Chapman, Chris Henderson, Hong Fu, Tana McKinley, Dwaine Vincent, Terry Brown, Marcy White, Walt Klinger, Jack Adams, City Employees; Clyde & Patti Otipoby, Citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Pastor Jack Adams – New Hope Christian Fellowship
3. Pledge of Allegiance

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

The Board of Commissioners found #4 and #5 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Chapman seconded

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held January 9, 2012.

5. ***RESOLUTION NO. 5948***

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

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

6. None.

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

7. None.

****REPORTS****

8. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported that the 118th Chamber Banquet will be held this Thursday, January 26, 2012 starting at 6:30 p.m. at the Conoco Atrium, and the Chamber Banquet reception will be held at the downtown RCB Bank from 4:00 p.m. to 6:00 p.m. for ticketholders only. Stephenson also informed the Commission that January 30, 2012, is the fifth Monday of the month, therefore; no Commission meeting will be held.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

9A.

ORDINANCE NO. 6149

AN ORDINANCE OF THE CITY OF PONCA CITY, OKLAHOMA, RELATING TO THE AMENDMENT OF ORDINANCE NO. 6054 OF THE CITY, AS CODIFIED IN SECTION 4-2-3 OF THE CODE OF ORDINANCES, BY EXTENDING THE EXPIRATION DATE; PROVIDING FOR THE PURPOSES FOR WHICH EXCISE TAX PROCEEDS CAN BE USED; PROVIDING EFFECTIVE DATE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Mike Lane, Traffic Engineering Manager, gave a brief background of the ½% street sales tax, stating that this is the 25th year for the special street tax. Lane reviewed projects past, present and future that the sales tax has funded, and gave a history of the revenue this tax has generated. Lane also informed the Commission that the funds could only be used for street related projects, such as paying contractors, buying street materials, acquiring right-of-ways, engineering firms for plans, or matching funds for projects. Lane concluded by saying that this has been a very successful tax program.

Commissioner Flegler made the motion to approve the Ordinance of the City Of Ponca City, Oklahoma, relating to the Amendment of Ordinance No. 6054 of the City, as Codified in Section 4-2-3 of the Code of Ordinances, by extending the expiration date; providing for the purposes for which excise tax proceeds can be used; providing effective date; providing for Severability of Provisions; and containing other provisions related thereto. Anderson seconded.

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

9B.

RESOLUTION NO. 5949

A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF PONCA CITY, OKLAHOMA, ON TUESDAY, APRIL 3, 2012, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY THE QUESTION OF APPROVAL OR REJECTION OF AMENDING ORDINANCE NO 6054, OF THE CITY RELATING TO: EXTENDING THE ORDINANCE'S EXPIRATION DATE; PROVIDING FOR THE PURPOSES FOR WHICH THE STREET SALES AND USE TAX PROCEEDS CAN BE USED; PROVIDING EFFECTIVE DATE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Commissioner Chapman made the motion to approve a Resolution authorizing the calling and holding of a Special Election in the City of Ponca City, Oklahoma, on Tuesday, April 3, 2012, for the purpose of submitting to the Registered Qualified Electors of said City the Question of Approval or Rejection of amending Ordinance No. 6054, of the City relating to: extending the Ordinance's expiration date; providing for the purposes for which the Street Sales and Use Tax proceeds can be used; providing effective date; providing for Severability of Provisions; and containing other Provisions related thereto. Flegler seconded.

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

10. Consider and vote on Final Amendment No. 1 to Architect Service Agreement with Schafer Johnson Cox Frey & Associates, P.A. with an adjustment to a total of \$1,520,750.14 for services rendered for the Ponca City Aquatic & Family Center-YMCA.

Mike Chapman gave background of this item explaining to the Commission that on March 24, 2008 the City of Ponca City entered into an agreement with Schafer Johnson Cox Frey & Associates, P.A. for architectural services for the Ponca City Aquatic & Family Center-YMCA. Chapman further explained that the original agreement anticipated that construction of the facilities would be accomplished by a single fixed price general construction contract, construction and erection of a Rock Climbing Wall, and interior design and purchasing of furnishings for a total amount of \$14,642,881.00 plus reimbursable expenses. Chapman informed the Commission that due to changes in construction delivery method from a single fixed price general construction contract to Construction Manager at Risk form of delivery, design-build method of delivery of the Rock Climbing Wall, and interior design and competitively bid for procurement of furnishings, graphics, and signage changed the amount of this project \$21,434,195.00. Chapman concluded by stating that the changes in the amount of the project also changed the amount to be paid to Schafer Johnson Cox Frey & Associates, P.A. from \$1,025,001.67 to \$1,520,750.14.

Commissioner Anderson made the motion to approve the Final Amendment No. 1 to Architect Service Agreement with Schafer Johnson Cox Frey & Associates, P.A. with an adjustment to a total of \$1,520,750.14 for services rendered for the Ponca City Aquatic & Family Center-YMCA. Flegler seconded.

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

11. Consider and vote on the purchase of Tyler Content Manager Software, Hardware and

Implementation Services in the amount of \$82,599.00 from Tyler Technologies.

City Manager Stephenson explained that this item is for implementation for digital storage wanted to do paperless filing systems. Stephenson explained that this amount would allow for some equipment and get the basis of the training completed. Stephenson further advised that the project will begin in two departments and then over a period of time be implemented into all of the departments. Stephenson concluded by saying that this should be a tremendous system and a benefit to the community, Mayor and Board of Commissioners, and staff to be able to access documents.

Commissioner Chapman made the motion to approve the purchase of Tyler Content Manager Software, Hardware and Implementation Services in the amount of \$82,599.00 from Tyler Technologies. Flegler seconded.

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

****CITIZENS COMMENTS****

12. Patti Otipoby 2308 Drake Lane spoke to the Commission concerning the deer problem in Ponca City, and her concerns about the ticks deer carry, which causes Lyme disease and Rocky Mountain Spotted Fever. Otipoby asked the Commissioner if there was a way, which the City could help in eliminating deer population in the City limits to insure the safety of its citizens.

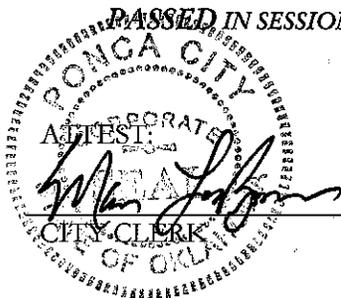
Bill Pino, 905 E. Bradley, stated that he wanted to address the individual that spoke to the Commission. Pino stated that Mrs. Otipoby is not an individual who is radical, or a person who wants to cause problems. Pino went on to say that Mrs. Otipoby is an upstanding, upright citizen who is honest, forthright and when she gives her opinion it is as good as gold. Pino stated that you can rest assured that the information she brought before the Commission is true. Pino asked the Commission to take immediate action, and consider this item seriously.

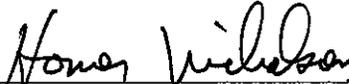
13. Commissioner Flegler made the motion to adjourn the meeting at 6:30 p.m. Chapman seconded.

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

Mayor Nicholson adjourned the Board of Commissioners at 6:30 p.m.

PASSED IN SESSION AND APPROVED THIS 13TH DAY OF FEBRUARY 2012.




MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
JANUARY 23, 2012

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
Bill Flegler, Trustee
Paul Krueger, Trustee
Lanita Chapman
Diane Anderson, Trustee
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Paulette Cross, Deputy City Clerk

Absent: Marc LaBossiere, Secretary

Others Present: Mike Lane, Mike Chapman, Chris Henderson, Hong Fu, Tana McKinley, Dwaine Vincent, Terry Brown, Marcy White, Walt Klinger, Jack Adams, City Employees; Clyde & Patti Otipoby, Citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:30 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2, #3, #4, and #5 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. Chapman seconded.

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

2. Consider and vote upon the minutes of the regular session held January 9, 2012.

3. **RESOLUTION NO. 816**

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

4. Consider and vote upon Authorizing Chairman to submit Monthly Operating Statement to OWRB.
5. Consider and vote on Change Order No. 1 in the Deduct amount of \$5,666.00 to Construction Contract with Krapff-Reynolds Construction Company for the Ash Street Sewer Interceptor Repair Project.

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

6. None.

****NEW BUSINESS****

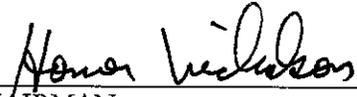
None.

7. Trustee Flegler made the motion to adjourn the Ponca City Utility Authority. Anderson seconded.

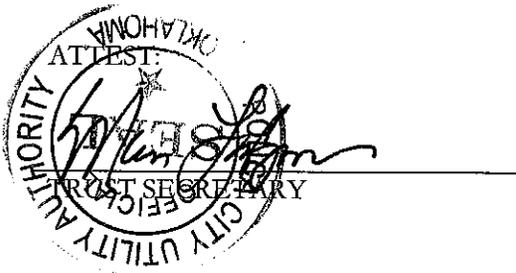
Roll: Yeas; Flegler, Anderson, Nicholson, Krueger, and Chapman. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority at 6:31 p.m.

PASSED IN SESSION AND APPROVED THIS 13th DAY OF FEBRUARY 2012.



CHAIRMAN:



TRUST SECRETARY