

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
JULY 25, 2005

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 Room at City Hall, 516 E. Grand, with Vice-Mayor Paul Krueger presiding:

Present: Paul Krueger, Vice Mayor  
David Cummings, Commissioner  
Stan Paynter, Commissioner  
Diane Anderson, Commissioner  
Tana McKinley, Acting City Manager  
Marc LaBossiere, Finance Director/City Clerk  
Kevin Murphy, City Attorney

Absent: Mayor Richard Stone  
Gary Martin, City Manager

Others Present: Terry Brown, Chris Henderson, Craige Baird, Craig Stephenson, Mike Lane, Don Nuzum, Paula Cain, Harry Creech, Jim Fairbanks, Bob Miller, Phil Johnston, Butch Herring, Brad Nesom, City staff; Rhonda Skrapke, Grant Consultant; Rich Cantillon, Don Bouldin, T.L. Walker, Homer Nicholson, citizens, Rod Bolin, Rog Allen, news press

1. Vice-Mayor Paul Krueger called the meeting to order at 5:31 p.m.
2. Gary Wilburn, Oak Grove Baptist Church gave the invocation followed by the pledge of allegiance.

**\*\*CEREMONIES AND PROCLAMATIONS\*\***

4. Character Trait for June: Gentleness presented by Malcom Cross, Staples.

**\*\*CONSENT AGENDA\*\***

The Board of Commissioners found items #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, and #18 non-controversial and routine in nature. Commissioner Cummings requested #11 be removed. Paynter made the motion to approve the balance of the consent agenda. Cummings seconded.

Roll: Yeas; Cummings, Paynter, Krueger, and Anderson. Nays; None. Motion carried.

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held July 11, 2005.
6. **RESOLUTION NO. 5484**

***WHEREAS, THE OKLAHOMA MAIN STREET CENTER HAS BEEN ESTABLISHED IN THE OKLAHOMA DEPARTMENT OF COMMERCE TO ASSIST SMALL TOWNS AND CITIES TO DEVELOP A PUBLIC/PRIVATE EFFORT TO REVITALIZE THEIR "MAIN STREET" AREAS; AND WHEREAS, THE CITY OF PONCA CITY DESIRES TO CONTINUE PARTICIPATION IN THE OKLAHOMA MAIN STREET; NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA: THE CITY OF PONCA CITY SUPPORTS***

***THE PARTICIPATION IN THE 2005 OKLAHOMA MAIN STREET CENTER WITH THE SPECIFIC GOAL OF REVITALIZING THE CENTRAL BUSINESS DISTRICT USING THE MAIN STREET 4-POINT APPROACH TO ECONOMIC REVITALIZATION.***

7. Consider and vote on a contract between the Oklahoma Department of Commerce and the City of Ponca City in the amount of \$50,000.00 for the Emergency Shelter Grant.
8. Consider and vote on request by Don Bouldin to burn brush within the City Limits.

9. **RESOLUTION NO. 5485**

***A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS PART OF THE CITY OF PONCA CITY'S STANDARD MANAGEMENT SYSTEM FOR EMERGENCY RESPONSE.***

10. Consider and vote on an agreement to provide funding for Give Ponca the Business.
12. Consider and vote on the Bid Committee's recommendation for the demolition of a Public Nuisance located at 222 South Pine Street and award a contract to Crow Dozing in the amount of \$4,800.00.
13. Consider and vote on the approval of the Bid Committee's recommendation for the demolition of a Public Nuisance located at 508 North Elm and award a contract to Crow Dozing in the amount of \$3,600.00.
14. Consider and vote on Traffic Commission recommendations to chip and seal and install speed bumps in the alley west of 14<sup>th</sup> Street from Patton to Bradley.
15. Consider and vote on Traffic Commission recommendation to install a marked crosswalk and pedestrian crossing signs on Fifth Street at Liberty.

16. **RESOLUTION NO. 5486**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGETS OF VARIOUS FUNDS FOR THE FISCAL YEAR 2004-05.***

17. **RESOLUTION NO. 5487**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGETS OF VARIOUS FUNDS FOR THE FISCAL YEAR 2005-06.***

18.

**RESOLUTION NO. 5488**

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

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

19. Commissioner Cummings removed Item # 11 stating that he understood that there were some staffing issues in regards to the current status of the Tourism service at the Chamber, and it has been suggested that the City continue the current contract for a shorter term than one (1) year. Cummings stated that he would make a motion to extend the existing contract with the Chamber thru August 31, 2005, and to authorize finance to make payments with the terms of the contract already in place. Cummings also stated he would like this issue to be on the agenda for the next work session for further discussion. Commissioner Anderson stated that she had received questions from citizens regarding how Tourism will work going forward and also with two directors having left, what is the common cause.

Rich Cantillon, Ponca City Chamber/Tourism Director addressed issues regarding the leaving of the Tourism Director and clarified that only one (1) employee resigned. Cantillon assured the Commission that agreement and obligation between the City and the Chamber would be fulfilled. Cantillon advised the Commission that a detailed report of the accomplishments of Tourism during the first year, which have been very significant, would be given to the Commission at their next regular meeting.

Commissioner Anderson seconded the motion made by Commissioner Cummings.

Roll: Yeas; Cummings, Krueger, and Anderson. Nays; Paynter. Motion carried.

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

20. Commissioner Anderson gave a personal thought stating that often time we talk about what is right and proper, but that what is popular is not always right, and what is right is not always popular.

Commissioner Paynter commented on the Moonlight Swim sponsored by the Park and Recreation Department at Wentz Pool. Paynter commended the Park and Recreation staff on the great job, and said that the grounds looked tremendous.

Commissioner Cummings echoed Commissioner Paynter's comments on the Wentz Pool Moonlight Swim, and went on to extend good-byes to Dr. Linda Powers, Ponca City High School principal, who resigned last week, and to offer encouragement to Dr. John Woody, interim principal at the present time.

Vice Mayor Krueger stated that he had the opportunity to welcome the Moto Cross to Ponca City and encouraged everyone to be good hosts and hostesses, as they bring a lot to our City.

**\*\*REPORTS\*\***

21. CITY MANAGER'S REPORT

Assistant City Manager Tana McKinley reminded the Commission that there would not be a regular work session on Monday, August 1, 2005.

**\*\*PUBLIC HEARINGS\*\***

None.

**\*\*UNFINISHED BUSINESS\*\***

None.

**\*\*NEW BUSINESS\*\***

22. ORDINANCE NO. 6026

***AN ORDINANCE AMENDING SECTION 9-8A-2 OF THE CITY CODE BY THE ADDITION OF A PARAGRAPH PROVIDING FOR ELECTRIC CUSTOMERS TO PURCHASE WIND POWER GENERATED ELECTRICITY; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.***

- 22A. Consider and vote to participate in the Wind Energy Purchase Program offered by OMPA and enact an amendment to the Rate Ordinance providing for the Associated Rate Schedule for this voluntary program.

Commissioner Paynter made the motion to approve the Ordinance amending Section 9-8A-2 of the City Code by the addition of a paragraph providing for electric customers to purchase wind power generated electricity; repealing Ordinances in conflict; providing for severability and declaring an emergency. Anderson seconded.

Roll: Yeas; Anderson, Paynter, Cummings, and Krueger. Nays; None. Motion carried.

- 22B. Consider and Vote on the Emergency Clause of the Ordinance.

Commissioner Paynter made the motion to approve the emergency clause. Cummings seconded.

Roll: Yeas; Cummings, Paynter, Krueger, and Anderson. Nays; None. Motion carried.

23. RESOLUTION NO. 5489

***A RESOLUTION DECLARING PROPERTY LOCATED IN THE W/2 OF THE SW/4 OF SECTION 16, TOWNSHIP 26 NORTH, RANGE 2 EAST OF THE INDIAN MERIDIAN, KAY COUNTY, STATE OF OKLAHOMA, SAID TRACT CONTAINING APPROXIMATELY 6.89 ACRES, MORE OR LESS, (OTHERWISE KNOWN AS 705***

***WEST HARTFORD) AS SURPLUS AND DIRECTING STAFF TO DISPOSE OF SAID PROPERTY BY PUBLIC OR PRIVATE SALE.***

Commissioner Cummings made the motion to approve the Resolution declaring property located in the W/2 of the SW/4 of Section 16, Township 26 North, Range 2 East of the Indian Meridian, Kay County, State of Oklahoma, said tract containing 6.89 acres, more or less, (otherwise known as 705 West Hartford) as surplus and directing staff to dispose of said property by public or private sale. Anderson seconded.

Roll: Yeas; Anderson, Cummings, Paynter, and Krueger. Nays; None. Motion carried.

24. **\*\*CITIZENS COMMENTS\*\***

None.

**RECESS TO AUTHORITY MEETING**

25. Vice-Mayor Krueger recessed to the Utility Authority meeting at 5:58 p.m.

Vice-Mayor Krueger called the Board of Commissioners regular meeting back to order at 6:16 p.m. and based on staff recommendation an executive session was not held.

26. Executive session cancelled.

27. Vice-Mayor Krueger adjourned the Ponca City Board of Commissioners meeting at 6:16 p.m.

***PASSED IN SESSION AND APPROVED THIS 8TH DAY OF AUGUST 2005.***

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VICE-MAYOR

ATTEST

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CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
JULY 25, 2005

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 5:58 p.m. in the Commissioners' Room in City Hall at 516 East Grand Avenue with Vice-Chairman Paul Krueger presiding.

Present: Paul Krueger, Vice Chairman  
David Cummings, Trustee  
Stan Paynter, Trustee  
Diane Anderson, Trustee  
Kevin Murphy, City Attorney  
Tana McKinley, Trust Secretary  
Marc LaBossiere, Finance Director/City Clerk

Absent: Richard Stone, Chairman  
Gary Martin, Trust Secretary

Others Present: Terry Brown, Chris Henderson, Craige Baird, Craig Stephenson, Don Nuzum, Paula Cain, Harry Creech, Jim Fairbanks, Bob Miller, Phil Johnston, Butch Herring, City staff; Homer Nicholson, citizens, Rod Bolin, Rog Allen, news press

1. Vice-Chairman Paul Krueger called the meeting to order at 5:58 p.m.

**\*\*CONSENT AGENDA\*\***

The Board of Trustees found items #2, #3, and #4 non-controversial and routine in nature by the governing body and are approved by one motion.

Trustee Cummings made the motion to approve the items on the consent agenda. Anderson seconded.

Roll: Yeas; Krueger, Paynter, Cummings, and Anderson. Nays; None. Motion carried.

2. Consider and vote upon the minutes of the regular session held July 11, 2005.

3. **RESOLUTION NO. 594**

***A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR THE FISCAL YEAR 2005-06.***

4. **RESOLUTION NO. 595**

***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\*\***

5. None.

**\*\*NEW BUSINESS\*\***

6. Consider and vote upon awarding contracts and authorizing the execution of the contract documents for Area Tree & Brush Trimming and Removal for Existing Electrical Lines.

Trustee Paynter made the motion to approve awarding of contracts and authorizing the execution of these contract documents for Area Tree & Brush Trimming and Removal for Existing Electrical Lines. Cummings seconded.

Roll: Yeas; Krueger, Paynter, Cummings, and Anderson. Nays; None. Motion carried.

7. Consider and vote upon authorizing submittal of the updated Flood Insurance Study (FIS) for Phase I of the Stormwater Master Plan.

Trustee Anderson made the motion to approve the submittal of the updated Flood Insurance Study (FIS) for Phase I of the Stormwater Master Plan. Paynter seconded.

Roll: Yeas; Paynter, Anderson, Cummings, and Krueger. Nays; None. Motion carried.

8. Consider and vote upon approval of the agreement for engineering services for Phase II of the Stormwater Master Plan and awarding of the contract to Meshek and Associates, Inc. in the amount of \$191,750.00.

Trustee Anderson made the motion to approve the agreement for engineering services for Phase II of the Stormwater Master Plan, and award the contract to Meshek and Associates, Inc. in the amount of \$191,750.00. Cummings seconded.

Roll: Yeas; Krueger, Anderson, Cummings, and Paynter. Nays; None. Motion carried.

6. Vice-Chairman Krueger adjourned the meeting at 6:16 p.m.

***PASSED IN SESSION AND APPROVED THIS 8<sup>TH</sup> DAY OF AUGUST 2005.***

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VICE-CHAIRMAN

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SECRETARY