

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
JULY 9, 2012

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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  
R. Mark Macy, Commissioner  
Diane Anderson, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Lanita Chapman, Commissioner  
Steve Hermann, Commissioner

Others Present: Craige Baird, Rhonda Skrapke, Terri Sherbon, Chris Henderson, Terry Brown, Dwaine Vincent, Tana McKinley, Butch Herring, Mike Chapman, City staff; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:32 p.m.
2. Invocation – Chaplain Michael Schlichting, Salvation Army
3. Pledge of Allegiance

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

4. Character Trait for July: Decisiveness

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

The Board of Commissioners found, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, and #16 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Macy seconded.

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held June 25, 2012.

6. RESOLUTION NO. 5980

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

7. RESOLUTION NO. 5981

*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 OFFICE THEREOF.*

<u>BOARD OR COMMISSON</u>	<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRATION</u>
Historic Preservation Advisory Panel	Jayne Detten	Re-Appointed	2015
Historic Preservation Advisory Panel	Mindy LittleCook	Re-Appointed	2015
Historic Preservation Advisory Panel	Richard Winterrowd	Re-Appointed	2015

8. RESOLUTION NO. 5982

*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 PARTICIPATING IN THE OKLAHOMA MAIN STREET CENTER; NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA: ETC.*

9. Consider and vote on annual agreement between the City of Ponca City and Wheatheart Nutrition Project, Inc. to provide a weekday Hot Lunch Program directed at the needs of older Citizens at the City owned Senior Center located at 319 West Grand.

10. RESOLUTION NO. 5983

*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 2012-13.*

11. Consider and vote on an agreement to provide funding for community wide holiday giveaway in the amount of \$5,000.00.
12. Consider and vote on renewal agreement between the City of Ponca City and Ponca City Main Street in the amount of \$30,000.00.
13. Consider and vote on renewal agreement between the City of Ponca City and the Northern Oklahoma Youth Services Center & Shelter, Inc. (NOYS) in the amount of \$15,000.00.
14. Consider and vote on an agreement between the City of Ponca City and the Ponca City Area Chamber of Commerce, Inc. for the Chamber to operate the Ponca City Tourism Bureau for the purpose of encouraging, promoting, and fostering the Convention and Tourism Development of Ponca City.
15. Consider and vote a 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.
16. Consider and vote upon Change Order No. 2, for the additional amount of \$9,110.00, to the contract with Diversified Construction Company of Edmond, Oklahoma for roof repairs for Buildings #4 and #6 at the Ponca City Regional Airport bringing the contract amount to \$480,637.00.

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

17. None.

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

18. Commissioner Anderson encouraged residents to check on neighbors and pets in the heat of summer.

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

19. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported the following items:

The Water Plant Lime System is back on line, it came on line approximately a week ago.

The City's Sales Tax for the most recent month was up 13.2% over the same month last year. This is the final month of the fiscal year, and staff can report that total sales tax collections for the fiscal year increased by 7.9% over the prior year. Total sales tax collections exceeded budget by 5.3% for the fiscal year. Staff believes this is a broad based recovery over several sectors of the economy, and is being driven by the rebound in the energy sector in our area.

The Chamber of Commerce is holding their Elected Officials Appreciation Picnic on Thursday July 19, 2012 at 6:30 p.m. Stephenson informed the Commission that they should have received an invitation to this event and to please RSVP to the Chamber Office.

Ponca Energy has been and will continue to issue Peak Alerts on those days when the outside temperature hovers near the 100° mark, Ponca City Energy can require as much as twice the capacity needed during the winter months. This extra capacity is known as peaking power and is much more expensive, since it comes from less efficient power plants, which are only dispatched during these high-use periods. In order to minimize the economic effects of this higher cost power, Ponca City Energy has established a Peak-Alert Program, which is activated when temperatures are forecast to be near or above 100°.

Ponca City Utility customers will be getting in this month's utility bill a brochure explaining and asking them to sign up for the Interactive Voice Response (IVR) system that is being implemented to better report and dispatch on utility outages and concerns, such as water leaks and sanitary sewer backups. They can either call the Utility Billing Department to provide them with the information, or they can go online and fill out the necessary information. This system should allow Ponca City Utility to provide even more efficient service to our customers.

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

None.

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

None.

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

20. Consider and vote on application for the Small Cities Community Development Block Grant (CDBG) Program to the Oklahoma Department of Commerce for FY-2011 funding in the amount of \$89,816.00.

Commissioner Macy made the motion to approve the application for the Small Cities Community Development Block Grant (CDBG) Program to the Oklahoma Department of Commerce for FY-2011 funding in the amount of \$89,816.00. Anderson seconded.

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

“Upon question from the City Clerk, it was clarified that a scrivener error occurred on this agenda item, and that Commissioners approved the item for FY-2012 funding, not FY-2011 as listed on the agenda.”

21. RESOLUTION NO. 5984

*A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, WHEREAS, TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, PUBLIC LAW 93-383, AS AMENDED, AUTHORIZED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA, TO GRANT TO THE STATE OF OKLAHOMA, FUNDS AND ADMINISTRATIVE RESPONSIBILITY FOR THE “SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT” PROGRAM;...*

Commissioner Anderson made the motion to approve the Resolution affirming the City’s commitment to take all action within its power to facilitate the receipt of assistance of Community Development Funds if the City of Ponca City is awarded a Community Development Block Grant from the Oklahoma Department of Commerce. Macy seconded

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

22. RESOLUTION NO. 5985

*A RESOLUTION OBLIGATING FUNDS TO BE USED AS LEVERAGE WITH THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AWARD.*

Commissioner Macy made the motion to approve the Resolution obligating funds to be used as leverage with the Small Cities Community Development Block Grant (CDBG) Award. Anderson seconded

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

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

23.

**RESOLUTION NO. 5986**

***A RESOLUTION READOPTING THE CITIZEN PARTICIPATION PLAN FOR THE CITY OF PONCA CITY, OKLAHOMA DATED JUNE 11, 2001.***

Roll; Yeas; Macy, Anderson, and Nicholson. Nays; None. Motion carried.

24. Consider and vote on the purchase of the Virtual Desktop Infrastructure in the amount of \$122,624.00 from Tangent, Inc. as a Sole Source Provider.

Commissioner Anderson made the motion to approve the purchase of the Virtual Desktop Infrastructure in the amount of \$122,624.00 from Tangent, Inc. as a Sole Source Provider. Macy seconded.

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

25. Consider and vote on final Change Order No. 2 for an increase in the Guaranteed Maximum Price of \$57,709.94 to a final guaranteed maximum price of \$21,019,058.94 by Lambert Construction Company for construction of the Ponca City Aquatic & Family Center-YMCA.

Commissioner Anderson made the motion to approve the final Change Order No. 2 for an increase in the Guaranteed Maximum Price of \$57,709.94 to a final guaranteed maximum price of \$21,019,058.94 by Lambert Construction Company for construction of the Ponca City Aquatic & Family Center-YMCA. Macy seconded.

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

**\*\*CITIZENS COMMENTS\*\***

26. None.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Commissioner Anderson made the motion to recess to the Ponca City Utility Authority at 6:33 p.m. Macy seconded.

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

27. At 6:36, the Commissioners returned to regular session and received the Ponca City Development Authority Review.

28. Commissioner Macy made the motion to enter into executive session at 6:48 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; Macy, Anderson, and Nicholson. Nays; None. Motion carried.

29.

**RETURN TO REGULAR SESSION**

At 6:37 p.m., the Board of Commissioners returned to regular session with no action being taken.

30. Commissioner Macy made the motion to adjourn the regular session of the Board of Commissioners. Anderson seconded.

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 7:12 p.m.

*PASSED IN SESSION AND APPROVED THIS 23<sup>RD</sup> DAY OF JULY 2012.*



ATTEST

*Mary LeBoeuf*

*Homer Nicholson*  
\_\_\_\_\_  
MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
JULY 9, 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  
R. Mark Macy, Trustee  
Diane Anderson, Trustee  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Steve Hermann, Trustee  
Lanita Chapman, Trustee

Others Present: Craige Baird, Chris Henderson, Terry Brown, Dwaine Vincent, Butch Herring, City staff; citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:33 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 Anderson made the motion to approve the consent agenda. Macy seconded.

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

2. Consider and vote upon the minutes of the regular session held June 25, 2012.
3. **RESOLUTION NO. 834**

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

- 4 **RESOLUTION NO. 835**

***A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR THE FISCAL YEAR 2011-12.***

5. **RESOLUTION NO. 836**

***A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR THE FISCAL YEAR 2012-13.***

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

6. None

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

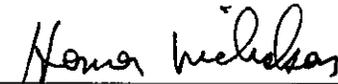
None.

7. Commissioner Macy made the motion to adjourn. Anderson seconded.

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

Mayor Nicholson adjourned the PCUA Board of Trustees at 6:36 p.m.

*PASSED IN SESSION AND APPROVED THIS 23<sup>RD</sup> DAY of July 2012.*

  
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CHAIRMAN:

