

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
NOVEMBER 14, 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 Mayor Richard Stone presiding:

Present: Richard Stone, Mayor
Paul Krueger, Commissioner
David Cummings, Commissioner
Stan Paynter, Commissioner
Diane Anderson, Commissioner
Gary Martin, City Manager
Marc LaBossiere, Finance Director/City Clerk
Kevin Murphy, City Attorney

Others Present: Chris Henderson, Mike Lane, Craig Stephenson, Phil Johnston, Don Bohon, Terry Brown, David Horinek, Butch Herring, Sherri Tapp, Denise Rexford, Ken Bryer, Tana McKinley, City staff; A.B. Elliott, Rev. Monte Nichols, Arlene Stauffer, citizens; Rod Bolin, Rog Allen, news press.

1. Mayor Richard Stone called the meeting to order at 5:30 p.m.
2. Monte Nichols, St. Luke's Nazarene Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Character Trait for October: Patience presented by Arlene Stauffer, Pioneer Technology.

****CONSENT AGENDA****

The Board of Commissioners found items #5, #6, #7, and #8, non-controversial and routine in nature. Commissioner Paynter made the motion to approve the consent agenda with the exception of #6. Cummings seconded.

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular work sessions held October 3, 2005, October 17, 2005, November 7, 2005, regular session held October 24, 2005 and special session held November 7, 2005.
7. Consider and vote on Traffic Commission recommendation to install stop signs on Cherry at Lincoln.
8. **RESOLUTION NO. 5510**

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

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

9. Commissioner Cummings removed Item #6, to vote on Traffic Commission's recommendation to reverse the stop signs at Third and Liberty. Cummings stated that he would like further explanation of how reversing the stop signs at these particular intersections would help in eliminating the sight distance problem.

Mike Lane, Traffic Engineering Manager, explained why the Traffic Commission unanimously approved the reversing of the stop signs at Third and Liberty Streets. Lane stated that the legs of 3rd Street (North & South) are offset, and Liberty Street is a straight through street, thus making it easier for a vehicle stopped at the stop sign on Third Street to see the oncoming traffic on Liberty Street.

Cummings stated that he would take the recommendation of the Traffic Commission, but that if it does not work, it could be changed back if it is decided that it was not a wise decision.

Commissioner Cummings made the motion to approve the reversing of stop signs at Third and Liberty Streets. Krueger seconded.

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

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

10. Commissioner Paynter congratulated the Ponca City Wildcat football team and their coaches for a great season.

Commissioner Cummings commented on the new stage that has been purchased with dollars from the Tourism tax, and what a great asset this will be to the community for Tourism events. Cummings also stated that he had been out to the Marland Estate surveying the progress on the dredging of the pond. Cummings commended the Park & Recreation Department, Street Department, and the Water Department for the work they are doing to get the pond dredged out, and still do their everyday jobs.

Mayor Stone also commented on the pond dredging and recognized that this is Main Street week. Stone also reminded citizens that on November 21, 2005, City employees will begin their fall leaf pickup.

****REPORTS****

17. CITY MANAGER'S REPORT

City Manager Gary Martin followed up on the leaf collection stating that collection would begin on November 21, 2005 and end January 27, 2006. Martin explained that the City would like for people to bag their leaves, so that bags can be picked up on regular pick-up days. Martin further commented that "not so good news" had been received from OMPA regarding the fuel adjustment factor.

Martin further explained that during the month of October most of the coal fired plants that OMPA purchases fuel from were shut down or had down time due to maintenance. Martin went on to say that this forced OMPA to ship to gas fired plants, and due to the price of natural gas, citizens will see a spike in their electric rates for the next two months.

Martin went on to inform the Commission that on November 29, 2005, the State Department of Public Transportation will have a public hearing to determine whether or not to close Business 60 on South Avenue and move it, as requested by the City to Grand Avenue.

Martin remarked that there is lots of activity with the Park & Recreation Department putting up Christmas decorations and getting ready for the Festival of Angels.

****PUBLIC HEARINGS****

12.

ORDINANCE NO. 6031

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PONCA CITY, AND DESIGNATING THE AREAS OR TRACTS INCLUDED IN SUCH EXTENSION, REPEALING ALL ORDINANCES IN CONFLICT OF PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

- 12A. Conduct a Public Hearing and consider and vote on an Ordinance extending the Corporate Limits of the City of Ponca City to include a tract of land described as being part of the SW ¼ of Section 26, Township 26 North, Range 2 East, IM, Kay County, Oklahoma located at 801 South 14th Street.

Mayor Stone opened the Public Hearing and asked that anyone who wished to speak for or against annexing the above mentioned property come forward and speak.

A.B Elliott, 301 E. Prospect, voiced concerns regarding the proposal for building a convenience store/travel center at the corner of 14th and South Avenue. Elliot stated that he was not protesting the annexation of this property into the City limits, but was concerned about drainage problems for this area, and how grading and filling of this property for the convenience store could have an adverse effect on the surrounding properties. Elliott stated that he was requesting that grading and filling not begin until he had time to meet with City personnel or responsible parties that are doing the study on the drainage for this project.

Mayor Stone assured Mr. Elliott that Chris Henderson, Community Development Director, and Craig Stephenson, Assistant City Manager of Public Works, are aware of the drainage problems. Henderson further advised that there is a consulting engineer on this project, who is inventorying every square inch of the City's storm water system.

Mayor Stone closed the Public Hearing.

Commissioner Krueger made the motion to approve an Ordinance extending the Corporate Limits of the City of Ponca City to include a tract of land described as being part of the SW ¼ of Section 26, Township 26 North, Range 2 East, IM, Kay County, Oklahoma located at 801 South 14th Street. Cummings seconded.

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

- 12B. Consider and vote to zone the above described property to C-2 General Commercial.

Commissioner Krueger made the motion to zone the above described property to C-2 General Commercial. Anderson seconded.

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

- 13.

ORDINANCE NO. 6032

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PONCA CITY, AND DESIGNATING THE AREAS OR TRACTS INCLUDED IN SUCH EXTENSION, REPEALING ALL ORDINANCES IN CONFLICT OF PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

Conduct a Public Hearing and vote on an Ordinance extending the Corporate Limits of the City of Ponca City to include a tract of land described as being part of the SE/4 of Section 18, Township 26 North, Range 3 East, I.M., Kay County, Oklahoma located at 2201 L. A. Cann Drive.

Mayor Stone opened the Public Hearing and asked for anyone who had comments for or against the annexation of the above mentioned property to come forward and speak. There being no comments, Mayor Stone closed the Public Hearing.

Commissioner Anderson made the motion to approve the Ordinance extending the Corporate City limits of the City of Ponca City to include a tract of land described as being part of the SE/4 of Section 18, Township 26 North, Range 3 East, I.M., Kay County, Oklahoma located at 2201 L.A. Cann Drive. Paynter seconded.

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

14. Conduct a Public Hearing and vote on a petition for a Special Use Permit in the R-3 Multi-Family Residential District for a Museum, located at 501 West South Avenue.

Mayor Stone opened the Public Hearing and asked if there was anyone who would like to speak for or against the petition for a Special Use Permit. There being no comments for or against the petition for a Special Use Permit, Mayor Stone closed the Public Hearing and entertained a motion to approve the development plan for the proposed Conoco Museum.

Commissioner Paynter made the motion to approve the petition for a Special Use Permit in the R-3 Multi-Family Residential District for a Museum, located at 501 West South Avenue. Cummings seconded.

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

15. Conduct a Public Hearing and vote to consider the approval of a site development plan for the proposed Conoco Museum, located at 501 West South Avenue.

Mayor Stone opened the Public Hearing and there being no one to speak for or against the site development plan for the proposed Conoco Museum, to be located at 501 West South Avenue closed the Public Hearing.

Commissioner Krueger made the motion to approve a site development plan for the proposed Conoco Museum, located at 501 West South Avenue. Cummings seconded.

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

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

16. **RESOLUTION NO. 5511**

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$20,000.00 OF FY-04 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE PONCA CITY HOME-BUYER ASSISTANCE PROGRAM, AND AUTHORIZING THE FINANCE DIRECTOR FOR THE CITY OF PONCA CITY TO MAKE ANY AND ALL RELATED PAYMENTS IN AN AMOUNT NOT TO EXCEED \$3,500.00 PER APPLICANT TO INDIVIDUAL INCOME-QUALIFIED APPLICANTS AND/OR THEIR DESIGNEES.

Commissioner Krueger made the motion to approve the Resolution authorizing the expenditure of \$20,000.00 of FY-04 Community Development Block Grant funds for the Ponca City Home-Buyer Assistance Program, and authorizing the Finance Director for the City of Ponca City to make any and all related payments in an amount not to exceed \$3,500.00 per applicant to individual income-qualified applicants and/or their designees. Anderson seconded.

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

17. Consider and vote to enter into an agreement with RBSLynk for Credit Card Services for City of Ponca City transactions.

Commissioner Cummings made the motion to approve an agreement with RBSLynk Credit Card Services for City of Ponca City transactions. Paynter seconded.

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

18. Consider and vote on to enter into an agreement with American Municipal Services (AMS) for collections of old outstanding warrants/citations for the Ponca City Municipal Court.

Commissioner Cummings made the motion to approve entering into an agreement with the American Municipal Services (AMS) for collections of old outstanding warrants/citations for the Ponca City Municipal Court. Krueger seconded.

Roll: Yeas; Anderson, Stone, Krueger, Paynter, Cumming. Nays; None. Motion carried.

19. Consider and vote on authorizing staff to proceed with reconstruction of Pecan Road from Prospect to Hubbard, without curbs and gutter, and authorize advertisement of bids for the project.

Mike Lane, Traffic Engineering Manager, advised that Pecan is now approximately 24' wide and the proposed project, if passed, would widen the road to 26' wide, from North of Prospect to North of Fieldstone, or approximately 4000 feet.

Commissioner Anderson made the motion to authorize the staff to proceed with reconstruction of Pecan Road from Prospect to Hubbard, without curbs and gutter, and authorize advertisement of bids for the project. Cummings seconded.

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

****CITIZENS COMMENTS****

20. None.

21. Mayor Stone adjourned the Ponca City Board of Commissioners at 6:32 p.m.

PASSED IN SESSION AND APPROVED THIS 28TH DAY OF NOVEMBER 2005.

MAYOR

ATTEST

CITY CLERK