

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
SEPTEMBER 24, 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  
R. Mark Macy, Commissioner  
Diane Anderson, Commissioner  
Lanita Chapman, Commissioner  
Steve Hermann, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None

Others Present: Butch Herring, David Horinek, Mike Lane, Rob Dick, Chris Henderson, Jim Fairbanks, Mike Chapman, Terry Brown, Randy Tyner, Tana McKinley, Hong Fu, City staff; Jayne Detten, Main Street; David Myers, PCDA; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Reverend Jim White, Ponca Tribe United Methodist Church
3. Pledge of Allegiance

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

None.

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

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

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held September 10, 2012.

5. RESOLUTION NO. 5997

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

6. RESOLUTION NO. 5998

***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.***

7. Consider and vote upon the lease renewal with Lindsey Manufacturing Inc. for building #3 Darr School located at the Ponca City Regional Airport.
8. Consider and vote upon a supply agreement between Phillips 66 and the City of Ponca City for aviation fuels and for the Ponca City Regional Airport to become a branded aviation dealer effective October 1, 2012 through September 30 2017.
9. Consider and vote on authorizing advertisement for bids on a project to retrofit traffic signals with existing protected left turn operation to protected/permissive left turn operation using flashing yellow arrows.
10. Consider and vote on authorizing advertisement for bids on Project Number GEN 12-7: Remove and Replace Concrete Curb and Gutter in the 400 to 600 block of North Lake Street.

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

11. None.

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

12. Mayor Nicholson stated that he was honored to have been chosen to be a guest speaker on a panel addressing bi-partisan policies. Nicholson related that one of the main issues addressed was internet sales tax that is not being received.

Commissioner Anderson reminded everyone about the Household Hazardous Waste Day that was scheduled for Saturday, September 29, 2012, as well as the Standing Bear Pow Wow.

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

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported the following:

HOUSEHOLD HAZARDOUS WASTE COLLECTION DAY will be held Saturday, September 29, 2012 from 9:00 a.m. until 2:00 p.m. at the North Parking Lot, Phillips 66, South Avenue and Pine Street, entrance should be made from Oak Street. Items to be collected include: used oil, filters-*no drums*; antifreeze, batteries, old paints, solvents, pool chemicals, household cleaners, pesticides & herbicides, fertilizers, wood preservatives, drain cleaners, electronics-TVs/PCs, rechargeable batteries, ammunition and medications. The following items will not be collected: medical wastes, radioactive materials, compressed gas, cylinders, commercial wastes, tires, kitchen appliances, no containers over 5 gallons, explosives, and hypodermic needles. This event is held every other year and is sponsored by City of Ponca City and Phillips66.

Come join us for the 2K Walk –N- WAG at Lake Ponca on Saturday September 29, 2012 you can register the day of the event, which will begin at 7:40 a.m. and the walk starts at 8:00 a.m.

The Oklahoma Municipal League (OML) Conference is next week September 25-27 in Oklahoma City. A packet of information for the conference has been provided to each Commissioner. The dress code for the conference events are business casual.

Oklahoma Municipal Power Authority (OMPA) has selected SDS Research to conduct their biannual Customer Satisfaction Survey. The survey will be conducted by telephone and will run approximately ten (10) minutes. The areas being surveyed are split into four different geographic areas Southwest, South Central, Central and North. Ponca City is one of OMPA's six largest member cities, and will be provided an individual survey report. SDS will provide the final results to the OMPA Board at their December 13th meeting.

The Lake Ponca Bridge project will begin on October 1, 2012, which is next Monday. The contractor will begin staging equipment at the site next week. The plan is for the road to close on October 1, 2012 as the contractor begins demolition work.

United Way of Ponca City will be making presentations to all City employees on October 2nd, 3rd and 4th in the mornings. This is the only outside agency that the City allows to solicit funds from our employees.

Standing Bear Pow Wow is scheduled for the weekend of September 29, 2012 at the Standing Bear Park. There will be a dedication ceremony of Phase 5 of Standing Bear on Saturday September 29, 2012 at 1:00 p.m.

PCDA has passed a resolution requesting the City Commission to consider calling for a special election to be held on January 8, 2013. The reason for the calling of the special election is to ask the voters of Ponca City to extend the existing one half cent sales tax for economic development from January 31, 2014 to January 31, 2019.

14. MAIN STREET REPORT

Jayne Detten, Manager of Main Street, gave a fall update on the organization and recent accomplishments and efforts.

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

None.

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

None.

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

15. Consider and vote on contract in the amount of \$293,144.30 with Earth Smart Construction, Inc. of Tulsa, Oklahoma for Lansbrook Road-Culvert and Channel

Improvements Project No. HMGPC 13-1.

Commissioner Anderson made the motion to approve a contract in the in the amount of \$293,144.30 with Earth Smart Construction, Inc. of Tulsa, Oklahoma for Lansbrook Road-Culvert and Channel Improvements Project No. HMGPC 13-1. Hermann seconded.

Commissioner Chapman opposed approving the contract to Earth Smart Construction as there was a local bidder, and she felt that since there was only a 5% difference in the amount of the bid, the bid should be awarded to the local bidder.

Roll: Yeas; Anderson, Hermann, Nicholson, and Macy. Nays; Chapman. Motion carried.

16. Consider and vote on an agreement with Clean Harbors, Inc. to provide collection and disposal services during the September 29, 2012 Household Hazardous Waste Event.

Commissioner Macy made the motion to approve an agreement with Clean Harbors, Inc. to provide collection and disposal services during the September 29, 2012 Household Hazardous Waste Event. Anderson seconded.

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

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

17. None.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Mayor Nicholson recessed to the Ponca City Utility Authority at 6:21 p.m.

18. At 6:25 p.m., the Commissioners returned to regular session and received the Ponca City Development Authority Review.

PCDA Executive Director David Myers gave an update of local economic numbers and recent related activities.

19. Commissioner Hermann made the motion to enter into executive session at 6:38 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. Macy seconded.

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

20. **RETURN TO REGULAR SESSION**

At 7:08 p.m., the Board of Commissioners returned to regular session with no action being taken.

21. The motion to adjourn was made by Commissioner Anderson and seconded by

Commissioner Hermann.

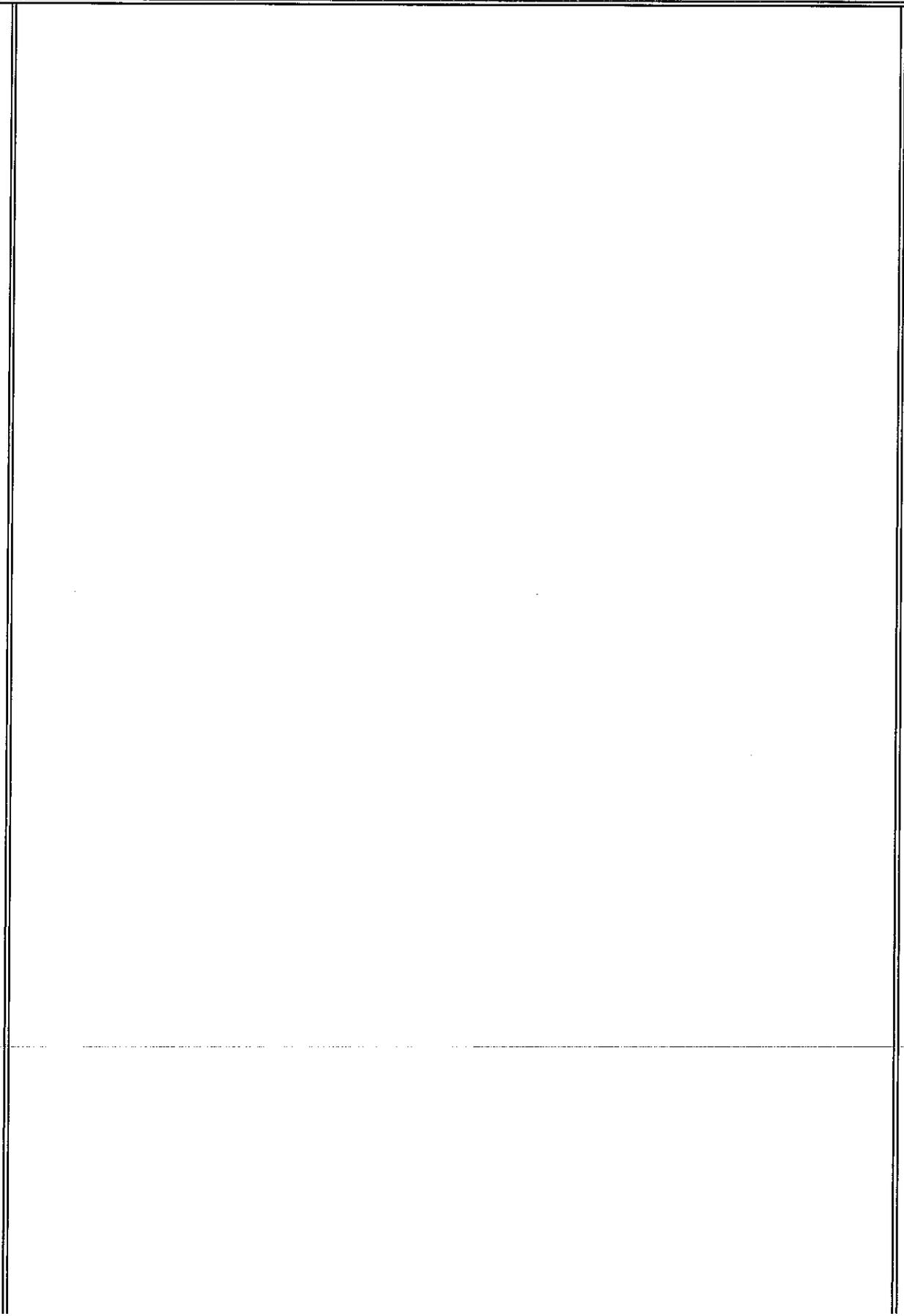
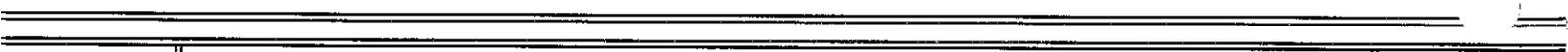
Roll: Yeas; Anderson, Hermann, Nicholson, Chapman, and Macy. Nays; None. Motion carried

Mayor Nicholson adjourned the Board of Commissioners meeting at 7:08 p.m.

*PASSED IN SESSION AND APPROVED THIS 8<sup>TH</sup> DAY OF OCTOBER 2012.*



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



MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY

SEPTEMBER 24, 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  
Lanita Chapman, Trustee  
Steve Hermann, Trustee  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None.

Others Present: Butch Herring, Rob Dick, Chris Henderson, Jim Fairbanks, Mike Chapman, Terry Brown, Randy Tyner, Tana McKinley, City staff, David Myers, PCDA; citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:22 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 Hermann made the motion to approve the consent agenda. Macy seconded.

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

2. Consider and vote upon the minutes of the regular session held September 10, 2012.

3. **RESOLUTION NO. 842**

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

4. **RESOLUTION NO. 843**

***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.***

5. Consider And Vote On Acknowledging Receipt Of Construction Permit No. SL000036110821 To Construct A Lift Station With A Stand-By Generator And Force Main To Serve The Lake Ponca Playground Restroom And Construction Permit No. SL000036120479 For Sewer Line Rehab To Serve The Area Near Pine Street And Overbrook Avenue.

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

6. None.

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

None.

7. Trustee Anderson made the motion to adjourn the meeting of the Ponca City Utility Authority. Hermann seconded.

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

Mayor Nicholson adjourned the PCUA Board of Trustees at 6:24 p.m.

*PASSED IN SESSION AND APPROVED THIS 8<sup>th</sup> DAY of October 2012.*



*Howard Nicholson*  
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CHAIRMAN: