

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
July 24, 2017

Southwest Business Products E1505510LD

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  
Nancy Rathbun, Commissioner  
Ryan Austin, Commissioner  
Lanita Chapman, Commissioner  
Shasta Scott, Commissioner  
Craig Stephenson, City Manager  
Michael Vanderburg, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None

Others Present: Mike Lane, Randy Tyner, Terry Brown, Tana McKinley, Chris Henderson, Eric Newell, Don Bohon, Jim Fairbanks, John Andrew, Dave Williams, Butch Herring, City staff; David Myers, PCDA; Rich Cantillon, Ponca City Chamber of Commerce; citizens; Steve Dye, Ponca City News, Beverly Bryant, TEAM Radio, City staff; citizens; Steve Dye, Ponca City News, Beverly Bryant, TEAM Radio.

1. CALL TO ORDER  
Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. INVOCATION – Ralph Hann, New Hope Christian Fellowship
3. PLEDGE OF ALLEGIANCE

**\*\*CEREMONIES & PROCLAMATIONS\*\***

4. Receive Arts & Economic Prosperity 5 Results
5. Character Trait for July: Courage

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

The Board of Commissioners found items #6 through #11 non-controversial and routine in nature. Commissioner Austin made the motion to approve the consent agenda. Commissioner Chapman seconded.

Roll: Yeas; Austin, Chapman, Nicholson, Rathbun, Scott. Nays; None. Motion carried.

6. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Regular Session Held July 10, 2017 and Special Session Held July 17, 2017.
7. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims.

**RESOLUTION NO. 6310**

***A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS.***

8. Consider And Vote Upon A Resolution Appointing Members To Various Boards And Commissions And Establishing The Terms Of Office Thereof.

**RESOLUTION NO. 6311**

***A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF OFFICE THEREOF.***

<u>BOARD</u>	<u>NAME</u>	<u>TERM</u>	<u>OF OFFICE</u>
Cultural Affairs Commission	Mark W. Riley	Appointed	7-24-17 to 5-31-20
Marland Estate Commission	Mark Doyle	Appointed	7-24-17 to 5-31-20
Marland Estate Commission	JoAnna Tripp Ware	Appointed	7-24-17 to 5-31-20

9. Consider And Vote Upon Change Order No. 1 In The Add Amount Of \$13,718.24, The Final Payment In The Amount Of \$87,918.23, To Big Star Services, LLC, And To Accept All Work As Complete For "Street And Water Line Improvement Project, Reconstruct Elm Street-Ponca Avenue To Oklahoma Avenue," Project No. GEN 17-4.
10. Consider And Vote Upon Accepting All Unit Price Bids For Items Of Work Performed For Sidewalk Maintenance During The Period July 1, 2017 Through December 31, 2017.
11. Consider And Vote On The Agreement With The Ponca City Public Schools To Receive Reimbursement In The Amount Of \$121,103.01 For Providing School Resource Officers For The 2017-2018 School Year.

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

12. None.

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

13. Mayor Nicholson expressed gratitude to Vice Mayor Nancy Rathbun for filling in during his absence.  
Commissioner Shasta Scott thanked all City employees who are working outdoors in the heat, and emphasized that we appreciate you.

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

14. CITY MANAGER'S REPORT

City Manager Craig Stephenson was happy to announce that new play structure in Garfield Park should be operational next week. The contractor is scheduled to pour concrete early this week and then place the safety fall zone material.

Stephenson made the public aware that the Attucks Splash Pad bids will be opened August 24, 2017. The project is being partially funded with CDBG grant funds and required all the specifications to be bid as opposed to using a design build process.

Stephenson reported that the Crazy Days Street Party will be held downtown on August 3, 2017 at the Veterans Plaza. The food vendors will begin at 5:00 p.m., Hydro Yoga at 5:15 p.m., and live music at 6:00 p.m. until approximately 10:00 p.m.

Stephenson stated that the Ponca City Main Street has been working on Downtown Art. They will be unveiling of the three traffic signal box wraps which will be placed on the traffic signal boxes at the intersections of First, Fourth, and Sixth Streets on Grand Avenue. The public will be allowed to vote on which wrap design will be the fourth signal box wrap, to be placed at the intersection of Second Street or Third Street on Grand Avenue, at the Crazy Days Street Party.

Stephenson mentioned that next Monday, July 31, 2017, is the fifth Monday of the month, and therefore, no regularly scheduled Board of Commission meeting.

15. Receive Ponca City Police Department 2016 Annual Report.

Police Chief Don Bohon presented a PowerPoint presentation, reminding all of the mission statement of the PCPD and outlining important statistics for Ponca City for 2016.

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

- 16A. Consider And Vote On Ordinance Extending The ½ Percent Economic Development Sales Tax Termination Date From December 31, 2018 To December 31, 2023

**ORDINANCE NO. 6241**

***AN ORDINANCE EXTENDING THE ½ PERCENT ECONOMIC DEVELOPMENT SALES TAX TERMINATION DATE FROM DECEMBER 31, 2018 TO DECEMBER 31, 2023***

Commissioner Rathbun made the motion to approve item #16A. Commissioner Scott seconded.

Roll: Yeas; Rathbun, Scott, Nicholson, Austin, Chapman. Nays; None. Motion carried.

- 16B. Consider And Vote On Resolution Calling Election For October 10, 2017, To Ratify Said Ordinance.

**RESOLUTION NO. 6312**

***A RESOLUTION CALLING ELECTION FOR OCTOBER 10, 2017, TO RATIFY SAID ORDINANCE.***

Commissioner Austin made the motion to approve item #16B. Commissioner Rathbun seconded.

Roll: Yeas; Austin, Rathbun, Nicholson, Chapman, Scott. Nays; None. Motion carried.

17. Consider And Vote On A Resolution Of The Board Of Commissioners Of The City Of Ponca City, Oklahoma, Requesting The Oklahoma Municipal League To Support Legislation For The 2018 State Of Oklahoma Legislative Session.

**RESOLUTION NO. 6313**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, REQUESTING THE OKLAHOMA MUNICIPAL LEAGUE TO SUPPORT LEGISLATION FOR THE 2018 STATE OF OKLAHOMA LEGISLATIVE SESSION.***

Commissioner Chapman made the motion to approve item #17 as stated. Commissioner Austin seconded.

Roll: Yeas; Chapman, Austin, Nicholson, Rathbun, Scott. Nays; None. Motion carried.

18. Consider And Vote On Overturning The Decision Of The Construction Appeals Board Which Awarded A Rebate To Watson Construction In The Amount Of \$30,000 For The Construction Of A New Home At 2905 North Pecan Under The Terms And Conditions Of The 2014 Housing Incentive Program (HIP).

Development Services Director Chris Henderson introduced the item and gave background on the scenario. Guy Clark then made arguments on behalf of Mr. John Watson.

Commissioner Rathbun made the motion to approve item #18. Commissioner Austin seconded.

Roll: Yeas; Rathbun, Austin, Nicholson, Chapman. Nays; None. Abstain: Scott. Motion carried.

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

19. None.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Commissioner Austin made the motion to recess to the Ponca City Utility Authority meeting. Commissioner Rathbun seconded.

Roll: Yeas; Austin, Rathbun, Nicholson, Chapman, Scott. Nays; None. Motion carried.

At 7:05 p.m. Mayor Nicholson recessed to the Ponca City Utility Authority meeting.

At 7:16 p.m. the Commission returned to regular session.

20. Receive Ponca City Development Authority Review.

PCDA Executive Director David Myers gave an overview on the Ponca City economy as well as some recent economic development related actions by local companies and projects undertaken by the PCDA.

21. Entertain Motion To Enter Executive Session:
  - a. Pursuant To Title 25 Section 307B Subsection 7 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 Public Disclosure Would Violate The Confidentiality Of The Business.
  - b. Pursuant To Title 25 Section 307B Subsection 3 Oklahoma Statutes For Purposes Of Discussing The Purchase or Appraisal of Real Property.

At 7:34 p.m. Commissioner Austin made the motion to enter executive session. Commissioner Scott seconded.

Roll: Yeas; Austin, Scott, Nicholson, Chapman, Rathbun. Nays; None. Motion carried.

22. Return To Regular Session And Take Any Necessary Action, If Appropriate, On Items Discussed In Executive Session.

The Board of Commission returned to regular session to adjourn with no action being taken.

23. ADJOURN

The motion to adjourn was made by Commissioner Austin and seconded by Commissioner Scott.

Roll: Yeas; Austin, Scott, Nicholson, Rathbun, Chapman. Nays; None. Motion carried.

Mayor Nicholson adjourned the Board of Commissioners meeting at 8:11 p.m.

***PASSED IN SESSION AND APPROVED THIS 14TH DAY OF AUGUST 2017.***



ATTEST:

  
CITY CLERK

  
MAYOR



MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
July 24, 2017

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  
Nancy Rathbun, Vice Chairman  
Ryan Austin, Trustee  
Lanita Chapman, Trustee  
Shasta Scott, Trustee  
Craig Stephenson, City Manager  
Michael Vanderburg, Trust Attorney  
Marc LaBossiere, Secretary

Absent: None

Others Present: Hong Fu, Mike Lane, Randy Tyner, Terry Brown, Tana McKinley, Chris Henderson, Eric Newell, Jim Fairbanks, John Andrew, Dave Williams, City staff; David Myers, PCDA; citizens; Steve Dye, Ponca City News, Beverly Bryant, TEAM Radio

1. CALL TO ORDER  
Chairman Homer Nicholson called the meeting to order at 7:05 p.m.

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

The Board of Trustees found items #2 and #3 noncontroversial and routine in nature by the governing body and are approved by one motion.

Trustee Austin made the motion to approve the consent agenda. Trustee Scott seconded.

Roll: Yeas; Austin, Scott, Nicholson, Chapman, Rathbun. Nays; None. Motion carried.

2. Consider And Vote Upon The Minutes Of The Regular Session Held July 10, 2017 and Special Session Held July 17, 2017.
3. Consider And Vote Upon A Resolution Appropriating Money For Payment Of Claims.

**RESOLUTION NO. 1002**

***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\*\***

4. None.

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

5. Consider And Vote On A 5-Year Lease/Purchase Agreement In The Total Amount Of \$509,913.21, With A \$1.00 Buyout Option, With Dell Financial Services For The Equipment, Software, Warranty, Licensing/ Maintenance And Installation Of A Virtual Desktop Infrastructure (VDI) System.

Trustee Chapman made the motion to approve PCUA item #5 as stated. Trustee Austin seconded.

Roll: Yeas; Chapman, Austin, Nicholson, Rathbun, Scott. Nays; None. Motion carried.

6. Consider And Vote Upon Change Order No. 1 In The Deduct Amount Of \$54,250 To Construction Contract With A&M Construction & Utilities, Inc. For The Industrial Park Ground Water Storage Tank Rehabilitation Project, Acknowledge That The Project Is Complete, And Authorize Final Payment.

Trustee Rathbun made the motion to approve item #6 as stated. Trustee Scott seconded.

Roll: Yeas; Rathbun, Scott, Nicholson, Chapman, Austin. Nays; None. Motion carried.

7. Consider And Vote On Change Order No. 1 In The Add-On Amount Of \$15,700 To Agreement With Tetra Tech For The Industrial Park Ground Water Storage Tank Rehabilitation Project.

Trustee Austin made the motion to approve item #7. Trustee Chapman seconded.

Roll: Yeas; Austin, Chapman, Nicholson, Rathbun, Scott. Nays; None. Motion carried.

8. ADJOURN

A motion to adjourn was made by Trustee Rathbun and seconded by Trustee Chapman.

Roll: Yeas; Rathbun, Chapman, Nicholson, Austin, Scott. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 7:16 p.m.

***PASSED IN SESSION AND APPROVED THIS 14TH DAY of AUGUST 2017.***



  
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TRUST SECRETARY

  
\_\_\_\_\_  
CHAIRMAN