

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
December 9, 2019

Southwest Business Products E1809727KV

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  
Lanita Chapman, Commissioner  
Paul Taylor, Commissioner  
Craig Stephenson, City Manager  
Michael Vanderburg, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Ryan Austin, Commissioner  
Shasta Scott, Commissioner

Others Present: Tana McKinley, Don Bohon, Terry Brown, Pam Jones, Eric Newell, John Andrew, Rob Dick, Jim Fairbanks, Dave Williams, Butch Herring, City Staff; Stacey Hammond, BT & Co., P.A; citizens; Beverly Bryant, Team Radio, Mike Seals, Ponca City News.

1. CALL TO ORDER  
Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE

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

3. Character Trait for December: Generosity

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

The Board of Commissioners found items #4 through #8 non-controversial and routine in nature. Commissioner Taylor made the motion to approve the consent agenda as read. Commissioner Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson. Nays; None. Motion carried.

4. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Regular Session Held November 25, 2019.
5. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims Against The City of Ponca City, Oklahoma.

**RESOLUTION NO. 6489**

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

6. Consider And Vote Upon Change Order No. 1 And The Final Payment To Evans And Associates Construction Company, Inc., To Accept All Work As Complete For Project No. SST 20-1, "Street Improvement Project, Asphalt Mill And Overlay, Turner Street – Hartford Avenue To Donner Avenue" In The Amount Of \$441,933.65.
7. Consider And Vote To Authorize The Mayor To Execute Amendment Number 1 To The Professional Services Agreement Between The City Of Ponca City And ADG, PC For Architectural Services For Design, Construction Documents, And Construction Oversight Of The Ponca City Public Safety Center In The Amount Of \$65,000.00.
8. Consider And Vote On A Contract Award For Road Construction Materials To The Lowest And Most Responsible Bidder Available For January 1, 2020 Through June 30, 2020.

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

9. None.

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

10. Mayor Nicholson expressed excitement to have Commissioners Chapman and Scott running un-opposed and winning their current seats for another term.

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

11. CITY MANAGER'S REPORT

City Manager Craig Stephenson congratulated Commissioners Lanita Chapman and Shasta Scott on their election to another term on the City Commission. They are both unopposed, for Commissioner Chapman it is her fifth term, and Commissioner Scott's second term.

Stephenson let the public know that the City of Ponca City will observe December 24, 2019 and December 25, 2019 as City Holidays and City offices will be closed both days. Residential Refuse will not be picked up December 24, 2019 or December 25, 2019 and will resume, December 26, 2019.

Stephenson reminded the public that Santa's Mailbox is located outside the RecPlex at 1604 Grand Avenue through December 18, 2019. If you send a letter with a self-addressed stamped envelope, Santa will send a letter back. In the past the location of Santa's Mailbox has been the Senior Center, so this is a new location for children.

Stephenson mentioned that the Festival of Angels is a great way to spend some time on these dark early evenings, See the various lighted displays at Lake Ponca Park, a 30 foot lighted angel located at 14<sup>th</sup> Street and Lake Road, and at Cann Gardens located at 14<sup>th</sup> Street and Grand Avenue. The displays will be available thru Monday, December 31, 2019 each evening from 6:00 p.m. to 10:00 p.m.

Stephenson invited the public to Marland's Grand Home for the "1916 Marland's Grand Home Holiday Open House – A Simple Holiday, Christmas During the WWI Years" on December 14, 2019 from 10:00 a.m. to 5:00 p.m. Activities will include: Photos With Santa, 10:00 a.m. to Noon. The *Story of the Christmas Truce of 1914*, featuring a historic WWI re-enactor telling stories of Christmas during the war years along with a display of WWI personal items, Noon to 4:00 p.m. Traditional carols by pianist, Mike Seals, 2:00 p.m. to 4:00 p.m. Make your own simple WWI ornament, and free refreshments, all day long.

Stephenson announced that the Marland Mansion and Estate invites visitors to a free event, "Marland Mansion's Candlelight Evening" on December 13, 2019 from 5:30 p.m. to 7:30 p.m. Experience the Marland Estate in a whole new light by visiting over 20 beautifully decorated theme rooms and walking through thousands of twinkling lights. The Marland Mansion Gift Shop, at 901 Monument Road is open Monday through Saturday, 10:00 a.m. to 5:00 p.m., and on Sunday from 1:00 p.m. to 5:00 p.m. for unique Christmas gifts.

Stephenson reminded the public that the City of Ponca City's *Autumn Leaf Collection* has begun, and ends January 24, 2020. The City's Crew will be working the City section by section, so it may take two weeks or more to collect the leaves due to the large volumes expected.

Stephenson let the public know that Kygar Road is now open. There is temporary line striping tabs out until the striping can get the corner striped, hopefully in the next couple of weeks.

Stephenson let it be known that the cofferdam at the Lake Ponca Spillway has been installed and de-watering has begun.

12. Receive Presentation of the City of Ponca City's Snow and Ice Control Manual.

Assistant to the Public Works Director Rob Dick outlined the Street Department procedures and protocols for addressing ice and clearing snow.

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

13. Consider And Vote To Receive Fiscal Year 2018-19 Annual Financial Statements And Accompanying Independent Auditor's Report For The City Of Ponca City, Oklahoma From Berberich Trahan & Co., P.A., For The Fiscal Year Ended June 30, 2019.

Commissioner Chapman made the motion to receive the financial audit report for Fiscal Year 2018-19. Commissioner Taylor seconded.

Roll: Yeas; Chapman, Taylor, Nicholson. Nays; None. Motion carried.

14. Consider And Vote On An Ordinance Amending The City Code, Title 9, Chapter 8D, Section 2B, Broadband Internet Service Rates, Repealing Ordinances In Conflict; And Providing For Severability.

**ORDINANCE NO. 6274**

***AN ORDINANCE AMENDING THE CITY CODE, TITLE 9, CHAPTER 8D, SECTION 2B, BROADBAND INTERNET SERVICE RATES, REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY.***

Commissioner Taylor made the motion to approve item #14 with correction of the scrivener error. Commissioner Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson. Nays; None. Motion carried.

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

15. None

**RECESS TO THE PONCA CITY UTILITY AUTHORITY MEETING**

Commissioner Taylor made the motion to recess to the Ponca City Utility Authority Meeting. Commissioner Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson. Nays; None. Motion carried.

At 6:05 p.m. Mayor Nicholson recessed to the Ponca City Utility Authority Meeting.

16. Consider And Vote To Conduct An Executive Session:

- a. For The Confidential Communication Between The Commission And Its Attorney On The Pending Contract Claims Over The Water Sales Contracts Of The City Of Ponca City. The City Attorney Advises That Public Disclosure Will Seriously Impair The Ability Of The Commission To Process The Claim And Any Related Future Litigation Therefrom In The Public Interest. Authority For The Executive Session Is 25 O.S. § 307B.3.
- b. For Purposes Of Discussing Negotiations With The IAFF (International Association of Fire Fighters) And FOP (Fraternal Order of Police). Authority For The Executive Session Is 25 O.S. § 307B.2.

At 6:07 p.m. the City Commission returned to regular session, and Commissioner Chapman made the motion to enter into executive session. Commissioner Taylor seconded.

Roll: Yeas; Chapman, Taylor, Nicholson. Nays; None. Motion carried.

At 7:27 p.m. the Commission returned to regular session.

16. ADJOURN

The motion to adjourn was made by Commissioner Chapman and seconded by Commissioner Taylor.

Roll: Yeas; Chapman, Taylor, Nicholson. Nays; None. Motion carried.

Mayor Nicholson adjourned the Board of Commissioners meeting at 7:27 p.m.

***PASSED IN SESSION AND APPROVED THIS 23<sup>RD</sup> DAY OF DECEMBER 2019.***



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

ATTEST:  
*[Signature]*  
\_\_\_\_\_  
CITY CLERK



MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
December 9, 2019

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  
Lanita Chapman, Trustee  
Paul Taylor, Trustee  
Craig Stephenson, City Manager  
Michael Vanderburg, Trust Attorney  
Marc LaBossiere, Secretary

Absent: Ryan Austin, Trustee  
Shasta Scott, Trustee

Others Present: Don Bohon, Terry Brown, Pam Jones, Eric Newell, John Andrew, Rob Dick, Jim Fairbanks, Dave Williams, Butch Herring, City Staff; Stacey Hammond, BT & Co., P.A; citizens; Beverly Bryant, Team Radio, Mike Seals, Ponca City News.

1. CALL TO ORDER

Chairman Homer Nicholson called the meeting to order at 6:05 p.m.

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

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

Trustee Chapman made the motion to approve the consent agenda. Trustee Taylor seconded.

Roll: Yeas; Chapman, Taylor, Nicholson. Nays; None. Motion carried.

2. Consider And Vote Upon The Minutes Of The Regular Session Held November 25, 2019.

3. Consider And Vote Upon A Resolution Appropriating Money For Payment Of Claims Against The Ponca City Utility Authority Of Ponca City, Oklahoma.

**RESOLUTION NO. 1085**

***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 To Receive Fiscal Year 2018-19 Annual Financial Statements And Accompanying Independent Auditor's Report For The Ponca City Utility Authority From Berberich Trahan & Co., P.A., For The Fiscal Year Ended June 30, 2019.

A motion to receive the audit was made by Trustee Taylor and seconded by Trustee Chapman.

Roll: Yeas; Taylor, Chapman, Nicholson. Nays; None. Motion carried.

9. ADJOURN

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

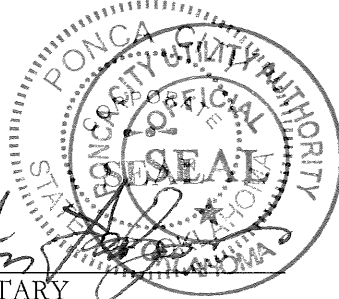
Roll: Yeas; Chapman, Taylor, Nicholson. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:07 p.m.

***PASSED IN SESSION AND APPROVED THIS 23<sup>RD</sup> DAY of December 2019.***

ATTEST:

  
\_\_\_\_\_  
TRUST SECRETARY



  
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CHAIRMAN