

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
December 14, 2020

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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  
Ryan Austin, Commissioner  
Lanita Chapman, Commissioner  
Shasta Scott, Commissioner  
Paul Taylor, Commissioner  
Craig Stephenson, City Manager  
John Andrew, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None

Others Present: Tana McKinley, Chris Henderson, Shane Becker, Dave Williams, Korey Pruet, Don Bohon, Richard Evans, Kevin Jeffries, Mike Lane, Jim Fairbanks, Butch Herring, City Staff; Mike Seals; TEAM Radio, citizens.

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

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

The Board of Commissioners found items #3 through #10 non-controversial and routine in nature. Commissioner Taylor made the motion to approve the consent agenda as presented. Commissioner Chapman seconded.

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

3. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Regular Session Held November 23, 2020 And Work Session Held December 7, 2020.
4. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims Against The City of Ponca City, Oklahoma.

**RESOLUTION NO. 6556**

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

5. Consider And Vote On A Resolution Designating Certain City Employees As Purchasing Officers With Authority To Make Purchases Against City And Municipal Trust Appropriations.

**RESOLUTION NO. 6557**

***A RESOLUTION DESIGNATING CERTAIN CITY EMPLOYEES AS PURCHASING OFFICERS WITH AUTHORITY TO MAKE PURCHASES AGAINST CITY AND MUNICIPAL TRUST APPROPRIATIONS.***

6. Consider And Vote Upon A Contract And Authorizing The Execution Of The Contract Documents To Hembree And Hodgson Construction, LLC For Street Improvement Project, Oklahoma Avenue – Waverly Street to Lincoln Street, Project No. SST21-4, In The Amount Of \$280, 299.83.
7. Consider And Vote On An Agreement With MKEC Engineering To Provide Professional Design Services For The Re-Decking Of The Union Street Bridge Over Highland Avenue In The Amount Of \$72,000.
8. Consider And Vote To Acknowledge Final Acceptance, Accept All Work As Complete, And Authorize Final Payment On Contract No. 17591 CDBG 19, Marland's Grand Home Improvements – Phase 2, 1000 East Grand Avenue, In The Amount Of \$11,878.80.
9. Consider And Vote Upon Authorizing Advertisement Of Bids To Obtain Unit Prices For Items Of Work Performed For Sidewalk Maintenance During The Period January 1, 2021 Through June 30, 2021.
10. Consider And Vote On Honeywell Building Solutions Service Agreement Addendum For Service Locations at City Hall and Fire Station No. 1.

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

11. None

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

12. Commissioner Taylor wished his fellow commissioners, City staff, and the community a very Merry Christmas.

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

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson reminded the public that December 24 and 25, 2020 City Offices will be closed for the Christmas Holiday. There will not be any residential refuse pickup either day. The Library will be closed beginning at 5:00 p.m. December 23, 2020 till December 28, 2020. Wentz Golf Course will be close at 3:00 p.m. on December 24, 2020 be closed December 25, 2020 and reopen on December 26, 2020 at 9:00 a.m. weather permitting. The Ponca Senior Center will close on December 23, 2020 at 4:00 p.m. and reopen on December 29, 2020. The RecPlex will be open on December 24, 2020 5:00 a.m. to 11:00 a.m. only, closed December 25, 2020 and reopen on December 26, 2020.

Stephenson let the public know the City of Ponca City's Residential Ice Storm Tree Debris Only Collection is on-going and may take two to three months to complete, if not longer. There is no fee for this service. Crews are using a Limb Removal Pick Up Order that has been created to remove debris as efficiently and safely as possible, while working thru each of the 21 sections identified for collection (see attached map). The Parks Division is currently collecting debris in Section 6 and the Street Division is currently collecting debris in Section 4. As of December 11, 2020, city crews have removed 13,980 cubic yards of debris from the community. As a reminder we have estimated that damages just for the debris removal to be approximately \$2.8 million city-wide.

Stephenson announced that starting December 23, 2020, the Christmas Tree Recycling area will be open for the drop-off of Christmas trees. This unique recycling opportunity is located across the street from the drop-off Recycling Center located on West Prospect Avenue. The Christmas Tree Recycling area will close On January 20, 2021 and the old Christmas trees will be turned into mulch for gardening and landscape usage. The mulch will be available free to the public, and those interested will need to bring their own shovels and containers for transporting the mulch. The mulch will be available beginning January 28, 2021 until it is gone. Please be sure and remove all lights and ornaments from the Christmas trees before bringing them to the Christmas Tree Recycling area.

Stephenson let it be known that IMMYLabs, in coordination with the Kay County Health Department, is offering drive-thru COVID-19 testing to the Kay County area at no charge to the individual. Testing is scheduled for December 17, 2020 from 10:00 a.m. to 2:00 p.m. IMMYLabs will utilize the Ponca City RecPlex as the drive-thru testing location. The address to the RecPlex is 1604 W. Grand Avenue, Ponca City. The testing is fast and you will receive your result within 2 business days!

Stephenson made it known that the eastbound lanes of the South Avenue underpass, will be closed to traffic beginning December 16, 2020 at 9:00 a.m. for repairs to a masonry wall along the sidewalk that was damaged in a vehicle accident. The repairs will take approximately 5 days to complete. Each day the repairs are underway the underpass will be closed to eastbound traffic from 9:00 a.m. to 4:00 p.m. Eastbound traffic on South Avenue will be detoured north on Pine Street, east on Grand Avenue, and then south on First Street. Westbound lanes through the underpass will remain open to traffic during the repairs.

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

- 14a. Conduct A Public Hearing On Subparagraph (B) Hereof;

Chris Henderson, Development Services Director, gave background to commissioners on the street block being considered for closing.

No public comment was received.

- 14b. Consider And Vote On An Ordinance Authorizing The Partial Closing Of A Public Street Lying Between Block 6 And Block 7 Of Crown Height Addition, More Particularly Described Below, Located In The 1800 Block Of Queens Avenue.

**ORDINANCE NO. 6284**

***AN ORDINANCE AUTHORIZING THE PARTIAL CLOSING OF A PUBLIC STREET LYING BETWEEN BLOCK 6 AND BLOCK 7 OF CROWN HEIGHT ADDITION, MORE PARTICULARLY DESCRIBED BELOW, LOCATED IN THE 1800 BLOCK OF QUEENS AVENUE.***

Commissioner Austin made the motion to approve item #14b. Commissioner Taylor seconded.

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

- 15a. Conduct A Public Hearing On Subparagraph (B) Hereof;

Chris Henderson, Development Services Director, gave background to commissioners on the street block being considered for closing.

Dawn Brakey, Board Chairman of Golden Villa, expressed gratitude to the City for working on a solution for a great project at Golden Villa.

- 15b. Consider And Vote On An Ordinance Authorizing The Partial Closing Of A Street Lying Between Block 17 And Block 18 Of Townsite Of Cross Addition To The City Of Ponca City, More Particularly Described Below, Located North Of The 100 Block Of East Gary Avenue.

**ORDINANCE NO. 6285**

***AN ORDINANCE AUTHORIZING THE PARTIAL CLOSING OF A STREET LYING BETWEEN BLOCK 17 AND BLOCK 18 OF TOWNSITE OF CROSS ADDITION TO THE CITY OF PONCA CITY, MORE PARTICULARLY DESCRIBED BELOW, LOCATED NORTH OF THE 100 BLOCK OF EAST GARY AVENUE.***

Commissioner Scott made the motion to approve item 15b. Commissioner Chapman seconded.

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

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

16. Consider And Vote To Receive Fiscal Year 2019-20 Annual Financial Statements And Accompanying Independent Auditor's Report For The City Of Ponca City, Oklahoma from BT & Co. P.A., For The Fiscal Year Ended June 30, 2020.

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

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

17. Consider And Vote Upon The GMP (Gross Maximum Price) With KSB (KSB Enterprises, LLC) For The Construction Of The Ponca City Public Safety Center In The Amount Of \$17,465,712.74, And Authorize The Mayor To Execute All Related Documents.

Commissioner Chapman made the motion to approve item #17. Commissioner Scott seconded.

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

18. Consider And Vote On An Application From Rural Water District #3 For A Commercial Water Meter To Be Placed On A Tract Of Land Located At 4011 North Pleasant View Road, Kay County, Oklahoma.

Commissioner Taylor made the motion to deny item #18. Commissioner Austin seconded.

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

19. Consider And Vote On An Ordinance Amending The City Code By Creating Section 6-1-10 By Establishing The Required Wearing Of Protective Face Coverings Indoors During A Public Health Emergency Within The City Of Ponca City; Repealing Ordinances In Conflict; Providing For Severability; And Declaring An Emergency.

**ORDINANCE NO. 6286**

***AN ORDINANCE AMENDING THE CITY CODE BY CREATING SECTION 6-1-10 BY ESTABLISHING THE REQUIRED WEARING OF PROTECTIVE FACE COVERINGS INDOORS DURING A PUBLIC HEALTH EMERGENCY WITHIN THE CITY OF PONCA CITY; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.***

Mayor Nicholson noted that the item is not a public hearing, but then invited a spokesman from the pro and con side of the issue to speak.

Tracy Harris, 1308 N. Oak, expressed concern over due process and that individual's should have a right to wear a mask if desired, and not wear on if they choose not to.

Michelle Mollet, 1809 Hathaway, of the Kay County Health Department, expressed support of wearing facemasks for safety reasons.

Steven Scott, 1408 Academy Road, disagreed with the representative of the Kay County Health Department and conveyed reasons why he opposes a mask mandate.

Anton Epp, 1029 Brentwood Drive, encouraged all to keep themselves and their households clean to help ward off the COVID virus.

Stefanie Garrett, 5151 W. County Line Rd., requested commissioners to vote against a mask mandate.

Keith Bartlett, 2505 Wildwood, expressed opposition to the mask mandate.

Rick Lemonnier, 3116 Cadet, expressed opposition and argued we do not need a new Ordinance.

Dr. Erin Bartlett, 2505 Wildwood, stated that she does not want to see this pass and argued that mask mandates do not work.

Commissioner Taylor made the motion to approve item #19. Commissioner Chapman seconded.

Roll: Yeas; Taylor, Chapman, Nicholson, Austin. Nays; Scott. Motion carried.

Commissioner Austin made a motion to approve the emergency clause. Commissioner Taylor seconded.

Roll: Yeas; Austin, Taylor, Nicholson, Chapman. Nays; Scott. Motion carried.

20. ADJOURN


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

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 7:00 p.m.

***PASSED IN SESSION AND APPROVED THIS 28TH DAY OF DECEMBER, 2020.***

ATTEST:

  
Nolly Walker  
CITY CLERK

Howe Nicholson  
MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
December 14, 2020

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  
Ryan Austin, Trustee  
Lanita Chapman, Trustee  
Shasta Scott, Trustee  
Paul Taylor, Trustee  
Craig Stephenson, City Manager  
John Andrew, Trust Attorney  
Marc LaBossiere, Secretary

Absent: None

Others Present: Tana McKinley, Chris Henderson, Shane Becker, Dave Williams, Korey Pruett, Don Bohon, Richard Evans, Kevin Jeffries, Mike Lane, Jim Fairbanks, Butch Herring, City Staff, Mike Seals; TEAM Radio, citizens.

1. CALL TO ORDER

Chairman Homer Nicholson called the meeting to order at 7:00 p.m.

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

The Board of Trustees found items #2 through #6 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, Taylor, Chapman. Nays; None. Motion carried.

2. Consider And Vote Upon The Minutes Of The Ponca City Utility Authority Regular Session Held November 23, 2020.
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. 1119**

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

4. Consider And Vote On A Construction Contract With Urban Contractors, Inc., Of Oklahoma City, For The Ponca City Landfill Stormwater Culvert Repair Project In The Amount Of \$118,195.00.
5. Consider And Vote Upon Authorization And Execution Of Documents For A 60 Calendar Day Contract Extension With Trans-Tel Central, LLC of Norman, Oklahoma On Phase 2 and 3 Of The Fiber to The Home Project.

6. Consider And Vote To Receive Fiscal Year 2019-20 Annual Financial Statements And Accompanying Independent Auditor's Report For The Ponca City Utility Authority From BT & Co., P.A., For The Fiscal Year Ended June 30, 2020.

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

7. None

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

None

8. ADJOURN

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

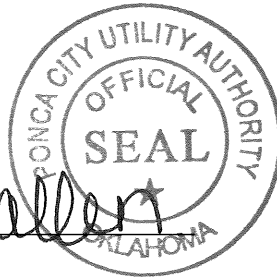
Roll: Yeas; Taylor, Austin, Nicholson, Scott, Chapman. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority meeting 7:02 p.m.

***PASSED IN SESSION AND APPROVED THIS 28<sup>TH</sup> DAY OF DECEMBER, 2020.***

ATTEST:

Nolly Waller  
TRUST SECRETARY



Norman Nicholson  
CHAIRMAN