

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
JUNE 22, 2009

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
Diane Anderson, Commissioner
Bill Flegler, Commissioner
Paul Krueger, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Lanita Chapman, Commissioner

Others Present: Mike Lane, Sherri Tapp, Judi Newland, Mike Chapman, Butch Herring, Tana McKinley, Chris Henderson, Clayton Johnson, Jim Sindelar, City staff; Dick Stone, Chris Littlecook, Dave Bauer, Troy Lewis; Gerald Graham, Dennis Kinkaid, Nancy Tyndall, Kelly Murphy, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:32 p.m.
2. Invocation – Mike Seabaugh, First Baptist Church
3. Pledge of Allegiance

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

The Board of Commissioners found items #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, and #18 non-controversial and routine in nature. Commissioner Anderson made motion to approve the consent agenda. Flegler seconded.

Roll: Yeas; Anderson, Flegler, Nicholson, and Krueger. Nays; None. Motion carried.

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held June 8, 2009.
5. **RESOLUTION NO. 5770**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF THE OFFICE THEREOF.

<u>BOARD OR COMMISSION</u>	<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRATION</u>
Marland Estate Commission	Natalie Fraser	Re-Appointed	2012
Marland Estate Commission	Gerald Nield	Re-Appointed	2012
Planning Commission	Don Crawford	Appointed	2012
Senior Advisory Board	Paul Stewart	Re-Appointed	2012

6. Consider and vote on increasing mileage rate charges for ambulance transports from \$9.00 to \$11.00 per mile.
7. Consider and vote on a contract award for road construction materials to the lowest bidder available for July 1, 2009 through December 31, 2009.
8. Consider and vote on second addendum to administrative agreement with America's Health Choices dated July 1, 2005 and authorize Mayor to execute all related documents.
9. Consider and vote on amendment #4 to the City of Ponca City's Employee Health Plan effective July 1, 2009.
10. Consider and vote on renewal addendum to the PRx Plan Sponsor PBM Services Agreement with Partners RX Management, LLC effective July 1, 2006 and authorize Mayor to execute all related documents.

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RESOLUTION NO. 5771

A RESOLUTION OF THE CITY OF PONCA CITY, OKLAHOMA APPOINTING PURCHASING AGENTS FOR CONSTRUCTION OF THE PONCA CITY AQUATIC AND FAMILY CENTER-YMCA AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS.

12. Consider and vote on authorizing advertisement of bids on Street Improvement Project No. GEN 09-12 – Concrete Resurfacing of Pecan Road, Hartford to Prospect.
13. Consider and vote on authorizing the Mayor to sign a lease agreement between the City of Ponca City and Wheatheart Nutrition Project, Inc. to provide a weekday hot lunch program directed at the needs of older citizens on a daily basis.
14. Consider and vote on authorizing the Mayor to sign a lease agreement between the City of Ponca City and the Good Ole Okie Flying Society to lease a certain parcel of land for the purpose of Remote Control Model Airplane Flying.
15. Consider and vote on the Oklahoma Municipal Assurance Group as the City of Ponca City's agent for Airport Owners & Operator's General Liability and Public Entity Liability for the policy period of July 1, 2009 through June 30, 2010.
16. Consider and vote on the Oklahoma Municipal Assurance Group as the City of Ponca City's agent for Buildings & Contents Insurance, Boiler & Machinery Insurance and Electronic Data Processing Insurance for the policy of July 1, 2009 through June 30, 2010.

17. **RESOLUTION NO. 5772**

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 2008-09.

18. **RESOLUTION NO. 5773**

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

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

19. None.

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

20. Mayor Nicholson informed the public that the original Ponca City firefighters' fire bell was dedicated this afternoon, and thanks to the Leadership Class of 2009 who underwent fund raising efforts, and solicited the contractors to donate labor and materials to see this project completed. Mayor Nicholson encouraged citizens to come and see this great new addition in front of City Hall.

Commissioner Krueger reminded citizens to check on neighbors and family in this extreme heat, as a lot of our citizens do not have air conditioning.

****REPORTS****

21. **CITY MANAGER'S REPORT**

City Manager Craig Stephenson informed the Commission that the City is rapidly closing in on the end of the fiscal year, and the last day to encumber funds is on Monday, June 29, 2009. Stephenson related that this fiscal year will end up very good, due to the fact that Department Heads have been very cautious in watching their funds.

Stephenson further informed the Commission that the downtown sidewalk project will begin June 29 and will start at Grand Avenue and go to the west. Stephenson also advised that the Park Department would be removing the trees from downtown on Sunday, June 28.

Other information related to the Commission by Stephenson was that he had provided them with a map of proposed schedules for their information, so if questioned by their constituent, they will have the answers. Stephenson stated that information would also be on the City's website.

Stephenson reported that a Public Hearing was held today by ODEQ on the proposed stimulus funds for drinking water system improvements. Stephenson went on to say that there have been more project requests than there are stimulus funds. Stephenson advised that Environmental Services Director Hong Fu attended the hearing to let ODEQ know that the City has submitted three jobs and have them ready to bid. Stephenson further stated that it is not certain these projects will be funded.

Stephenson concluded by stating that the 4th of July falls on Saturday, and therefore; City offices will be closed on the following Monday, July 6, and the next Commission meeting will be a work session on Tuesday, July 7, 2009.

****PUBLIC HEARINGS****

22A. Conduct a Public Hearing on the Ordinance listed below.

The City hired a professional planning consulting firm, Kendig Keast Collaborative, to provide leadership and guidance necessary to create this new Comprehensive Plan. Brett Keast, of Kendig Keast Collaborative, gave a brief overview of the Comprehensive Plan, saying that the purpose of the plan is to pick up on the work that was done earlier by the Vision 20/20 group, and to develop a plan that will serve as a policy basis in making decisions about how the community goes about growing and developing. Keast stated that the Plan contains goals and objectives, but also spans over into some strategic planning being specific in terms of action recommendations that are necessary to help the community to achieve the vision statement that has been created.

Mayor Nicholson opened the Public Hearing for anyone who had comments for or against the Ordinance for the new Comprehensive Plan for Ponca City, OK.

There being no one to speak for or against the Comprehensive Plan, Mayor Nicholson closed the Public Hearing.

22B. **ORDINANCE NO. 6100**

AN ORDINANCE ADOPTING THE PONCA CITY OKLAHOMA COMPREHENSIVE PLAN 2009 PURSUANT TO TITLE 11 SECTION 43-103 OF THE OKLAHOMA STATE STATUTES; AMENDING SECTION 1-9-2 OF THE CITY CODE TO REFLECT THE ADOPTION OF THIS COMPREHENSIVE PLAN; RESCINDING THE PREVIOUS PONCA CITY MASTER PLAN ADOPTED IN 1987 BY ORDINANCE NO. 5461; AND PROVIDING FOR REPEALER AND SEVERABILITY.

Commissioner Krueger made the motion to approve the Ordinance adopting the City of Ponca City Oklahoma Comprehensive Plan 2009 pursuant to Title 11 Section 43-103 of the Oklahoma State Statutes; amending Section 1-9-2 of the City Code to reflect the adoption of this Comprehensive Plan. Flegler seconded.

Roll: Yeas; Krueger, Flegler, Nicholson, and Anderson. Nays; Nays. Motion carried.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

23. Consider and vote on Construction Payment No. 4 to Lambert Construction Company in the amount of \$474,447.00 for construction of the Ponca City Aquatic & Family Center-YMCA.

Commissioner Flegler made the motion to approve Construction Payment No. 4 to Lambert Construction Company in the amount of \$474,447.00 for construction of the Ponca City Aquatic & Family Center-YMCA. Anderson seconded.

Roll: Yeas; Flegler, Anderson, Nicholson, and Krueger. Nays; None. Motion carried.

24. Consider and vote awarding the contract and authorizing the execution of the contract documents for "Street Improvement Project-Concrete Pavement Reconstruction" Project GEN 09-4 to Cherokee Builders, Inc. of Tulsa, Oklahoma in the amount of \$295,395.45.

Commissioner Anderson made the motion to approve awarding of the contract and authorizing the execution of the contract documents for "Street Improvement Project-Concrete Pavement Reconstruction" Project GEN 09-4 to Cherokee Builders, Inc. of Tulsa, Oklahoma in the amount of \$295,395.45. Krueger seconded.

Yeas; Anderson, Krueger, and Nicholson. Nays; Flegler. Motion carried.

25. Consider and vote on a Professional Services Agreement with Professional Engineering Consultants (PEC) for the Design of the L A Cann Bridge Reconstruction Projects at Turkey Creek and Lake Ponca in the amount of \$151,100.00.

Commissioner Anderson made the motion to approve the Professional Services Agreement with Professional Engineering Consultants (PEC) for the Design of the L A Cann Bridge Reconstruction Projects at Turkey Creek and Lake Ponca in the amount of \$151,100.00. Flegler seconded.

Roll: Yeas; Anderson, Flegler, Nicholson, and Krueger. Nays; None. Motion carried.

****CITIZENS COMMENTS****

26. None.

27. Commissioner Flegler made the motion to adjourn the Board of Commissioners. Krueger seconded.

Roll: Yeas; Flegler, Krueger, Nicholson, and Anderson. Nays; None. Motion carried.

Mayor Nicholson made the motion to adjourn at 6:25 p.m.

PASSED IN SESSION AND APPROVED THIS 13TH DAY OF JULY 2009.

MAYOR

ATTEST:

CITY CLERK