

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
OCTOBER 13, 2008

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  
Stan Paynter, Commissioner  
Wayne Foxworthy, Commissioner  
Lanita Chapman, Commissioner  
Gary Martin, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Diane Anderson, Commissioner

Others Present: Tana McKinley, Chris Henderson, Terry Brown, Steve Sullivan, Craig Stephenson, Clayton Johnson, Dwaine Vincent, Bill Bridges, Phil Johnston, Paula Cain, David Horinek, Sherri Bowers, City staff; Jayne Detten, Main Street; Brian Streeter, Jadon Worley, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:31 p.m.
2. Invocation – Police Chaplain Rick Hughes, Victory Worship Center
3. Pledge of Allegiance

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

4. Character Trait for October: Obedience presented by Lowell LeFebvre.
5. Employee Recognition: Gene Casey, 911 Dispatcher.

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

The Board of Commissioners found items #6, #7, #8, #9, #10, #11, #12, #13, and #14 non-controversial and routine in nature. Commissioner Chapman made the motion to approve the consent agenda. Foxworthy seconded

Roll: Yeas; Chapman, Foxworthy, Nicholson, Anderson, and Paynter. Nays; None. Motion carried.

6. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held on September 22, 2008, and Special Joint Session held on September 24, 2008.

7. **RESOLUTION NO. 5716**

***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>
Historic Preservation Advisory Panel	Marcia Davis	Appointed	2011

8. Consider and vote on the Oklahoma Municipal Assurance Group (OMAG) "Municipal Liability Protection Plan" for the City of Ponca City for the policy period November 1, 2008 through November 1, 2009.
9. Consider and vote on an application for a rural water meter to be placed on a tract of land containing less than 4 acres, legally described as the southeast corner of the southeast quarter of section 27-T28N-R2E, located at the intersection of Dry Road and north Highway 77.
10. Consider and vote on the Police Department's acceptance of a \$20,000.00 grant from the Oklahoma Highway Safety Office and authorize the Mayor to execute all related grant documents.

11. **RESOLUTION NO. 5717**

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, ESTABLISHING AN OVERSIGHT COMMITTEE TO IMPLEMENT AN IDENTITY THEFT PREVENTION PROGRAM AND DESIGNATE A SENIOR ADMINISTRATOR.***

12. Consider and take action with respect to progress payment #4 to Honeywell Inc. for the Wireless Mesh Network Project in the amount of \$175,030.00.

13. **RESOLUTION NO. 5718**

***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.***

14. **RESOLUTION NO. 5719**

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

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

15. None.

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

16. Commissioner Chapman expressed her personal thanks to Gene Casey on behalf of Pioneer Tech, as the young man he saved from the fire is an employee of at the Pioneer Technology Center.

Mayor Nicholson informed the Commission that the welcome home celebration planned for the 45<sup>th</sup> National Guard returning from Iraq on October 20<sup>th</sup> would be postponed, and held in conjunction with the Veterans Day Parade on November 8, 2008. Nicholson further added that due to their demobilization they would not be available on October 20, 2008

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

17. CITY MANAGER'S REPORT

City Manager Gary Martin reminded everyone that on Saturday, October 25, 2008 will be the Household Hazardous Waste Day to be held from 9:00 a.m. to 2:00 p.m. on the north ConocoPhillips parking lot. Martin encouraged people to clean out their garages, but to use what they can, such as fertilizer and insecticides, and what they can't use bring to the parking lot.

Martin also reminded the Commission that tomorrow, Tuesday, October 14, 2008 the Athens Consortium would be in Ponca City, and the unveiling of the statue that Jo Saylor is presenting to the Foundation would also be held around noon.

Martin concluded by advising the Commission about the wireless project with Honeywell, saying that hopefully the antennas will be on the poles and the fibers run by the end of the week. Martin further added that there are still problems with the Honeywell Energy Efficient Street Light Project, but progress is being made.

18. RECEIVE PONCA CITY MAIN STREET REVIEW

Jayne Detten, Executive Director of Ponca City Main Street, explained the mission of the organization, accomplishments, and current projects.

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

19A. Conduct a Public Hearing.

Mayor Nicholson asked if there was anyone who would like to speak for or against the rezoning of the property at 625 E. Hartford. Mayor Nicholson closed the Public Hearing when no one came before the Commission to speak.

19B. **ORDINANCE NO. 6090**

***AN ORDINANCE REZONING REAL PROPERTY DESCRIBED AS LOTS 14 & 15, BLOCK 2B, NORTH ADDITION TO THE CITY OF PONCA CITY, MORE FULLY DESCRIBED BELOW, LOCATED AT 625 EAST HARTFORD AVENUE , R-1 SINGLE FAMILY RESIDENTIAL , TO C-1 LOCAL COMMERCIAL, AND DIRECTING THE DEVELOPMENT SERVICES DIRECTOR TO CHANGE THE OFFICIAL ZONING MAP OF THE CITY ACCORDINGLY, AND DIRECTING THE CITY CLERK TO FILE OF RECORDS.***

Commissioner Paynter made the motion to approve the Ordinance rezoning property located at 625 East Hartford from R-1 Single Family Residential to C-1 Local Commercial. Foxworthy seconded.

Roll: Yeas; Paynter, Foxworthy, Nicholson, and Chapman. Nays; None. Motion carried.

20A. Conduct a Public Hearing.

Mary Sifferd Brown, representing S&S Investment, Inc., 2700 N. Waverly, gave the background on her property, use, and reasons why she believes a re-zoning to A Agriculture should be granted. Discussion ensued.

20B. **ORDINANCE NO.**

***AN ORDINANCE REZONING REAL PROPERTY DESCRIBED AS THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 17-T26N-R2E, I.M. CITY OF PONCA CITY, MORE FULLY DESCRIBED BELOW, LOCATED WEST OF THE 2700 BLOCK OF NORTH WAVERLY, R-1 SINGLE FAMILY RESIDENTIAL TO A AGRICULTURE AND DIRECTING THE DEVELOPMENT SERVICES DIRECTOR TO CHANGE THE OFFICIAL ZONING MAP OF THE CITY ACCORDINGLY, AND DIRECTING THE CITY CLERK TO FILE OF RECORD.***

Commissioner Foxworthy made the motion to end the public hearing and approve the Ordinance Rezoning Property described as the North Half of the Northeast Quarter Of Section 17-T26N-R2E, located West of the 2700 Block of North Waverly,R-1 Single Family Residential to Agriculture and directing the Development Services Director to change the official zoning map of the City accordingly, and directing the City Clerk to file of record. Paynter seconded.

Roll: Yeas; Chapman, and Foxworthy. Nays; Nicholson, and Paynter. Motion failed.

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

None.

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

None.

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

21. None.

22. Commission Paynter made the motion to adjourn the Board of Commissioners. Foxworthy seconded

Roll: Yeas; Paynter, Foxworthy, Nicholson, and Chapman. Nays; None. Motion carried

Mayor Nicholson adjourned the Ponca City Board of Commissioners meeting at 6:41p.m.

***PASSED IN SESSION AND APPROVED THIS 27<sup>TH</sup> DAY OF OCTOBER 2008.***

---

MAYOR

ATTEST:

---

CITY CLERK