

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
May 14, 2007

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 Room at City Hall, 516 E. Grand, with Mayor Homer Nicholson presiding:

Present: Homer Nicholson, Mayor
Wayne Foxworthy, Commissioner
Paul Krueger, Commissioner
Diane Anderson, Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Stan Paynter, Commissioner

Others Present: Terry Brown, David Horinek, Jim Sindelar, Phil Johnston, Craig Stephenson, Judi Newland, Terry Sherbon, Clayton Johnson, Earl Watkins, Sherry Bowers, Jim Fairbanks, Hong Fu, Mike Chapman, City staff; Helene Schwartz, Ruslyn Hermanson, Americorps members; citizens; Rolf Clements, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – David Freis, St. Lukes Nazarene Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. PROCLAMATION: National AmeriCorps Week
5. PROCLAMATION: National Police Week
6. PROCLAMATION: National Safe Boating Week

The Board of Commissioners found items #7, #8, #9, #10, and #11 non-controversial and routine in nature.

Commissioner Anderson made the motion to approve the consent agenda. Krueger seconded.

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

7. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held April 23, 2007 and special session held May 9, 2007.
8. **RESOLUTION NO.5605**

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>
Housing Authority	Barbara Ennis	Re-Appointed	2010
Planning Commission	Tim Burg	Appointed	2008
Planning Commission	Greg Martin	Appointed	2009
Planning Commission	Richard Stone	Appointed	2010

9. Consider and vote on changing the City of Ponca City's Employee term Life Insurance to Principal Life Insurance and increasing the Policy to \$25,000.00 Life/AD&D effective July 1, 2007.

10. Consider and vote on changing the City of Ponca City's Employee Health Plan effective July 1, 2007.

11. **RESOLUTION NO. 5606**

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

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

12. None.

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

13. Commissioner Anderson advised the public to be aware, since school is close to being out and children will be out playing. Anderson also asked that citizens be careful and aware of all the street work that is going on.

Commissioner Krueger introduced Kevin Martin, an Eagle Scout candidate who was in attendance.

****REPORTS****

14. CITY MANAGER'S REPORT

City Manager Gary Martin announced that the Library is now a Wi-Fi site. Martin also reminded the Commissioners and Mayor of the Safety Banquet for the employees, on Thursday of this week, and that they need to be in attendance at 10:45 a.m.

Martin also informed the Commission that tomorrow the Marland Estate Foundation is having a retreat to discuss funding sources and ways to do things differently. Martin went on to inform the Commission that on Tuesday, May 15, 2007 there is to be a Centennial dedication at 5th Street Park at 10:00 am.

Martin also reported that there is to be another meeting this week with the Honeywell Group, to discuss financial issues.

Other items of interest reported by Martin were: a group will be going to Wichita to meet with the architects on the new sports facility, and Wittmer Hills should have City water service this week if all goes well.

****PUBLIC HEARINGS****

15. Conduct a Public Hearing on the proposed budget for Fiscal Year 2007-08.

Finance Director Marc LaBossiere recapped for the Commission the proposed budget for the Fiscal Year 2007-08.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

16. ORDINANCE NO. 6055

AN ORDINANCE AMENDING THE CODE TO PROVIDE FOR INCREASED COSTS OF RECOVERY IN CERTAIN SOLID WASTE COLLECTION AND LANDFILL RATES, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE. .

Commissioner Foxworthy made the motion to approve an Ordinance amending the Code providing for an increase in costs of recovery in certain solid waste collection and landfill rates, repealing Ordinances in conflict, and providing for severability and establishing an effective date. Anderson seconded.

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

17. ORDINANCE NO. 6056

AN ORDINANCE AMENDING THE CITY CODE IN REGARD TO WATER FEE CHARGES TO PROVIDE FOR INCREASED COSTS OF RECOVERY IN ALL ASPECTS OF WATER COLLECTION, TREATMENT, DISTRIBUTION, CAPITAL EXPENSES ASSOCIATED THEREWITH AND RECOVERY OF COSTS OF SUPPORT SERVICES FURNISHED BY VARIOUS CITY DEPARTMENTS, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

Commissioner Anderson made the motion to approve the Ordinance amending the City Code in regard to water fee charges to provide for increased costs or recovery in all aspects of water collection, treatment, distribution, capital expenses associated therewith and recovery of costs of support services furnished by various City departments, repealing Ordinances in conflict; providing for severability and establishing an effective date. Foxworthy seconded.

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

18.

ORDINANCE NO. 6057

AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR INCREASED ELECTRIC RATES, REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Commissioner Krueger made the motion to approve the Ordinance amending the City Code to provide for increased electric rates, repealing Ordinances in conflict, providing for severability and declaring an effective date. Foxworthy seconded. Mayor Nicholson asked that a correction be made in the wording in the paragraph that reads “Ponca City electric rates, as published, are based upon the average cost of production or purchase of electricity of thirty-nine and fifty hundredths (49.50) mills (\$0.4950) per kilowatt-hour”, should read “forty-nine and fifty hundredths, instead of thirty-nine and fifty hundredths.

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

19. Consider and vote on a request by Western Enterprises, Inc. on behalf of Ponca City Fireworks Committee to be issued a permit to conduct a fireworks display at West Lake Ponca Dam on July 4th, 2007, and authorize the Mayor to execute a Fireworks Production Contract.

Commissioner Krueger made the motion to approve the request by Western Enterprises, Inc. on behalf of Ponca City Fireworks Committee to be issued a permit to conduct a fireworks display at West Lake Ponca Dam on July 4th, 2007, and authorize the Mayor to execute a Fireworks Permit Contract. Anderson seconded.

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

20. Consider and vote to authorize pre-payment to Western Enterprises, Inc. for a non-refundable deposit in the amount of \$6,000.00 which will be applied to the total agreement price of \$22,000.00.

Commissioner Anderson made the motion to authorize pre-payment to Western Enterprises, Inc. for a non-refundable deposit in the amount of \$6,000.00 which will be applied to the total agreement price of \$22,000.00. Foxworthy seconded.

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

21. Consider and vote upon approving Change Order No. 2 in the add amount of \$7,621.75 and final payment in the amount of \$25,983.86 to PbX Corporation for work completed on “Union Street Bridge Rehabilitation” Project No. 05-9.

Commissioner Foxworthy made the motion to approve Change Order No. 2 in the add amount of \$7,621.75 and final payment in the amount of \$25,983.86 to PbX Corporation for work completed on “Union Street Bridge Rehabilitation” Project No. 05-9. Krueger seconded.

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

****CITIZENS COMMENTS****

22. None.

23. Commissioner Foxworthy made the motion to adjourn. Anderson seconded.

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

Mayor Nicholson adjourned the Board of Commissioners at 6:22 p.m.

PASSED IN SESSION AND APPROVED THIS 29TH DAY OF MAY 2007.

ATTEST

MAYOR

CITY CLERK