

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
APRIL 23, 2007

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in regular session at 5:32 p.m. in the Commission Room at City Hall, 516 E. Grand, with Mayor Homer Nicholson presiding:

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

Absent: Paul Krueger, Commissioner

Others Present: Chris Henderson, Mike Lane, Jim Sindelar, Terri Sherbon, Don Nuzum, Mike Chapman, Craig Stephenson, Butch Herring, Sherri Tapp, Jim Fairbanks, City staff; Charles Casey, Chuck Rager, Boy Scout Troop 15, Shane Harland, citizens; Rolf Clements, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:32 p.m.
2. Invocation – David Frees, St. Luke’s Nazarene, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. PROCLAMATION: Day of Prayer
5. PROCLAMATION: Fair Housing Month

Commissioner Paynter arrived at 5:39 p.m.

6. Character Trait for April Cautiousness, presented by Chuck Rager, was cancelled due to technical difficulties.

CONSENT AGENDA

The Board of Commissioners found items #7, #8, #9, #10, #11, and #12 non-controversial and routine in nature.

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

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

7. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held March 19, 2007 and regular session held April 9, 2007.
8. Consider and vote on request by Robert Rouse, Property Owner, to burn brush within the City limits on the property located at #5 Rockview Road.

9. Consider and vote on Traffic Commission recommendations to designate the alley between 5th and 6th from Oklahoma to Central as one-way southbound.
10. Consider and vote on amendment No. 1 to LBR, Inc. for Professional Airport Consulting Services for Airport Improvement Projects (AIP).

11. **RESOLUTION NO. 5599**

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 2006-07.

12. **RESOLUTION NO. 5600**

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

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

13. None.

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

14. Commissioner Foxworthy advised citizens to be prepared for Spring storms as they are predicted for tomorrow.

Mayor Nicholson echoed what Commissioner Foxworthy stated and advised that since this is the middle of the severe weather season to be vigilant and watch.

****REPORTS****

15. **CITY MANAGER'S REPORT**

City Manager Gary Martin reminded the Commission that on Friday at 10:00 there would be a short dedication of the Highway Project between South Avenue and Highway 60, which is to be followed by a reception.

Martin further advised that there would be no work session scheduled for April 30th, as this is the fifth Monday of the month.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

16. Consider and vote on Recreation Center Operating Agreement with YMCA.

Kevin Murphy, City Attorney, gave a brief overview of the proposed contract, and answered questions posed by the Commission. Charles Casey, member of the YMCA Board, stated that

he felt this to be a very fair agreement, and that the City will be well protected by this agreement.

Commissioner Paynter made the motion to approve the Recreation Center Operating Agreement with the YMCA. Foxworthy seconded.

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

17. Consider and vote upon request for authorization to advertise for bids for “Street Improvement Project – Concrete Street Reconstruction.”

Commissioner Anderson made the motion to approve the request for authorization to advertise for bids for “Street Improvement Project – Concrete Street Reconstruction.” Foxworthy seconded.

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

18. **ORDINANCE NO. 6052**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES AT SECTION 9-5-8 TO REQUIRE PERSONS UNDER THE AGE OF SIXTEEN YEARS TO TAKE BOATING SAFETY COURSE TO OPERATE WATERCRAFT ON LAKE PONCA; FOR SUCH MINORS TO BE UNDER THE SUPERVISION OF AN ADULT; PROVIDING FOR PENALTIES, REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY.

Commissioner Foxworthy made the motion to approve an Ordinance amending the Code of Ordinances at Section 9-5-8 to require persons under the age of sixteen years to take a boating safety course to operate watercraft on Lake Ponca; for such minors to be under the supervision of an adult; providing penalties, repealing Ordinances in conflict; and providing for severability. Anderson seconded.

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

19. Consider and vote on authorization for staff to purchase Blimpo Screen and Accessories utilizing proceeds from the City’s Hotel/Motel Excise Tax, set aside to be utilized for Capital Improvements to recreation facilities on public property and for the public at large within Ponca City and its environs.

Commissioner Paynter made the motion to approve the purchase of a Blimpo Screen and Accessories utilizing proceeds from the City’s Hotel/Motel Excise Tax, set aside to be utilized for Capital Improvements to recreation facilities on public property and for the public at large within Ponca City and its environs. Foxworthy seconded

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

20. Consider and vote on authorization for staff to purchase sound reinforcement equipment utilizing proceeds from the City’s Hotel/Motel Excise Tax set aside to be utilized for Capital Improvements to recreation facilities on public property and for the public at large within Ponca City and its environs.

Commissioner Paynter made the motion to authorize staff to purchase sound reinforcement equipment utilizing proceeds from the City’s Hotel/Motel Excise Tax set aside to be utilized for Capital Improvements to recreation facilities on public property and for the public at large within Ponca City and its environs. Anderson seconded.

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

****CITIZENS COMMENTS****

21. JD Childress, 2105 John, expressed a desire to see something done to enforce drivers to have headlights turned on in vehicles operating during times of poor visibility, whether day or night.

City Attorney Kevin Murphy addressed this issue, stating that when there is a state-wide implication, that is it affects more than just a locality, and the state has spoken on the issue, then a local jurisdiction like a city is not going to be able to change that law one way or another.

Lillian Taylor, 1209 W. Highland, expressed concern over the cost of community members to use the new indoor pool if the sales tax passes for a recreational complex.

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

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

Mayor Nicholson adjourned the Board of Commissioners at 6:28 p.m.

PASSED IN SESSION AND APPROVED THIS 14TH DAY OF MAY 2007.

MAYOR

ATTEST

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
APRIL 23, 2007

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 6:28 p.m. in the Commissioners' Room in City Hall at 516 East Grand Avenue with Chairman Homer Nicholson presiding.

Present: Homer Nicholson, Chairman
Wayne Foxworthy, Trustee
Stan Paynter, Trustee
Diane Anderson, Trustee
Gary Martin, Trust Secretary
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Paul Krueger, Trustee

Others Present: Chris Henderson, Mike Chapman, Craig Stephenson, Butch Herring, Sherri Tapp, Jim Fairbanks, City staff; Chuck Rager, citizens; Rolf Clements, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:28 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2, #3, #4, #5, #6, and #7 non-controversial and routine in nature by the governing body and are approved by one motion.

Trustee Anderson made the motion to approve the consent agenda. Foxworthy seconded.

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

2. Consider and vote upon the minutes of the regular session held on April 9, 2007.
3. Consider and vote upon authorizing Chairman to submit Monthly Operating Statement to OWRB.
4. Consider and vote to write off Ponca City Utility authority accounts with delinquent balances and transfer uncollectible accounts to Credit Bureau Services Association for further collection.

5. **RESOLUTION NO. 650**

A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGETS OF VARIOUS FUNDS FOR THE FISCAL YEAR 2006-07.

6. **RESOLUTION NO. 651**

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****

7. None

****NEW BUSINESS****

8. Consider and vote upon request for authorization to advertise for bids for “Ash Street Water Line Replacement Project -- Highland Avenue to Riviera Drive.”

Trustee Paynter made the motion to approve the request for authorization to advertise for bids for “Ash Street Water Line Replacement Project -- Highland Avenue to Riviera Drive”. Foxworthy seconded.

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

9. Trustee Anderson made the motion to adjourn. Paynter seconded.

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

Chairman Nicholson adjourned the meeting at 6:34 p.m.

PASSED IN SESSION AND APPROVED THIS 14TH DAY OF MAY 2007.

CHAIRMAN

SECRETARY