

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
NOVEMBER 26, 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
Diane Anderson, Commissioner
Wayne Foxworthy, Commissioner
Paul Krueger, Commissioner
Tana McKinley, Assistant City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Gary Martin, City Manager
Stan Paynter, Commissioner

Others Present: Chris Henderson, Don Bohon, Craig Stephenson, Jim Sindelar, Phil Johnston, Butch Herring, Terry Brown, Sandra Hover, City staff; Rhonda Skrapke, grant consultant; Jean Lewis, Debbie Eastman, Archambo & Meuggenborg PC; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – David Cressman, First United Methodist Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Character Trait for November: Determination presented by Malcom Cooper.

The Board of Commissioners found items #5, #6, #7, and #8, non-controversial and routine in nature.

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

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held November 12, 2007.
6. Consider and vote on authorization for partial payment in the amount of \$7,361.25 to Maverick Machine and Welding for the Pneumatic Turning Target system to be built and installed at the Police Firing Range.
7. **RESOLUTION NO. 5650**

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

8. RESOLUTION NO. 5651

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

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

9. None

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

10. Mayor Nicholson commented that we are now in the Christmas shopping season, and so far have received positive reports.

****REPORTS****

11. CITY MANAGER'S REPORT

None.

12. REPORT ON 2006-07 ANNUAL FINANCIAL STATEMENTS

Consider and vote to receive Fiscal Year 2006-07 Annual Financial Statements and Accompanying Independent Auditor's Report for the City of Ponca City, Oklahoma from Archambo & Mueggenborg, PC for the Fiscal Year ended June 30, 2007.

Commissioner Foxworthy made the motion to approve the Fiscal Year Annual Financial Statements and Accompanying Independent Auditor's Report for the City of Ponca City, Oklahoma from Archambo & Mueggenborg, PC for the Fiscal Year ended June 30, 2007. Krueger seconded.

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

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

13. RESOLUTION NO. 5652

A RESOLUTION SETTING DATE FOR MUNICIPAL ELECTION AND RUNOFF ELECTION, IF NECESSARY, STATING OFFICES TO BE FILLED, SETTING FILING PERIOD, STATING TERM OF OFFICE, SPECIFYING QUALIFICATION FOR SAID OFFICES IN ACCORDANCE

WITH CITY CODE, THAT ALL OFFICES MAY BE FILLED BY VOTING AT LARGE, DIRECTING THE ELECTION BE CONDUCTED BY THE COUNTY ELECTION BOARD; AND AUTHORIZING THE MAYOR TO SIGN A PROCLAMATION CALLING AN ELECTION.

Commissioner Anderson made the motion to approve the Resolution setting the date for Municipal Election and Runoff Election, if necessary, stating offices to be filled, setting filing period, stating term of office, specifying qualification for said offices in accordance with City Code, that all offices may be filled by voting at large, directing the election be conducted by the County Election Board; and authorizing the Mayor to sign a Proclamation calling an election. Foxworthy seconded.

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

14. **RESOLUTION NO.5653**

A RESOLUTION AMENDING CERTAIN PARK AND RECREATION DEPARTMENT FEES ESTABLISHED BY PREVIOUS RESOLUTION AND ESTABLISHING AN EFFECTIVE DATE.

Commissioner Krueger made the motion to approve the Resolution amending certain Park and Recreation Department fees established by previous Resolution and establishing an effective date. Anderson seconded.

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

15A. **ORDINANCE NO. 6070**

AN ORDINANCE NUNC PRO TUNC RECOGNIZING THE ERROR IN A LEGAL DESCRIPTION APPEARING IN ORDINANCE NO. 5798, DETERMINING THE ERROR TO BE SCRIVENER'S ERROR AND REPLACING THE ERRONEOUS LEGAL DESCRIPTION WITH A NEW LEGAL DESCRIPTION AS SET FORTH IN THIS ORDINANCE, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

Commissioner Krueger made the motion to approve an Ordinance Nunc Pro Tunc recognizing the error in a legal description appearing in Ordinance No. 5798 determining the error to be scrivener's error and replacing the erroneous legal description with a new legal description as set forth in this Ordinance, repealing Ordinances in conflict; providing for severability and declaring an emergency. Foxworthy seconded.

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

15B. Consider and vote on the Emergency Clause of the Ordinance.

Commissioner Foxworthy made the motion to approve the Emergency Clause of the Ordinance. Anderson seconded.

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

16.

RESOLUTION NO. 5654

A RESOLUTION APPROVING THE SUBMISSION OF THE CITY OF PONCA CITY'S NOAA WEATHER RADIO PUBLIC DISTRIBUTION GRANT APPLICATION TO THE OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT AND FEMA.

Commissioner Foxworthy made the motion to approve the submission of the City of Ponca City's NOAA Weather Radio Public Distribution Grant Application to the Oklahoma Department of Emergency Management and FEMA. Anderson seconded.

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

17.

RESOLUTION NO. 5655

A RESOLUTION APPROVING THE SUBMISSION OF THE CITY OF PONCA CITY'S SAFE ROOM GRANT APPLICATION TO THE OKLAHOMA DEPARTMENT OF CIVIL EMERGENCY MANAGEMENT AND FEMA.

Commissioner Krueger made the motion to approve the submission of the City of Ponca City's Safe Room Grant Application to the Oklahoma Department of Civil Emergency Management and FEMA. Foxworthy seconded.

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

****CITIZENS COMMENTS****

18. Louise Childers, 2105 John Street, encouraged all to consider Christmas as a Christian holiday and use Merry Christmas rather than Happy Holidays in seasonal messages.

19. Commissioner Krueger made the motion to adjourn the Board of Commissioners meeting at 6:25 p.m. Foxworthy seconded.

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:25 p.m.

PASSED IN SESSION AND APPROVED THIS 10TH DAY OF DECEMBER 2007.

MAYOR

ATTEST

CITY CLERK