

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
NOVEMBER 12, 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
Stan Paynter, Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: None.

Others Present: Terry Brown, David Horinek, Dwaine Vincent, Ken Bryer, Terri Sherbon, Jim Sindelar, Chris Henderson, Phil Johnston, Butch Herring, Craig Stephenson, Darwin Haney, Skip Jump, Tana McKinley, Mike Lane, City staff; Palma (? Check with Phil on last name), Oklahoma Municipal Power Authority; C.D. Northcutt, Mr. & Mrs. Ron Covill, Darrell Stolhand, Mr. & Mrs. Bill Coddington, 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. Presentation of Walter “Waddy” Young Portrait: Chuck Bowman, Deputy Executive Director/Chaplain, Oklahoma Sports Hall of Fame.
5. Presentation of Oklahoma Municipal Power Authority’s Competitive Utility Program Certification Award.

Commissioner Anderson arrived at 5:42 p.m.

6. Centennial Commission Bookmarks: Steve Ketchum, Character Council
7. Proclamation: Ponca City, Oklahoma Celebrates America Recycles Day.

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

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

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

8. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held on October 15, 2007, and regular session held October 22, 2007.

9. Consider and vote on Extension of Sign Moratorium until December 31, 2007.

10. **RESOLUTION NO. 5648**

A RESOLUTION AUTHORIZING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Consider and vote on a the submission of a grant application and resolution in the amount of \$2,500.00 to Rural Enterprises of Oklahoma, Inc. for park benches to be located at the Skatepark/BMX Track at Dan Moran Park.

11. Consider and vote on a contract in the amount of \$72,925.00 for the Small Cities Community Development Block Grant (CDBG) Program between the Oklahoma Department of Commerce and the City of Ponca City for a one (1) year funding cycle for Demolition Special Services Assistance, down-payment assistance and the comprehensive plan.

12. **RESOLUTION NO. 5649**

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. Mayor Nicholson expressed his thanks to the American Legion and everyone involved with the Veterans Day parade, stating that it was an awesome event. Nicholson further commented on the construction of the BMX/Skatepark., and that the intent is to have it ready for use before Christmas.

Commissioner Anderson also commented on the Veterans Day Parade, and that Friday is "Statehood Day" and there will be many birthday celebrations going on around the state.

****REPORTS****

15. **CITY MANAGER'S REPORT**

City Manager Gary Martin reminded everyone that a press release went out this week about the autumn leaf collection. Martin went on to advise that OMPA is discussing re-tubing boiler #2 at the steam plant.

Martin gave an update on the Honeywell project stating that the replacement of electric and water meters is going very well. Martin went on to say that, the contractor has decided to

bring in additional crews, and with weather permitting, they are going to try to finish the project by December.

Martin further advised that the Fire Department has been testing the fire hydrants all over town, and that has been going well, as there has been a lot of coordination to make sure and not blow out any water lines

Martin informed the Commission that the annual Christmas Tree Lighting would be on November 21, 2007, and the Festival of Angels will begin that night.

Other items mentioned by Martin were: meeting regarding the City's Master Plan; a meeting with OMPA in Oklahoma City, and an event to be held at Eastman National Bank to recognize Jim Sindelar, Park and Receptions Director, for the work he has done in Ponca City.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

16. Consider and vote on the 2007-2008 and 2008-2009 Collective Bargaining Agreement between the City of Ponca City and International Association of Fire Fighters Local 2479 and authorize the Mayor to sign all related documents.

Commissioner Krueger made the motion to approve 2007-2008 and 2008-2009 Collective Bargaining Agreement between the City of Ponca City and International Association of Fire Fighters Local 2479, and authorize the Mayor to sign all related documents. Paynter seconded.

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

17. Consider and vote on the current slate of projects to be funded with 3/8 of the Hotel/Motel tax designated for improvements to City Parks and Recreation facilities.

Jim Sindelar, Director of Parks and Recreation, gave an update on the projects that are being funded with the 3/8 Hotel/Motel tax that was designated for improvements to the City's recreational facilities.

Commissioner Paynter made the motion to approve the slate of projects to be funded with 3/8 of the Hotel/Motel tax designated for improvements to City Parks and Recreation facilities. Anderson seconded.

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

18. Consider and vote to waive bidding process and purchase skate park obstacles to include installation and freight from American Ramp Company in the amount of \$76,373.11.

Commissioner Krueger made the motion to waive the bidding process and purchase skate park obstacles to include installation and freight from American Ramp Company for \$76,373.11. Foxworthy seconded.

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

- 19A. Consider and vote on bid committee's recommendation to award Rick Scott Construction, Inc. the Wentz Camp and Pool Renovation Bath House and site base bid Volume I, as the lowest and best bid for \$651,500.

Commissioner Paynter made the motion to approve the bid committee's recommendation to award Rick Scott Construction, Inc. the Wentz Camp and Pool Renovation Bath House and site base bid Volume I, as the lowest and best bid in the amount of \$651,500.00. Anderson seconded.

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

- 19B. Consider and vote on bid committee's recommendation to award Mid-Continent Restoration Company the Wentz Camp and Pool Renovation Pool Building Restoration Volume II base bid in the amount of \$191,919.00 plus Alternate No. 2, Diving Tower Restoration for \$14,500.00 for a total Volume II cost of \$206,419.00.

Commissioner Foxworthy made the motion to approve the bid committee's recommendation to award Mid-Continent Restoration Company the Wentz Camp and Pool Renovation Pool Building Restoration Volume II, base bid in the amount of \$191,919.00, plus Alternate No. 2, Diving Tower Restoration in the amount of \$14,500.00 for a total Volume II cost of \$206,419.00. Krueger seconded.

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

20. Consider and vote on an agreement with Brawley Engineering Corporation to provide professional design services for the reconstruction of Waverly Street, Sykes to Prospect, and authorize the Mayor to execute related documents.

Commissioner Anderson made the motion to approve an agreement with Brawley Engineering Corporation to provide professional design services for the reconstruction of Waverly Street, Sykes to Prospect and authorize the Mayor to execute related documents. Foxworthy seconded.

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

21. **ORDINANCE NO. 6069**

AN ORDINANCE AMENDING THE CITY CODE IN REGARD TO INDUSTRIAL PRETREATMENT ANNUAL PERMIT FEE TO PROVIDE FOR ADJUSTING THE PERMIT FEE FOR SIGNIFICANT INDUSTRIAL USERS, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Commissioner Paynter made the motion to approve an Ordinance amending the City Code in regard to Industrial Pretreatment Annual Fee to provide for adjusting the permit fee for significant industrial users, repealing Ordinances in conflict; providing for severability and establishing an effective date. Anderson seconded.

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

****CITIZENS COMMENTS****

22. None.

23. Commissioner Foxworthy made the motion to adjourn the Board of Commissioners meeting at 6:37 p.m. Krueger seconded.

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:37 p.m.

PASSED IN SESSION AND APPROVED THIS 26TH DAY OF NOVEMBER 2007.

MAYOR

ATTEST

CITY CLERK