

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
AUGUST 27, 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  
Stan Paynter, Commissioner  
Paul Krueger, Commissioner  
Diane Anderson, Commissioner  
Tana McKinley, Assistant City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Gary Martin, City Manager

Others Present: Craig Stephenson, Chris Henderson, Jim Fairbanks, Terry Brown, Clayton Johnson, Butch Herring, Paula Cain, Ken Bryer, Darwin Haney, City staff; Chuck Clark, Kevin Ivers, Ron & Winnie Covill, Mary Haney, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:31 p.m.
2. Invocation – Reverend Blaine Herron, Four Square Church, gave the invocation followed by the pledge of allegiance.

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

4. United Way Proclamation.
5. Chuck Clark, representative from the Senior Advisory Board, recognized Tana McKinley, Assistant City Manager, for her excellent guidance and hard work with the Optimal Aging Committee.
6. Character Trait for August: Security was presented by Arlene Stauffer.

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

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

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

7. Consider and vote upon minutes of the Ponca City Board of Commissioners special session held on August 6, 2007, work session held August 6, 2007 and regular session held August 13, 2007.
8. Consider and vote on request by T.L. Walker, Standing Bear Foundation Executive Director, to conduct 2 open burns for ceremonial purposes within the City Limits on the property known as Standing Bear Park, located at Hwy 60 and old 177 (Lucas & Harding) during the

Standing Bear Pow Wow September 27-29, 2007.

9. Consider and vote on request by Frank Rorie, Property Owner, to burn brush within the city limits on the property located at 21 Ginger Drive.
10. Consider and vote on a sewer easement release on property described as being located at 1301 East Bradley.

11. **RESOLUTION NO. 5636**

***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 2007-08.***

12. **RESOLUTION NO. 5637**

***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 Anderson stated that she had spoken with several citizens who had attended the Senior Expo, and were very complimentary, saying they had a great time, and thanked Chuck Clark for a job well done.

Commissioner Foxworthy advised that the Senior Center would be holding a reception on Wednesday, September 5, 2007 from 1:00 p.m. to 3:00 p.m. to meet the new Program Specialist, Marie Trenary. Foxworthy invited all citizens to attend.

Mayor Nicholson reiterated to the community that the Commission had unanimously approved the Social Host Ordinance at a previous meeting, and it has been implemented and is fully in effect. Nicholson further advised that the Commissioners were all in agreement that this Ordinance should be fully enforced with no exceptions or no tolerance for any reason.

Nicholson also stated that this is the first meeting held by the Commission, since First Lady Laura Bush designated Ponca City as a "Preserve America Community". Nicholson concluded by stating that this is a wonderful honor to have bestowed on Ponca City.

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

15. **CITY MANAGER'S REPORT**

Tana McKinley, Assistant City Manager, updated the Commission on upcoming meetings.

16. OMPA ACTIVITIES REPORT- BRUCE ACKERMAN, MEMBER SERVICES REPRESENTATIVE.

Bruce Ackerman, OMPA Member Services Representative, gave an update on the current OMPA power supply program.

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

None.

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

None.

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

18.. ORDINANCE NO. 6066

***AN ORDINANCE AUTHORIZING THE REOPENING OF A CLOSED ALLEY LOCATED BETWEEN GARY AVENUE AND HARTFORD AVENUE, CITY OF PONCA CITY, KAY COUNTY, OKLAHOMA.***

Consider and vote on an Ordinance reopening a closed alley lying between Gary Avenue and Hartford Avenue.

Chris Henderson, Development Services Director, explained to the Commission that this item was being brought before them for approval, due to property owner on the east side of the alley petitioning the city to reopen the alley so that his client may use the alley for access to the solid waste dumpster, and the back of his property. Henderson further added that in the past two years, there have been some disagreements over the use of the alley by the property owners located on either side of the alley.

Henderson advised that this alley was closed in 1977, but the City retains the absolute right by Statute to reopen an alley whenever the City deems it necessary, or if application is received by an abutting property owner. Henderson further stated that the property owner lying to the west of the alley is opposed to the reopening of the alley and will testify to that affect at this meeting.

Kevin Ivers, owner of the property at the southwest corner of Union and Hartford, gave his opinions on the matter, stating that he was opposed to the reopening of this alley.

Mary Haney, 1513 S. 8<sup>th</sup>, gave opinions on trash.

Commissioner Krueger made the motion to approve the Ordinance authorizing the reopening of a closed alley located between Gary Avenue and Hartford Avenue. Foxworthy seconded.

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

19. Consider and vote on an agreement for professional GIS Services between the City of Ponca

City and Meshek and Associates, PLC, for the maintenance of the City's geographic information system from the period of August 2007, through June 30, 2008 in the total amount of \$50,000.00.

Commissioner Foxworthy made the motion to approve an agreement for professional GIS Services between the City of Ponca City and Meshek and Associates, PLC, for the maintenance if the City's geographic information system from the period of August 2007, through June 30, 2008 in the total amount of \$50,000.00. Anderson seconded.

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

- 20.. Consider and take action with respect to progress payment #2 to Honeywell, Inc. for the Performance Contracting Efficiency Project in the amount of \$630,000.00.

Commissioner Anderson made the motion to approve progress payment #2 to Honeywell, Inc. for the Performance Contracting Efficiency Project in the amount of \$630,000.00. Krueger seconded.

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

21. Consider and vote on an agreement with AGM Telecom Corporation to install and maintain an inmate telephone system.

Commissioner Krueger made the motion to approve an agreement with AGM Telecom Corporation to install and maintain an inmate telephone system. Foxworthy seconded.

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

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

22. Mary Haney, 1513 S. 8<sup>th</sup>, gave opinions on a variety of topics, including support of a skateboard park.

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

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

Mayor Nicholson adjourned the meeting at 6:42 p.m.

***PASSED IN SESSION AND APPROVED THIS 10<sup>TH</sup> DAY OF SEPTEMBER 2007.***

\_\_\_\_\_  
MAYOR

ATTEST  
  
\_\_\_\_\_

CITY CLERK