

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
AUGUST 7, 2006

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in regular (work) session at 2:00 p.m. in the Commission Chamber at City Hall, 516 E. Grand with Mayor Stone presiding:

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

Others Present: Chris Henderson, Don Nuzum, Craig Stephenson, Mike Lane, Mike Chapman, David Horinek, David Keathly, Butch Herring, Dwaine Vincent, Don Bohon, Carl Porter, Hon Fu, Tana McKinley, City staff; Troy Lewis, Richard Winterrowd, Carrie Head, Leslie Raredon, Dave May, Dan Jones, Phil Bandy, citizens; Rolf Clements, news press.

1. Mayor Stone called the meeting to order at 2:00 p.m.
2. DISCUSS THE STATUS OF HUTCHINS AUDITORIUM AND REVIEW VARIOUS PROPOSALS.

Mayor Stone began by explaining that the item would be handled in an open manner to give anyone who wants to be heard, a chance to speak. Stone noted that he had just come from a meeting with Vision 2020 that was very helpful in discussing the proposal. Stone requested citizens to give their name and address, and keep their comments to three minutes in length.

Stone explained that the Vision 2020 citizen group brought forward the idea that Ponca City needs an events center, a performing arts center, a sports complex, and to complete an indoor pool. With the recommendation, Stone explained he had brought interested parties together to see if we can fit many needs into one facility. Stone informed all of a need of the Ponca City School System for a performing arts center near the land-locked high school campus. This led to the proposal that the Hutchins could be replaced with two adjacent facilities, one being a school funded performing arts center and the second being a City funded events center. Stone continued, elaborating on the school's need for an auditorium for a long time, but cost and space issues have been roadblocks. Stone displayed an architects first pass drawing of what the facility could look like, as well as the inside drawings for space and function in each facility. Stone then opened discussion to the floor for comment.

Dan Donohoe, currently a resident of Scottsdale, Arizona began by noting although he is not a resident he does have investment property in Ponca City. Donohoe encouraged the Commission to consider the downtown district for the events center facility.

Phil Bandy, 201 S 8th, explained that while he has not yet seen in detail what is being proposed, he disagrees in general. Bandy expressed a desire for the Poncan Theatre to be Ponca City's performing arts center, and for a convention center to be built downtown.

Keni Ray, 2109 El Camino, began by explaining he had served on the Vision 2020 committee. Ray expressed a feeling that although there are more questions to be answered, the partnership of the City and the schools is an opportunity to have a great facility in Ponca City.

Suzanne Kem, 1404 Hubbard, began by expressing a love for the Poncan Theatre. Kem expressed a desire to see the Poncan expand its facility, if possible, and also noted in the past it has been difficult to rent school auditoriums and expressed concern on the matter.

Don Keathly, 147 Whitworth Ave, noted he had graduated from Ponca City High School and moved away long ago, having just returned for retirement. Keathly stated a concern over removal of the Hutchins and criticized City maintenance of the facility, concluding by recommending Commissioners examine options before proceeding.

Lillian Taylor, 1209 W. Highland, expressed a belief that many things have changed in Ponca City over the past 50 years. Taylor encouraged the Commission to see if anything can be done to save the Hutchins as it is today.

John Bohanon, 1304 N. Pecan, qualified he comes before the Commission as a retiree with no ties to any interested party. Bohanon expressed appreciation for the Hutchins, which has served the community well for many years, but noted it was built a long time ago and is not a beautiful design. Bohanon suggested the facility is not adequate for most events and needs, and perhaps it is a good time to partner with the schools to develop a higher use facility.

Mark Friesenhahn, 3636 S. Ranch Drive, expressed concern that since the Hutchins may be used in cases of electrical outages or tornado strikes, without it where would citizens go. Friesenhahn questioned what plan would be in place, and whether the Hutchins facility could be converted to an emergency operations center.

Mrs. Bristow commented that her family has been in Ponca City for nearly 100 years and expressed a feeling that it would be a shame to tear down the beautiful Hutchins building.

David May, 721 N. 7th, qualified that he was speaking as a private citizen and not the director of the Poncan Theatre. May expressed that while the proposed facility may be beautiful, that it is different enough from what the Vision 2020 Committee recommended, that it should not be considered. May suggested that the Poncan should be Ponca City's performing arts center, and if more than 800 seats are needed, perhaps a public funded expansion should occur.

Leslie Raredon, 123 S. Prentice Road, explained she has been involved for past 50 years at looking at future of Ponca City. Raredon suggested that all avenues to solve Hutchins problems have been explored and wondered where those with objections have been over the past decades as solutions were explored. Raredon expressed a feeling that the proposed facility would be very positive move forward and that it could honor the Hutchins name and their gift, but that the Hutchins has always been inadequate from the beginning and the City should move forward to replace it.

Mayor Stone expressed gratitude to all for their input and explained that it has taken a long time to get to this point and that the unique opportunity of a partnership has a fairly narrow

window as the schools bond issue election will be held in December 2006. Commissioner Krueger confirmed that the Commission has not decided anything yet, but rather are listening and searching for direction from community on where to go.

Carrie Head, Chair of the Vision 2020 Committee addressed the Commission with comments on buildings in general, and noted a feeling that sometimes buildings get designed by architects who are good at designing certain things but inadequate in other areas. Head suggested the Public Safety Center, the Community Pool, and the Hutchins facility are fine examples of this premise. Head expressed support for the City to move in direction to grow and thanked the Commission and City staff, who does a good job maintaining City facilities. Head concluded by stating that the Vision 2020 Committee knew from the beginning that their task was to do legwork and get citizen input on what the City needs, to be finished by packaging up the findings and turn it over to the City Commission who would best implement recommendations however possible.

3. DISCUSS CHANGE ORDER NO. 1 TO THE CONTRACT WITH SCS ENGINEERS TO DEVELOP A MASTER SITE PLAN FOR THE CITY'S VASHI FOUR EYES LANDFILL IN ADDITION TO THE ORIGINAL SCOPE OF SERVICES ASSOCIATED WITH A NEW LINED CELL.

Mayor Stone recessed the meeting for a break at 3:10 p.m., and resumed the meeting at 3:17pm. Solid Waste Superintendent David Horinek began discussions on a change order for landfill cell expansion in the currently permitted landfill site. Horinek gave the history of the landfill, including an April 1989 permit, and when the first cell approached capacity a second cell was completed in 1997. Horinek explained at that same time subtitle D regulations were being adopted by the State. The DEQ worked closely with the City to do what they thought new regulations would be. Horinek then introduced Keith Connor of SCS Engineers.

Connor expanded on Horinek's outline and noted that their original engineering proposal assumed a master plan had been done on entire site, but one has not been completed. Connor explained he was there to detail the need for developing a master plan in order to do the plans and drawings for a new cell. Connor discussed the new tasks required that will be addressed in the master plan, including stormwater management and a leachate management system. Discussion ensued.

Mayor Stone noted that the item is not a public hearing, but seeing Ponca tribal chief Dan Jones in attendance, invited him to make comment. Jones expressed several concerns, including having the name of the landfill after Vashti Four Eyes, a respected Poncan Indian, an insult to the family and tribe. Next Jones relayed from the Ponca tribal council that any move to make the landfill more pervasive is unacceptable, as their tribal cemetery is on adjacent property. Ultimately, Jones stated they would like the landfill moved to another location. Commissioner Anderson arrived at 3:33 p.m. Discussion ensued.

4. DISCUSS PINE STREET WATER STORAGE TOWER RENOVATION PROJECT.

Lynn Moore, a civil engineer with MKEC began by explaining that he had been working on issues with the City water system for some time. Moore summarized major components of the system and the Pine Street Water Tower. Moore clarified that bids for a renovation

project had been opened and are over budget, so the question at this time is whether or not to proceed with the project. Moore clarified that it is the recommendation of MKEC to proceed with this project. Finance Director Marc LaBossiere questioned what life the City could expect from the renovated tower. Moore qualified that it should have a 20 year life after the renovation project. Discussion ensued.

5. CONSIDER AND DISCUSS DRAFT ORDINANCE ON INDIVIDUAL AEROBIC TREATMENT SYSTEMS.

City Attorney Kevin Murphy began by describing the proposed ordinance as one that mirrors state regulations with a few adjustments to flow volumes. Also, the ordinance requires an independent City permit, and inspection requirements by City inspectors. Murphy stated there would be local control in the event of a malfunction. Murphy also qualified that there would be required inspections twice a year, with samples taken and sent off for analysis. Murphy continued, noting that there is also a requirement on the property owner to keep a log of testing and repairs, and that it must be made available to a proposed purchaser to make any prospective buyers aware of system and any problems. Discussion ensued.

6. RECEIVE REPORT FROM ENERGY ADVISORY BOARD ON PATH FORWARD FOR SYSTEM IMPROVEMENTS TO ENHANCE RELIABILITY.

City Manager Gary Martin outlined several electrical outages that have occurred lately as well as difficulties they pose for industrial customers. Martin relayed having gone to the Energy Advisory Board (EAB) and asking them to seek solutions for improved reliability.

Ed Latimer, Chairman of the EAB, qualified that he was before the Commission to talk about power outages, a path forward to enhance reliability, and potential funding issues with supplemental budget appropriations or debt to undertake necessary projects. Latimer addressed recent outages and causes as well as having identified seven items to improve reliability. Latimer then discussed existing substations, the back up transformer, and load shifting. In peak season, as we are now, if a substation is down capacity to shift load is very tight. Last year the department contracted with Algar Martin to do a distribution study, and the result was a recommendation for a ninth substation.

Latimer continued, explaining that the second outage was caused by OG&E. Although the City system is fed through two points, they are physically close together, and when one blew up, it took the other down as well. Latimer summarized that the three things determined critical in nature and are recommended to fast track include a new substation in the Osage service area, isolating the system with some breakers to minimize those affected when an outage occurs, and finally, study development of a third feeder line to serve the City in coordination with OG&E and OMPA.

7. RECEIVE UPDATE ON NORTHEAST SUBSTATION OUTAGE.

Manager of Ponca City Energy Phil Johnston explained the recent failure at the Northeast Substation. The department tested the transformer, and found nothing wrong. Oil samples were taken and found to be bad, indicating a problem inside the transformer. It appears there

had been an arc inside the transformer, so staff took the hatch off transformer and replaced the faulted wire. This led to restoration of power and operations. The remaining work was for clean up of oil, and was taken care of. By mid-afternoon on the previous day, all was back up and running properly and normal operations. Discussion ensued.

8. RECEIVE A STATUS REPORT ON THE COMBINED EFFORTS OF VARIOUS DEPARTMENTS OF THE CITY TO REMOVE HIGH GRASS AND WEEDS THROUGHOUT THE CITY.

Community Development Director Chris Henderson informed the Commission that this time of year he has a code enforcement staff member solely focused on high grass complaints. Enforcement is done on a complaint basis only, and the department cannot keep up, much less be proactive. Fire Marshal Bill Bridges began assisting in the effort this summer, and three weeks ago Community Development initiated a pilot “sweep” program. This includes staff from other areas of the City, under Community Development, physically inspecting a quadrant of the City for offences. When a nuisance property is identified, staff calls in and the property owner is identified and a notice is issued to the offender immediately via mail.

Henderson stated in an ordinary month, 300 properties are worked, and since sweeps have begun over 300 properties have been addressed in two weeks. Over 90% of those offenders will take care of the problem themselves, while the remaining 10% go to municipal court and typically reflect out-of-town owners. If the nuisance is not abated by the property owner the City contracts for a clean-up, and the resulting cost is placed as a lien upon the property. Henderson clarified that after growing season, the sweeps will continue, focusing on junk cars. Finally, he noted that there could be budget considerations if programs are too successful, as the department has limited budget funds for contract mowing of offender properties.

9. DISCUSS POSSIBLE TERMINATION OF COMMERCIAL AIR SERVICE TO PONCA CITY.

Assistant City Manager Craig Stephenson noted that recently the federal government has attempted to end subsidy funding for local air service, and this year it seems probable. Once the subsidy ends, the air carrier Great Lakes will not be able to operate in Ponca City. Stephenson clarified the budget impact to losing the subsidy and related loss of TSA lease, fuel flowage fees, and Great Lakes lease at \$40,000 annually to the airport. Also, regarding grants, the City will no longer get special emphasis that essential air service provides for.

10. CITY MANAGERS COMMENTS.

City Manager Gary Martin informed the Commission that the Police Department is having problems with their new Sleuth software package. Staff is attempting to resolve the issues, but if we are not successful, no payment has yet been made.

Martin then referenced problems with the Meter Reading division, and announced he has decided to dissolve the department and transfer the three service techs under Finance and Utility Billing Supervisor, Sherri Tapp. The six meter readers will be transferred to Darwin Haney, Superintendent of Water Distribution/Wastewater Collection departments. Martin noted that one supervisory position is being eliminated through attrition. There will be a net savings to the City after small increases to the supervisors for additional responsibilities.

Regarding the Community Pool, Martin informed the Commission that asbestos has been detected on the band around the top of the building exterior. The asbestos is being abated by a professional firm and demolition should begin in the next week or so.

Martin stated that boiler inspections in City facilities are currently being done. Martin then informed the Commission that there are two air conditioning units failing at Traffic Engineering that will need replacement. Martin next relayed that the Fire Department has gone out for a request to provide billing services for the Ambulance Department.

Martin noted that there are continued problems with after-hours utility outage calls to the Water Plant, and after much consideration in the near future call will be routed through the Communications Center. Regarding water usage this hot summer, Martin was pleased to report that no rationing is required and things are going well so far.

11. COMMENTS FROM MAYOR AND COMMISSIONERS.

Commissioner Diane Anderson relayed having been in the Library on the evening of the OG&E caused power outage, and that even though there is back-up lighting, the stairwells are very dark. Anderson suggested that the problem be investigated for possible improvements.

Commissioner Paul Krueger reminded citizens to check on neighbors who are elderly or may not have air conditioning during heat waves as are currently being experienced.

Mayor Dick Stone relayed passed on a citizen request for the City to change downtown traffic lights in the evening. Stone noted that Traffic Engineering Manager Mike Lane would study the issue to see if changes could be made without compromising safety. Stone then discussed the path forward on a possible joint project with the school system to construct an events center and performing arts center on the current Hutchins site. Stone relayed that the Vision 2020 group has heard the proposal and supports it. Discussion ensued regarding concerns and a timeline. Consensus was to invite the schools board for a joint meeting and have a presentation of the proposal made, followed by discussion.

12. ADJOURN

Mayor Stone adjourned the meeting 5:51 p.m.

MAYOR

ATTEST:

CITY CLERK

