

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
APRIL 24, 2006

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 Richard Stone presiding:

Present: Richard Stone, Mayor
Stan Paynter, Commissioner
Paul Krueger, Commissioner
Diane Anderson, Commissioner
Wayne Foxworthy, Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Tana McKinley, Assistant City Manager

Absent: Marc LaBossiere, Finance Director/City Clerk

Others Present: Judge Paige Lee, Craig Stephenson, Jim Sindelar, Butch Herring, Mike Lane, Bryan VanArsdale, David Keathly, Don Nuzum, Mike Chapman, Marci White, Dana Bright, Tommy Chesnutt, Lori Young, citizens; Rolf Clements, news press.

1. Mayor Richard Stone called the meeting to order at 5:30 p.m.
2. David Frees, St. Luke's Nazarene Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Proclamation – Law Day
5. Character Trait for April: Creativity presented by Tana McKinley, representing the Character Council of Ponca City.

****CONSENT AGENDA****

The Board of Commissioners found items #6 #7, and #9 non-controversial and routine in nature. Commissioner Foxworthy removed Item #8 for further discussion. Commissioner Paynter made the motion to approve the consent agenda. Krueger seconded.

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

6. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held April 10, 2006.
7. Consider and vote on revision of Commission Policy Statement (CPS) No. 6, "Use of City Park and Recreation Facilities," as approved by Parks and Recreation Advisory Board.
9. **RESOLUTION NO. 5532**

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

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

10. Commissioner Foxworthy removed Item #8 stating that he would like to have the definition of “Shade and Ornamental” removed, and use the wording of “Tree” in the Ordinance.

Jim Sindelar, Park and Recreation Director passed out copies of the revised draft ordinance, which deleted the words “shade or ornamental” from the definition of tree service. Paynter made the motion to approve item #8. Anderson seconded.

ORDINANCE NO. 6039

AN ORDINANCE AMENDING THE CODE OF ORDINANCES AT SECTION 9-7-1 MODIFYING THE DEFINITIONS OF “SHRUB” AND “TREE”, REPEALING ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY

Commissioner Paynter made the motion to approve the amended Ordinance. Anderson seconded.

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

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

11. Commissioner Anderson noted that she had received several calls from concerned citizens over the past week, regarding where the proposed BMX bike track would be located and what it was going to look like.

Commissioner Krueger noted that the weather radar would be a nice addition to the City cable channel, as it is currently shown on the City website.

Commission Paynter stated that he was thankful for the rain, but cautioned citizens to pay attention to severe weather.

Mayor Stone stated that the local Salvation Army Board had told the City of the possibility of a grant from the Kroc Foundation and that Ponca City met all of the criteria. Major Poff, Commissioner Krueger, Gary Bracken, Gary Martin, Kevin Murphy, Chris Henderson and members of the Vision 2020 Task Force held lots of meetings, and jumped through hoops to meet these criteria.

However, both the local board and regional Salvation Army board have confirmed that this grant application has been denied. It was denied due to an item of perceived law.

This does not change the work done by the Vision 2020 group, though. We will continue to look at a sports center, the downtown area and the Hutchins. The vision does not change, only who we will work with on grants and funding. The Kroc is no longer an item to be considered by Ponca City. The City will move forward with other partnerships.

****REPORTS****

12. CITY MANAGER'S REPORT

City Manager Gary Martin noted that the Quint fire truck had been taken to Texas for repairs by the low bidder. ConocoPhillip's ladder truck will be available, while the truck is being repaired over the next two weeks. Repairs are estimated at \$8,903.

The Innovation Group provided the City of Ponca City with some excellent publicity through their national press release and website, regarding Ponca City being named a "Tree City".

Spring Clean Up collected a tremendous amount of refuse this year. Crews are still hard at work wrapping up this effort to clean up the community. Lots of good comments have been received, and crews have worked long hours.

****PUBLIC HEARINGS****

13. Conduct a Public Hearing on Edward Byrne Memorial Justice Assistance Grant.

Mayor Stone opened the Public Hearing and requested Lt. Bryan VanArsdale give a report regarding the Edward Byrne Memorial Justice Assistance Grant.

Lt. Bryan VanArsdale of the Ponca City Police Department explained that this Public Hearing was to review the application and proposed budget for the Edward Byrne Memorial Justice Assistance Grant. VanArsdale stated that the terms of the grant require solicitation of input from governing bodies and citizens potentially affected by projects supported by the grant. VanArsdale also gave a budget narrative detailing the expenditure plan.

Mayor Stone stated that this being a Public Hearing that anyone in the audience who would like to come forward, and speak for or against the grant, should do so.

Rolf Clements, 2600 N. Fifth Street, commented that it looked like the City Commission had already made up their minds in regards to approving the grant.

Lt. Bryan Van Arsdale noted that the reason for the public hearing was to give the public an opportunity to present other ideas.

Mayor Stone closed the Public Hearing.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

14. Consider and vote on an interlocal Memorandum of Understanding between the City of Ponca City and the Kay County Commission to share Justice Assistance Grant funding in the amount of \$13,026.00 and authorize the Mayor to sign the Memorandum of Understanding.

Commissioner Krueger made the motion authorizing the Mayor to sign the Memorandum of Understanding between the City of Ponca City and the Kay County Commission to share Justice Assistance Grant funding in the amount of \$13,026.00. Foxworthy seconded.

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

15. Consider and vote on acceptance of a grant award from the 2005 Homeland Security Buffer Zone Protection Grant program in the amount of \$49,975.63 and authorize the Mayor to sign grant award documents.

Commissioner Foxworthy made the motion to accept the grant award from the 2005 Homeland Security Buffer Zone Protection Grant Program in the amount of \$49,975.63, and authorizing the Mayor to sign grant award documents. Krueger seconded.

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

16. Consider and vote to award the Audit of Financial Statement for fiscal year 2005-06 (Year Ending June 30, 2006) to Crawford & Associates, P.C., Certified Public Accountants, of Oklahoma City, in an amount not to exceed \$48,000.00.

Commissioner Anderson made the motion to award the Audit of Financial Statement for fiscal year 2005-06 (Year ending June 30, 2006) to Crawford and Associates, P.C. in the not to exceed amount of \$48,000.00, and authorize the Mayor to sign grant award documents. Krueger seconded.

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

17. Consider and vote to support an application to FEMA for the assistance to Firefighters Grant Program submitted for the year 2006.

Commissioner Paynter made the motion to support an application to FEMA for the assistance to the Firefighters Grant Program to be submitted for the year 2006. Anderson seconded.

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

18. Consider and vote to find that the Public Health, Safety, and Welfare are sufficiently at jeopardy to waive City SOP requiring competitive bids on purchases in excess of \$2,500.00, and authorize Emergency Management to acquire two Federal Signal Emergency Warning Sirens for the total installed amount of \$30,568.00.

Commissioner Krueger made the motion to waive City SOP requiring competitive bids on purchases in excess of \$2,500.00, and authorize Emergency Management to acquire two Federal Signal Emergency Warning Sirens for the total installed price of \$30,568.00. Foxworthy seconded.

Roll: Yeas; Anderson, Krueger, Stone, Paynter, and Foxworthy. Nays; none. Motion carried.

19. Consider and vote on an agreement for consulting and renovation services between the City and Evergreen Painting Studios, Inc. for the restoration of Marland Mansion ceilings and authorize the Mayor to execute the final contract document.

Commissioner Krueger made the motion to approve an agreement for consulting and renovation services between City of Ponca City and Evergreen Painting Studios, Inc. for the restoration of Marland Mansion ceilings and authorize the Mayor to execute the final contract document. Paynter seconded.

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

20. Consider and vote on the purchase of a heavy duty 1 ton 4 x 4 truck from Jack Bowker Ford for use at the Ponca City Airport in the amount of \$45,000.00.

Commissioner Krueger made the motion to approve the purchase of a heavy duty 1 ton 4x4 truck from Jack Bowker Ford for use at the Ponca City Airport in the amount of \$45,000.00. Anderson seconded.

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

****CITIZENS COMMENTS****

21. None.

RECESS TO AUTHORITY MEETING

Mayor Stone recessed to the Utility Authority meeting at 6:26 p.m. The Commission reconvened at 6:30 p.m.

22. Commissioner Krueger made the motion to enter into Executive Session pursuant to Title 25, Section 307, Oklahoma Statutes for purposes of the Employment, Hiring, Appointment, Promotion, Demotion, Disciplining or Resignation of any individual salaried public officer or employee. Foxworthy seconded.

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

23. The Commission returned to regular session at 7:10 p.m. with no action being taken.

Commissioner Krueger made the motion to adjourn the regular meeting of the Board of Commissioners. Anderson seconded.

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

24. Mayor Stone adjourned the Board of Commissioners meeting at 7:10 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF MAY 2006.

MAYOR

ATTEST

CITY CLERK