

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
FEBRUARY 27, 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
Paul Krueger, Commissioner
David Cummings, Commissioner
Stan Paynter, Commissioner
Diane Anderson, Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Others Present: Wayne Foxworthy, Commissioner-elect; Tana McKinley, Judge Bill Kirkpatrick, Butch Herring, Craig Stephenson, Chris Henderson, Phil Johnston, Craige Baird, Terri Sherbon, Bob Miller, Jim Fairbanks, Sherri Tapp, Mike Lane, Clayton Johnson, Mike Chapman, Jim Sindelar, City staff; Brad Parker, Dolly Roland, T.L. Walker, Tom Hawkins, Frank Kennedy, Cory Bowker, Rich Cantillon, Steve Paresko, Tamee Paresko, Kathy Trelevan, many other citizens; Rog Allen, Rolf Clements, news press.

1. Mayor Richard Stone called the meeting to order at 5:35 p.m.
2. Gary Wilburn, Oak Grove Baptist Church of Kaw City, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Presentation of Service Medallion to Commissioner David Cummings.
5. Oath of Office for Commissioners Wayne Foxworthy and Stan Paynter.
6. Vision 2020 Task Force Recognition Plaque Presentation.

****CONSENT AGENDA****

The Board of Commissioners found items #7, #8, and #9 non-controversial and routine in nature. Commissioner Cummings made the motion to approve the consent agenda. Paynter seconded.

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

7. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held February 13, 2006.

8. **RESOLUTION NO. 5524**

A RESOLUTION AMENDING THE FEES CHARGED AT LEW WENTZ MEMORIAL MUNICIPAL GOLF COURSE BY MODIFICATION OF CURRENT FEES.

9.

RESOLUTION NO.5525

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

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

10. None.

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

11. Commissioner Anderson thanked the Citizens who had called her with comments regarding items on the agenda. Anderson further added that she finds it exciting when citizens are interested in what is happening in Ponca City, and encouraged citizens to call her anytime with comments or concerns.

Commissioner Krueger complimented Commissioner Cummings by saying that he had served the Commission well, and had brought a perspective to the meetings that was often needed. Krueger commented that Cummings would be missed.

Commissioner Paynter also thanked Commissioner Cummings for his service to the Commission.

Commissioner Cummings stated that he would like to thank the citizens for letting him serve and that he had enjoyed working with the other Commissioners and City Staff. Cummings further added that he would like to relay to the public that the City has a fine staff, which says a lot for the City Manager, and how he manages the business for the City. Cummings also complimented the Mayor on his leadership with the Commission.

Mayor Stone thanked Commissioner Cummings for his time served, and also thanked Commissioner Krueger for standing in for him while he was on vacation.

****REPORTS****

12. **CITY MANAGER'S REPORT**

City Manager Gary Martin informed the Commission that Wednesday was to be Ponca City Day at the State Capitol, and representatives from the City would be joining members of the Chamber to form a delegation to go to Oklahoma City to meet with elected officials and receive briefings from some of the department heads on the governor's cabinet.

Martin went on to say that Friday would be the ground breaking for the new Conoco museum.

Martin extended his thanks also to Commissioner Cummings for his time on the Commission and stated that he asked tough and challenging questions, which made Staff do some hard thinking.

13. VISION 2020 FINAL REPORT

Jeff Cowan and Carey Head jointly presented the Vision 2020 Task Force final report.

****PUBLIC HEARINGS****

14. ORDINANCE NO. 6036

AN ORDINANCE REZONING REAL PROPERTY LOCATED EAST OF THE 3200-3500 BLOCK OF NORTH PECAN ROAD (MORE SPECIFICALLY SET FORTH BELOW) FROM R-1 SINGLE FAMILY RESIDENTIAL TO RA RURAL ACREAGE DISTRICT, AND DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO CHANGE THE OFFICIAL ZONING MAP OF THE CITY ACCORDINGLY, AND DIRECTING THE CITY CLERK TO FILE OF RECORD.

Conduct a Public Hearing and vote on an Ordinance rezoning property described as a part of the Southwest and Northeast Quarters of Section 12, Township 26 North, Range 2 East to the City of Ponca City, located east of the 3200-3500 blocks of North Pecan Road, R-1 Single Family Residential to RA Rural Acreage District.

Community Development Director Chris Henderson gave the history of the current rural acreage sub-division and showed the area to be re-zoned.

Mayor Stone opened the public hearing at 6:23 p.m. Stone first invited those in opposition to the proposed re-zoning to speak first.

Keith Lawrence, 512 N. 12th, explained his opinion why rural acreage zoning is not advisable for land inside the City limits. Lawrence encouraged the City Commission to leave the zoning R-1, single family residential, so that the health and safety of Lake Ponca cannot be endangered by any malfunction, break-down, or failure to maintain private individual sewage disposal systems.

Bryan Drake, 2105 E. Hartford, reviewed strengths and weaknesses of aerobic septic systems and why approval of a re-zoning to RA is not advisable.

Pat Drake, 65 Stoneridge, clarified that she does not oppose the re-zoning because of competition, as competition is a good thing and has led to fine sub-divisions in Ponca City. Mrs. Drake then reviewed why she opposes the zoning change, including supporting the original zoning and forethought, and to protect Lake Ponca from potential sewage contamination.

With no others in opposition, Stone invited any individuals who wished to speak in support of the measure to come forward.

Guy Clark, representative of High Point Development, asked that the property be down-zoned as RA as provided for in the City Code. Clark then reviewed reasons why a zoning of RA is preferable.

John Bohannon, Chairman of the Zoning Commission, clarified that the mission of the Commission is to support development. Bohannon complimented staff, and Chris Henderson's practice of giving pros and cons on proposals. Regarding this proposal, the Planning Commission looked at the zoning request against current City RA statutes, and voted to support the measure.

Stone closed the public hearing at 6:49 p.m.

Commissioner Krueger made the motion to approve the re-zoning of the thirty-five (35) acres of land owned by High Pointe Estates to RA Rural Acreage. Krueger made the motion contingent upon the filing of a preliminary plat on the property owned also by the Pereskos known as West Lake Estates, and at that time only will the change be made. Krueger also stated that the motion included that it is the Commission's requirement that all the properties be attached to the City's public sewer system, or that a private lift station be installed and maintained leading to the City's public sewer system. Paynter seconded.

Roll: Yeas; Krueger, Paynter, and Stone. Nays; Cummings and Anderson. Motion carried.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

15. Consider and vote upon approving Change Order No. 2, in the deduct amount of \$21,061.30 and final payment in the amount of \$27,462.00 to Chitwood Construction Co., Inc. for work completed on "Street Improvement Project – Concrete Street Reconstruction."

Commissioner Paynter made the motion to approve Change Order No. 2, in the deduct amount of \$21,061.30 and final payment in the amount of \$27,462.00 to Chitwood Construction Co., Inc. for work completed on "Street Improvement Project – Concrete Street Reconstruction." Anderson seconded.

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

16. Consider and vote on a recommendation from the Park and Recreation Advisory Board to allow Challenger Sports, Lenexa, Kansas to hold a Soccer Camp July 31, 2006 through August 4, 2006 at Dan Moran Park.

Commissioner Cummings made the motion to approve the recommendation from the Park and Recreation Advisory Board to allow Challenger Sports, Lenexa, Kansas to hold a Soccer Camp July 31, 2006 through August 4, 2006, at Dan Moran Park. Krueger seconded.

Roll: Yeas; Krueger, Stone, Paynter, and Cummings. Nays; Anderson. Motion carried.

17. Consider and vote on Standard Operating Policy (SOP) regarding the “Use of Self Contained Mobile Stage” as recommended by the Park and Recreation Advisory Board.

City Manager Gary Martin requested this item be removed from the agenda. Commissioner Cummings made the motion to remove the item for further consideration, to be brought back at a later time. Krueger seconded.

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

18. Consider and vote on a request from Kaw Lake Association for Use of “Self Contained Mobile Stage” at Kaw Lake for Kawfest, June 20, 2006.

Commissioner Cummings made the motion to approve the request from the Kaw Lake Association for use of the “Self Contained Mobile Stage” at Kaw Lake for Kawfest, June 20, 2006. Anderson seconded.

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

****CITIZENS COMMENTS****

19. None.

20. Mayor Stone adjourned the Ponca City Board of Commissioners meeting at 7:05 p.m.

PASSED IN SESSION AND APPROVED THIS 13TH DAY OF MARCH 2006.

MAYOR

ATTEST

CITY CLERK