

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
DECEMBER 11, 2006

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in regular session at 5:31 p.m. in the Commission Room at City Hall, 516 E. Grand, with Mayor Richard Stone presiding:

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

Others Present: Chris Henderson, Clayton Johnson, David Keathly, Sam Whitecotton, Craig Stephenson, Mike Lane, Sherri Tapp, Phil Johnston, City staff; Don Bouldin, Carol Bouldin, Rich Cantillon, Homer Nicholson, Bob Innes, Keni Ray, Carey Head, Linda Brown, Shane Harland, Chuck Clark, Gerald Nield, Jason Pinney, Bryan Drake, T.L. Walker, Jayne Detten, citizens; Rolf Clements, Ponca City News.

1. Mayor Richard Stone called the meeting to order at 5:31 p.m.
2. Invocation – Larry Metzger, 1st Christian Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

None.

****CITIZENS COMMENTS****

4. Carol Bouldin, 1428 Reveille, thanked the City Commission for their leadership in bringing the proposed items to the public for a vote.

Bryan Drake, 2105 E. Hartford, expressed concerns about the location of the events center.

Keni Ray, 2109 El Camino, thanked the City Commission for their hard work and the difficult decisions that were made to bring the public project proposal to the point where citizens can decide.

Marvin Peterson, 2028 N. 6th Street, expressed concern over the \$40 per person in estimated cost, and accused the City of understating the cost to the average citizen.

Jayne Detten, Director of Main Street, reviewed the work thus far, and thanked the City Commission, City Department Heads, the Chamber of Commerce and speakers Bureau members who have worked very hard.

Miguel Najerro, 146 Fairview, expressed passion in his heart to assist in getting this decision passed, as it is very important for the future of our community.

Michael Nash 1308 Meadowbrook, also touched on a viewpoint of the youth of Ponca City. Nash expressed that Ponca City will always be his home, but positive projects that will offer

more to youth will help keep them here to live.

The Board of Commissioners found items #5, #6, #7, and #8 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Foxworthy seconded.

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held November 27, 2006.

6. **RESOLUTION NO. 5576**

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

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

7. None.

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

8. Commissioner Anderson extended appreciation to those who spent so much time getting the information out to the public and raising awareness. Anderson also stated that she was excited to see the young people of the community excited enough about this issue to speak out in public. Anderson concluded by saying that it does not have to be exactly what you want it to be or your idea, but you need to be willing to make a compromise for the betterment of the whole community.

Commissioner Krueger also thanked those in the Community who had worked on this election, for all their hard work and hours that have been spent on the election campaign. Krueger wished for understanding and forgiveness for those who have called the Commission names, have indicated that the Commission did not properly do their homework, or were misinformed or have questioned the Commission's integrity. Krueger encouraged every registered voter to get out and vote tomorrow, but whatever the outcome of the vote, Krueger stated that he would ask for healing of the community. Krueger concluded by stating we are Ponca Citizens, but first we are Americans, where it is okay to have differences in opinions and still love and respect one another.

Commissioner Paynter stated that the ballot may not be as everyone wants, but the allegations that the Commission did not listen to the citizens is an incorrect statement. Paynter further remarked that pass or fail there will still be costs, and the people in Ponca City will have to pay for them. Paynter went on to say that anytime you have a movement forward there will be friction, and that is what we have seen with this election. Paynter commented that those who are against the items on the ballot had some valid considerations and concerns, but believe that the committee for the election have answered those questions, and made the citizenry more informed. Paynter concluded by saying that the Commission is unanimous in moving the City forward.

Commissioner Foxworthy commented that in addition to comments regarding tomorrow's election, he was pleased that the name for the annual Christmas parade had been decided. Foxworthy further commented on the upcoming elections stating that each person must decide for themselves, and exercise their privilege by going to the poles and voting. Foxworthy concluded by saying that as a fellow citizen and potential benefactor of the services these projects would provide for this great community, he would appreciate a "yes" vote.

Mayor Stone thanked staff and the Park & Recreation Department for their work to make the holiday Christmas Parade a success. Stone thanked Rich Cantillon and the Chamber, Jayne Detten, the Vision 2020 Committee, the Speakers Cabinet, fellow Commissioners, the Public Teachers Association, and all who have come forward and said "yes" let's move forward. Stone further stated that he had been on the Leadership Committee for eleven years, and never has there been an opportunity as the one we have at the present time. Stone emphasized that all of this is happening because the five Commissioners worked together listening, negotiating, working a plan with staff so that we can move the City forward.

****REPORTS****

9. CITY MANAGER'S REPORT

City Manager Gary Martin advised that Cable One has given notice that they would like to start negotiating their franchise renewal agreement. Martin further advised that Highway 60 is now open, which will relieve the traffic on Grand Avenue.

Martin added that water crews will be repairing a waterline near Union and Brookfield, and those citizens in that area would have advance notice as to when the water would be off.

Martin also expressed gratitude to staff for their work in putting information forth on the election.

Martin further stated that the originally scheduled meeting for December 26th will be moved to December 27th due to the change in the Christmas holiday from Friday, December 22 to Tuesday December 27th.

Martin requested item 13 to be removed from the agenda.

10. RECEIVE UPDATE ON OKLAHOMA MUNICIPAL POWER

Drake Rice of OMPA began by thanking City staff who serve on various OMPA boards. Rice informed the Commission of management changes at OMPA as Harry Dawson retires. Rice updated the Commission on summer peak usages and partnerships on new generation.

Rice then informed the Commission that a customer satisfaction survey will be conducted in Ponca City in coming months, after which all OMPA member city statistics will be compiled. Regarding the Kaw Hydro Plant, OMPA has developed a written plan on blackstarting that plant, which will in the future help to restore, Ponca City quicker in times of serious outages. Finally, Rice relayed information for this years eagle watch at the Kaw Hydro plant, to be held

on January 20, 2006.

11. REVIEW TOURISM BUREAU

Rich Cantillon, President of the Ponca City Chamber of Commerce and the Tourism Bureau, introduced members of his staff and boards that were in attendance. Cantillon then relayed efforts to market Ponca City during the Oklahoma Centennial year of events and festivities.

Cantillon passed on the amount of information requests that are received by residents of other states. Cantillon continued by informing the Commission of other methods being utilized by the Tourism Bureau to get Ponca City information out to possible future tourists. Cantillon concluded by thanking the Commission for the proposed election package that will greatly enhance opportunities to market Ponca City and quality of life for our residents.

12. RECEIVE PRESENTATION OF THE CITY OF PONCA CITY'S SNOW AND ICE CONTROL MANUAL.

Assistant City Manager Craig Stephenson gave a presentation on guidelines for Street Department action steps to combat snow and ice in Ponca City when winter storms occur.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

13. **RESOLUTION NO. (REMOVED FROM THE AGENDA)**

A RESOLUTION APPROVING THE SUBMISSION OF THE CITY OF PONCA CITY'S PROPERTY ACQUISITION GRANT APPLICATION TO THE OKLAHOMA DEPARTMENT OF CIVIL EMERGENCY MANAGEMENT.

14. Consider and vote on the purchase of a mechanical street sweeper in the amount of \$176,478.00 from J&R Equipment LLC, Oklahoma City, for the Public Works Department, Street and Drainage Division.

Commissioner Paynter made the motion to approve the purchase of a mechanical street sweeper in the amount of \$176,478.00 from J&R Equipment LLC, Oklahoma City, for the Public Works Department, Street and Drainage Division. Anderson seconded.

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

15. Consider and vote on authorizing issuance of a manual check payment to Premier Building

Systems in the amount of \$8,190.00 for a 20' X 30' pavilion to be installed at the Police Firing Range.

Commissioner Krueger made the motion to approve the issuance of a manual check payment to Premiere Building Systems in the amount of \$8,190.00 for a 20' X 30' pavilion to be installed at the Police firing Range. Anderson seconded.

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

16.

RESOLUTION NO. 5577

A RESOLUTION SETTING DATE FOR GENERAL MUNICIPAL ELECTION FOR OFFICE OF MAYOR, SETTING FILING PERIOD, STATING TERM OF OFFICE, SPECIFYING QUALIFICATION FOR SAID OFFICE IN ACCORDANCE WITH CITY CHARTER, THAT OFFICE WILL BE FILLED BY VOTING AT LARGE AND AUTHORIZING THE MAYOR TO SIGN A PROCLAMATION CALLING AN ELECTION.

Consider and vote on Resolution calling for General Election for the purpose of electing a Mayor in 2007, establishing filing period and date of election, and directing Mayor to issue proclamation calling for election.

Commissioner Foxworthy made the motion to approve the Resolution calling for General Election for the purpose of electing a Mayor in 2007, establishing filing period and date of election, and directing Mayor to issue proclamation calling for election. Anderson seconded.

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

RECESS TO AUTHORITY MEETING

Mayor Stone recessed to the Ponca City Utility Authority meeting at 7:07 p.m. The Commission reconvened at 7:12 p.m.

17. Return to regular session and receive Ponca City Development Authority Review.
18. The Commission entered into executive session at 7:12 p.m. pursuant to Title 25, Section 307, Oklahoma Statutes for purposes of conferring on matters pertaining to Economic Development upon finding that the matter to be discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.
19. Return to regular session and take any necessary action, if appropriate, on items discussed in Executive Session at 7:40p.m.
20. Mayor Stone adjourned the Board of Commissioners meeting at 7:40 p.m.

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

MAYOR

ATTEST

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
DECEMBER 11, 2006

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 7:07 p.m. in the Commissioners' Room in City Hall at 516 East Grand Avenue with Chairman Richard Stone presiding.

Present: Richard Stone, Chairman
Paul Krueger, Trustee
Stan Paynter, Trustee
Wayne Foxworthy, Trustee
Diane Anderson, Trustee
Gary Martin, Trust Secretary
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Others Present: Craig Stephenson, Chris Henderson, Clayton Johnson, Phil Johnston, Sherri Tapp, Mike Lane, City staff; Drake Rice, OMPA; David Myers, PCDA; Homer Nicholson, citizens; Rolf Clements, Ponca City News.

1. Chairman Richard Stone called the meeting to order at 7:07 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2, #3, and #4 non-controversial and routine in nature by the governing body and are approved by one motion.

Trustee Anderson made the motion to approve the consent agenda. Paynter seconded.

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

2. Consider and vote to write off Ponca City Utility Authority Accounts with delinquent balances and transfer uncollectible accounts to Credit Bureau Services Association for further collection.

4. **RESOLUTION NO. 639**

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

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

5. None.

****NEW BUSINESS****

6. Consider and vote to award the bid for the crossover on US Highway 77, 7.8 miles north of US 60, Project No. GEN 06-13, to Evans and Associates of Ponca City, Oklahoma, in the amount of \$62,443.72 and that the Mayor be authorized to execute the contract and related documents.

Trustee Foxworthy made the motion to approve and award the bid for the crossover on US Highway 77, 7.8 miles north of US 60, Project No. GEN 06-13, to Evans and Associates of Ponca City, Oklahoma, in the amount of \$62,443.72 and authorize the Mayor to execute the contract and related documents. Krueger seconded.

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

7. Chairman Stone adjourned the meeting at 7:12 p.m.

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

CHAIRMAN

SECRETARY