

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
AUGUST 28, 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
Wayne Foxworthy, Commissioner
Paul Krueger, Commissioner
Diane Anderson, Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Stan Paynter, Commissioner

Others Present: Jim Sindelar, Terri Sherbon, Ken Bryer, Bill Bridges, David Horinek, Phil Johnston, Holly LaBossiere, Craige Baird, Mike Lane, Paula Cain, Don Nuzum, City staff; Jayne Detten, citizens; Rolf Clements, news press.

1. Mayor Richard Stone called the meeting to order at 5:31p.m.
2. Kirk Larkin, St Mary's Catholic Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Character Trait for August is Benevolence presented by Tom Sipe.

****CONSENT AGENDA****

The Board of Commissioners found items, #5, #6, #7, #8, #10, #11, and #12 non-controversial and routine in nature. Commissioner Foxworthy made the motion to approve the consent agenda with the exception of #9. Anderson seconded.

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held August 7, 2006.

6. **RESOLUTION NO. 5555**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF THE OFFICE THEREOF.

<u>BOARD OR COMMISSION</u>	<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRATION</u>
Park & Recreation Student Advisory Board	Dylan Powell	Reappointed	May 2007
Park & Recreation Student Advisory Board	Jefferson Powell	Reappointed	May 2007

7. Consider and vote on a contract award for road construction materials to the lowest bidder available for July 1, 2006 through December 31, 2006.

RESOLUTION NO. 5556

8. ***A RESOLUTION DESIGNATING CERTAIN CITY EMPLOYEES AS PURCHASING OFFICERS WITH AUTHORITY TO MAKE PURCHASES AGAINST CITY AND MUNICIPAL TRUST APPROPRIATIONS.***

<u>EMPLOYEE</u>	<u>DEPARTMENT</u>	
Chris Henderson	101-3510	Engineering
	101-3511	Traffic Engineering
Jim Sindelar	210-1116	Senior Programming
Katie Goss	210-1116	Senior Programming
Sherri Tapp	350-7620	Meter Readers
Darwin Haney	350-7620	Meter Readers

10. Consider and vote on the lease renewal for fiscal year 2006-07 of Enrique Avila, DBA Enrique's Café.
11. Consider and vote on the waiver of the lease fee for the Ponca City Humane Society for 2006-07 Fiscal Year.

12. **RESOLUTION NO. 5558**

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

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

9. **RESOLUTION NO. 5557**

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 2006-07.

Commissioner Anderson asked that #9 be removed for further explanation from Finance Director Marc LaBossiere.

Finance Director Marc LaBossiere gave a brief explanation of the series of budget amendments. LaBossiere stated that the amendment included amendments appropriating for new and carry-over grant funded projects, a projection of collection costs and related revenue for contract collection of delinquent Municipal Court fines/warrants, the balance of the City's grant match for downtown sidewalks, and the re-appropriation of prior year budget to

complete the Marland's Grand Home parking lot renovations.

Commissioner Anderson made the motion to accept the Resolution amending the budgets of various funds for fiscal year 2006-7. Foxworthy seconded.

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

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

14. Commissioner Krueger commented that a lot had been accomplished in the last two work sessions, and also acknowledged the citizens in the audience who were interested in watching their government at work.

Commissioner Foxworthy commented on the Senior Advisory Board Expo that was held last Saturday at the Pioneer Technology Center. Foxworthy commended the Park & Recreation Department for their coordination of the event, and also the participation of the Police Department, Fire Marshall Bill Bridges, and Ponca City Utility Authority. Foxworthy stated that next May is Senior Citizens month, and that another expo will be planned for then. Foxworthy also mentioned that there are the ten state quarters to be voted upon, and numbers 3, 4, 5, and 10 depict the Pioneer Woman, and encouraged all citizens of Ponca City to vote, as this would be quite an honor to have the Pioneer Woman depicted on the Oklahoma quarter. Foxworthy concluded by thanking everyone who attended the "Pancakes and Politics" breakfast.

Mayor Stone advised that during the past work session a request was made to have a committee appointed of school board members and commissioners to address some issues regarding the Hutchins that are unsettled. Stone stated that he had asked Commissioners Krueger and Foxworthy to work with the school board in setting up a meeting to clarify issues, and then bring recommendations to the Commission.

****REPORTS****

15. CITY MANAGER'S REPORT

City Manager Gary Martin reminded everyone that there would be no work session next Tuesday. Martin went on to say that on Saturday there was considerable storm damage in the community resulting in power outages for some parts of the City. Martin further advised that to date the community is about 9.2% above normal electric consumption, water consumption is up 15.3%, and the result is that most of the citizens will be getting substantial bills. Martin pointed out that whenever there are high volume uses by the public, these are pass-through costs from the City to the Public, and the City will turn around and pay OMPA for electric. Martin also emphasized that the City is not making a big profit from the high utility bills, and the same with the high water bills, it is the cost to produce the water. Martin encouraged citizens to average their monthly bill, so that it remains constant throughout the year, until it is recalculated during the winter.

Mayor Stone extended his appreciation to the Chamber for their sponsorship of the "Pancakes and Politics" event. Stone related that the event was well attended and a great deal of interest was shown. Stone also extended his thanks to the 101 Ranch Rodeo Foundation for asking him to be the Grand Marshall for the 101 Rodeo Parade.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

16. Consider and vote to authorize Mayor to enter into an agreement with Rick Scott Construction for the lighting replacement at the Library.

Commissioner Anderson made the motion to authorize the Mayor to enter into an agreement with Rick Scott Construction for the lighting replacement at the Library. Foxworthy seconded.

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

17. Consider and vote to receive bids and purchase four police patrol vehicles from Hudiburg Auto Group on State Contract in the amount of \$74,688.

Commissioner Krueger made the motion to approve the purchase of four police vehicles from Hudiburg Auto Group on state contract in the amount of \$74,688.00. Anderson seconded.

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

18. Consider and vote to receive bids and purchase two police administrative vehicles from Hudiburg Auto Group in the amount of \$29,996.00.

Commissioner Foxworthy made the motion to purchase two police administrative vehicles from Hudiburg Auto Group in the amount \$29,996.00. Krueger seconded.

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

19. Consider and vote to award bid to American Custom Lifts to install a vehicle lift at the City Garage for the amount of \$11,850.00 and authorize the Finance Director to make the required down payment of \$2,962.50.

Commissioner Foxworthy made the motion to award the bid to American Custom Lifts to install a vehicle lift at the City Garage for the amount of \$11,850.00 and authorize the Finance Director to make the required down payment of \$2,962.50. Krueger seconded.

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

20.

RESOLUTION NO. 5559

A RESOLUTION AMENDING THE CITY OF PONCA CITY'S DEFINED BENEFIT RETIREMENT PLAN BENEFIT CALCULATION FORMULA.

Commissioner Anderson made the motion to approve the Resolution amending the City of Ponca City's Defined Benefit Retirement Plan Benefit Calculation Formula. Foxworthy seconded.

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

- 21A. Consider and vote on a request for the City of Ponca City to contract with Western Enterprises, Inc. in the amount of \$7,500.00 to provide a fireworks display for the 2006 Centennial Birthday Bash to be held September 16, 2006 and authorize the Mayor to sign the contract.

Commissioner Anderson made the motion to approve the signing of a contract with Western Enterprises, Inc. in the amount of \$7,500.00 to provide a fireworks display for the 2006 Centennial Birthday Bash to be held September 16, 2006 and authorize the Mayor to sign the contract. Krueger seconded.

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

- 21B. Consider and vote on a request by Western Enterprises, Inc. on behalf of Ponca City Centennial birthday Bash Committee to be issued a permit to conduct a fireworks display at City Hall on September 16, 2006.

Commissioner Foxworthy made the motion to approve the request from Western Enterprises, Inc. on behalf of Ponca City Centennial Birthday Bash Committee to be issued a permit to conduct a fireworks display at City Hall on September 16, 2006. Krueger seconded.

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

- 22.. Consider and vote on a request by Junior Baseball Association to renovate and expand the fields and parking area located at Dan Moran Park, providing funding through grant applications, fundraising, and in-kind labor and materials.

Commissioner Krueger made the motion to approve a request by Junior Baseball Association to renovate and expand the fields and parking area located at Dan Moran Park providing funding through grant applications, fundraising and in-kind labor and materials. Foxworthy seconded.

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

23. Consider and vote to grant permission for use of Lydie Marland Statue photo to Bob Perry, Shawnee, Oklahoma, for the book cover and promotional materials relating to a fictional novel and authorize the Mayor to sign photo release.

There was no action taken on this item. The Commission felt that the Marland Estate Commission and David Keathly should perhaps gather more information regarding the book, before it is approved for Mr. Perry to use Lydie Marland's photo for his book cover and promotional materials.

****CITIZENS COMMENTS****

Darin Petty, President Ponca City Alternative Sports Association, stated that he was coming before the Board of Commissioners to raise an awareness of their group and what they do. Jeanette Chambers, Secretary of the Alternative Sports Association, explained that this association has been created to provide the youth of Ponca City something besides football, soccer, t-ball, and organized sports. Chambers informed the Commission that they would like to create a BMX track and skate park in Ponca City to provide all the youth ample playing time on equal playing fields, so they are not subjected to sitting on the bench or being left out. Chambers went on to say that the goal is to let all the youth have a means of expressing themselves, by doing something that could help them increase their self-esteem and their endurance. Chambers said that this park would provide the youth of Ponca City a drug and alcohol free atmosphere that is fun for the family. Chambers stated that the members of their association have 50-plus years racing experience themselves and with their children. Chambers added that this is something that is near and dear to their hearts and would like to see Ponca City embrace, and invited citizens to attend their public awareness meeting tomorrow evening at the Pioneer Technology Center.

City Manager Gary Martin stated that this group has been working with Jim Sindelar, and that he has talked with this group also, and that they are aware of who they are and what they are doing.

Mayor Stone adjourned the Board of Commissioners meeting at 6:28 p.m.

PASSED IN SESSION AND APPROVED THIS 11TH DAY OF SEPTEMBER 2006.

MAYOR

ATTEST

CITY CLERK