

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
APRIL 12, 2010

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 Chamber at City Hall, 516 E. Grand, with Mayor Homer Nicholson presiding:

Present: Homer Nicholson, Mayor  
Paul Krueger, Commissioner  
Diane Anderson, Commissioner  
Bill Flegler, Commissioner  
Lanita Chapman, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None.

Others Present: Tana McKinley, Jim Fairbanks, Earl Watkins, Judy Newland, Terry Brown, Butch Herring, Sherri Tapp, City staff; Zac Robertson, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Tom Ramsey, First Lutheran Church
3. Pledge of Allegiance

**\*\*CEREMONIES AND PROCLAMATIONS\*\***

4. Character Trait for April; Creativity

**\*\*CONSENT AGENDA\*\***

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

Roll: Yeas; Anderson, Flegler, Nicholson, Krueger, and Chapman. Nays; None. Motion carried.

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held March 22, 2010.

6. **RESOLUTION NO. 5829**

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

**RESOLUTION NO. 5830**

7. ***A RESOLUTION SETTING FEES AND CHARGES FOR THE CITY OF PONCA CITY AND THE PONCA CITY UTILITY AUTHORITY.***

8. **RESOLUTION NO. 5831**

***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 2009-10.***

9. Consider and vote on Benefit Changes to the City of Ponca City's Health Plan effective July 1, 2010.
10. Consider and vote upon any item removed from the Consent Agenda

None.

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

11. Mayor Nicholson expressed appreciation of his fellow commissioners and acknowledged what a pleasure it was to work with such a fine group.

**\*\*REPORTS\*\***

12. **CITY MANAGER'S REPORT**

City Manager Craig Stephenson reminded everyone that Earth Day would be at the Hutchins from 10:00 a.m. to 2:00 p.m. on April 22, 2010, Spring Clean Up is this week, and Budget Meetings to be held next Monday & Tuesday Stephenson further mentioned that each of the Commissioners had received a "Flat Stanley", and Zack Robertson would like to talk about "Flat Stanley" and his project.

Robertson thanked everyone who has taken on one of these Lincoln students, in order to help with this project. Robertson explained that the project is based on the "Flat Stanley" book by Jeff Brown. Robertson informed the Commission that this project is to help second grade students learn about the community they live in.

**\*\*PUBLIC HEARINGS\*\***

None.

**\*\*UNFINISHED BUSINESS\*\***

None.

**\*\*NEW BUSINESS\*\***

13A.

**ORDINANCE NO. 6114**

***AN ORDINANCE OF THE CITY OF PONCA CITY (1) RE-ACCEPTING THE BENEFICIAL INTEREST IN THE KAW RESERVOIR TRUST AND AMENDED TRUST INDENTURE AND (2) CONSENTING TO THE PROPOSED RE-ORGANIZATION OF THE KAW RESERVOIR AUTHORITY BY AMENDMENT OF TRUST INDENTURE AND (3) CONSENTING TO AMENDMENT OF BY-LAWS IN ALL RESPECTS IN ACCORDANCE WITH THE TERMS OF SAID AMENDED TRUST INDENTURE AND (4) AUTHORIZING TRUSTOR AND TRUSTEES TO EXECUTE ALL NECESSARY DOCUMENTS; AND DECLARING AN EMERGENCY.***

Commissioner Anderson made the motion to approve the Ordinance of the Board of Commissioners of the City of Ponca City, Oklahoma, re-accepting the beneficial interest in the Kaw Reservoir Trust and amended trust indenture and (2) consenting to the proposed re-organization of the Kaw Reservoir Authority by amendment of trust indenture and (3) consenting to amendment of by-laws in all respects in accordance with the terms of said amended trust indenture and (4) authorizing trustor and trustees to execute all necessary documents. Chapman seconded.

Roll: Yeas; Anderson, Chapman, Nicholson, Krueger, and Flegler. Nays; None. Motion carried.

- 13B. Commissioner Krueger moved to declare an emergency on the Ordinance of the Board of Commissioners of the City of Ponca City, Oklahoma, re-accepting the beneficial interest in the Kaw Reservoir Trust and amended trust indenture and (2) consenting to the proposed re-organization of the Kaw Reservoir Authority by amendment of trust indenture and (3) consenting to amendment of by-laws in all respects in accordance with the terms of said amended trust indenture and (4) authorizing trustor and trustees to execute all necessary documents. Flegler seconded. .

Roll: Yeas; Krueger, Flegler, Nicholson, Chapman, and Anderson. Nays; None. Motion carried.

13C.

**RESOLUTION NO. 5830**

***A RESOLUTION DESIGNATING THE MAYOR AND CITY MANAGER AS EX OFFICIO TRUSTEES FROM PONCA CITY FOR THE KAW RESERVOIR AUTHORITY.***

Commissioner Anderson moved to approve the Resolution designating the Mayor and the City Manager as ex-officio trustees

**\*\*CITIZENS COMMENTS\*\***

14. None.

15. Commissioner Flegler made the motion to adjourn the meeting. Chapman seconded.

Roll: Yeas; Flegler, Chapman, Nicholson, Anderson, and Krueger. Nays; None. Motion carried.

Mayor Nicholson adjourned the meeting at 5:55 p.m.

***PASSED IN SESSION AND APPROVED THIS 26TH DAY OF APRIL 2010.***

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MAYOR

ATTEST:

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CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
MARCH 22, 2010

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 5:30 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Chairman Homer Nicholson presiding.

Present: Homer Nicholson, Chairman  
Paul Krueger, Trustee  
Bill Flegler, Trustee  
Lanita Chapman, Trustee  
Craig Stephenson, City Manager  
Marc LaBossiere, Secretary

Absent: Diane Anderson, Trustee  
Kevin Murphy, City Attorney

Others Present: Dwaine Vincent, Terry Brown, Rob Dick, Butch Herring, David Horinek, Jim Fairbanks, Chris Henderson, Tana McKinley, City staff; citizens; Beverly Bryant, Ponca City News.

1. Chairman Nicholson called the meeting to order at 6:08 p.m.

**\*\*CONSENT AGENDA\*\***

The Board of Trustees found items #2, #3, #4, and #5 non-controversial and routine in nature by the governing body and are approved by one motion.

Trustee Flegler made the motion to approve the consent agenda. Chapman seconded.

Roll: Yeas; Flegler, Chapman, Nicholson, and Krueger. Nays; None. Motion carried.

2. Consider and vote upon the minutes of the regular session held March 8, 2010.
3. **RESOLUTION NO. 755**

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

4. Consider and vote upon authorizing Chairman to submit Monthly Operating Statement to OWRB.
5. Consider and vote upon on contract with General Steel of Littleton, CO for the recycling Center Steel Building Fabrication Contract in the amount of \$17,589.00 and authorize the City Treasurer to make earnest money deposit of \$4,000.00 upon execution of purchase contract and before receipt of fabricated components.

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

6. None.

**\*\*NEW BUSINESS\*\***

None.

7. Trustee Krueger made the motion to adjourn. Flegler seconded.

Roll: Yeas; Krueger, Flegler, Nicholson, and Flegler. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:11 p.m.

***PASSED IN SESSION AND APPROVED THIS 12TH DAY OF APRIL 2010.***

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CHAIRMAN:

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TRUST SECRETARY