

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
JUNE 14, 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
Diane Anderson, Vice-Mayor
Paul Krueger, Commissioner
Bill Flegler, Commissioner
Lanita Chapman, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City, Attorney
Marc LaBossiere, Finance Director/City Clerk

Others Present: Tana McKinley, Mike Lane, Jim Fairbanks, Chris Henderson, Terry Brown, Sherri Tapp, Judi Newland, Kathy Fennern, Earl Watkins, Craig Baird, Paula Cain, Rhonda Skrapke, City staff; Joie Holder, America's Choice Healthplans; Tom Ramsey, Barb Rozell, 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 June: Endurance.

****CONSENT AGENDA****

The Board of Commissioners found items #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, #18, and #19 non-controversial and routine in nature. Commissioner Flegler made the motion to approve the consent agenda. Anderson seconded.

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held May 24, 2010 and work session held June 7, 2010.
6. **RESOLUTION NO. 5839**

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

7. **RESOLUTION NO. 5840**

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.

8. **RESOLUTION NO. 5841**

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

9. **RESOLUTION NO. 5842**

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>
Airport Advisory Board	Chris Greenwood	Appointed	2012
Cultural Affairs Commission	Terry Vandell-Bell	Re-Appointed	2013
Personnel Board	Michael Daugherty	Re-Appointed	2013

10. Consider and vote upon agreement for engineering services with Professional Engineering Consultants for Utility Accommodation related to the Bridge Replacement Projects on L.A. Cann at Turkey Creek and Lake Ponca in the amount of \$37,532.00.
11. Consider and vote on a lease agreement between the City of Ponca City and Keith Waller, 1304 Kygar Road, Ponca City, Oklahoma to continue to lease a parcel of land consisting of approximately two acres.
12. Consider and vote upon a request for authorization to advertise for bids for "Water Line Relocation Project at the Intersection of 7th Street, Highland Avenue and Virginia Avenue" Project No. GEN 10-7W.
13. Consider and vote on renewal addendum to the PRx Plan Sponsor PBM Services Agreement with Partners RX Management, LLC effective July 1, 2006 and authorize the Mayor to execute all related documents.
14. Consider and vote on third addendum to Administrative Agreement with America's Choice Healthplans dated July 1, 2005 and authorize the Mayor to execute all related documents.
15. Consider and vote on extending the City's contract with Perico for Individual and Aggregate Re-Insurance on the City's Health Benefit Plan for Fiscal Year beginning July 1, 2010 at \$250,000.00 Individual and \$50,000.00 Aggregating Specific, and authorizing the Mayor to execute all related documents.
16. Consider and vote on the Business Associate Agreement with America's Choice Health Plans, LLC and authorize Mayor to execute all related documents.
17. Consider and vote on recommendation from Marland Estate Commission to remove

the offering of chair covers from the Marland Mansion Rental Agreement.

18. Consider and vote on the Oklahoma Municipal Assurance Group as the City of Ponca City's Agent for Airport Owners & Operator's Liability and Public Entity Liability for the policy period of July 1, 2010 through June 30, 2011.
19. Consider and vote on the Oklahoma Municipal Assurance Group as the City of Ponca City's Agent for Buildings & Contents Insurance, Boiler & Machinery Insurance and Electronic Data Processing Insurance for the period of July 1, 2010 through June 30, 2011.

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

20. None.

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

21. Mayor Nicholson commented that today is Flag Day.

Commissioner Anderson stated that she would like to take the liberty to mention that there will be another Juneteenth celebration on June 18, 2010, and there will be many events including the multi-cultural parade and rodeo.

****REPORTS****

22. CITY MANAGER'S REPORT

City Manager Craig Stephenson reminded the Commission that Ponca Energy would be hosting the Key Account Breakfast this Wednesday at 8:00 a.m. at the Ponca City Country Club. Stephenson also asked that if any of the Commissioners planned to attend to please R.S.V.P with the Ponca City Energy office.

Stephenson also informed everyone that Ponca Politics would be held in the Commission Chamber on Thursday, June 17, 2010 at 11:30 a.m. Stephenson stated that this will be a wrap up session with Senator Myers and Representative Luttrell. Stephenson further stated that the next Ponca Politics would be on July 16, 2010 concerning the upcoming District Attorney primary election.

Stephenson also talked about the multi-cultural rodeo parade, which is to be on Saturday, July 19, 2010 at 4:00 p.m. followed by the rodeo at 8:00 p.m.

Stephenson advised the Commission that the City Commission work session scheduled for Monday, June 21, 2010 would be cancelled due to several being out of town. Stephenson went on to say that on Tuesday, June 15, 2010, there would be a retirement party for John Rhyne, Division Chief of Emergency Medical Services at Fire Station #1.

Other items of interest mentioned by Stephenson were Full Moon over Wentz on June 21 and July 26, 2010, from 7:00 p.m. to 11:00 p.m. Stephenson explained that this is the free swim for families. In addition, Stephenson added the Fourth of July fireworks display would be on Sunday, July 4, 2010, at 9:50 p.m.

In conclusion, Stephenson announced that the City had earned an outstanding achievement innovation award for the wireless mesh broadband project. Stephenson stated that there were over 60 entries this year and Ponca City was selected as one of the top ten outstanding achievements in local government innovations award.

****PUBLIC HEARINGS****

- 23A. Conduct a Public Hearing on Subparagraph (B) hereof.

Chris Henderson, Development Services Director, explained to the Commission that this Ordinance was written with the staff from PC Energy and the building code officials working hand in hand to insure the safety of the city linemen, and also for the safety of the homeowner and damage to their residence (via fire) from a mismatched "hot" wire .

Mayor Nicholson opened the Public Hearing to the Public. There being no one to make comments, the Public Hearing was closed.

23B. **ORDINANCE NO. 6121**

AN ORDINANCE AMENDING SECTION 10-2 OF THE CITY CODE, ENTITLED "ELECTRIC CODE AND REGULATIONS;" AMENDING SECTION 10-2-6 TO PROVIDE FOR ELECTRICAL SECONDARY SERVICE CHANGES; REPEALING ORDINANCES IN CONFLICT AND PROVIDING FOR SEVERABILITY.

Commissioner Flegler made the motion to approve the Ordinance amending section 10-2 of the City Code, entitled "Electric Code and Regulations;" amending section 10-2-6 to provide for electrical secondary service changes; repealing ordinances in conflict and providing for severability. Chapman seconded.

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

****UNFINISHED BUSINESS**

None.

****NEW BUSINESS****

24. **RESOLUTION NO. 5843**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA APPROVING THE OPERATING BUDGETS OF THE VARIOUS CITY FUNDS, MORE SPECIFICALLY DELINEATED AS EXHIBITS 1, 2, AND 3 ATTACHED HERETO FOR THE FISCAL YEAR 2010-11.

Commissioner Chapman made the motion to approve the Resolution of the Board of Commissioners of the City of Ponca City, Oklahoma approving the operating budgets of the various City funds, more specifically delineated as exhibits 1, 2, and 3 attached hereto for the fiscal year 2010-11. Anderson seconded.

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

- 25A. Consider and vote on the 2010-2011 Collective Bargaining Agreement (CBA) between the City of Ponca City and the International Association of Firefighters, Local 2479, and to authorize the Mayor to sign the contract.

City Manager Craig Stephenson stated that no action would be taken on this item, as there was a miscommunication in language between the IAFF and the City. Stephenson added that as soon as this is worked out, it would be brought back to the Commission for action.

- 25B. Conduct Signing Ceremony. – To be conducted later.

26.

RESOLUTION NO. 5844

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY STATING THAT IT IS THE MUNICIPAL GOVERNMENT'S COMMITMENT TO APPROVE AND ADOPT THE MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN INCLUDING ALL STATE AND FEMA REQUIREMENTS IN COMPLIANCE WITH FEMA STANDARDS AND GUIDELINES.

Commissioner Chapman made the motion to approve the resolution stating that it is the Municipal Government's commitment to approve and adopt the Multi-Jurisdictional Natural Hazard Mitigation Plan including all state and FEMA requirements in compliance with FEMA standards and guidelines. Flegler seconded.

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

27. Consider and vote on eligibility of Wentz Camp for National Register Nomination, the Accuracy of Information contained in the Nomination and Submission of the Nomination to the Oklahoma State Historic Preservation Office.

Commissioner Krueger made the motion to approve the eligibility of Wentz Camp for National Register Nomination, the Accuracy of Information contained in the Nomination and Submission of the Nomination to the Oklahoma State Historic Preservation Office. Anderson seconded.

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

****CITIZENS COMMENTS****

28. None.

29. Commissioner Flegler made the motion to adjourn the regular session of the Board of Commissioners. Chapman seconded.

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

Mayor Nicholson adjourned the Board of Commissioners at 6:21 p.m.

PASSED IN SESSION AND APPROVED THIS 28TH DAY OF JUNE 2010.

MAYOR

ATTEST:

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
JUNE 14, 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
Diane Anderson, Trustee
Paul Krueger, Trustee
Bill Flegler, Trustee
Lanita Chapman, Trustee
Diane Anderson, Trustee
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Others Present: Tana McKinley, Jim Fairbanks, Chris Henderson, Terry Brown, Sherri Tapp, Earl Watkins, City staff; Barb Rozell, citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:22 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2, #3, #4, #5, #6, and #7 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. Flegler seconded.

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

2. Consider and vote upon the minutes of the regular session held May 24, 2010.
3. **RESOLUTION NO. 763**

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

4. **RESOLUTION NO. 764**

A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR THE FISCAL YEAR 2009-10..

5. Consider and vote upon agreement for Engineering Services for preparation of application for a Letter of Map Revision (LOMR) for the Arkansas River and award the contract to Meshek and Associates, PLC in the amount of \$7,760.00.
6. Consider and vote on write off of Ponca City Utility Authority accounts with delinquent balances to bad debt expense and forward uncollectible accounts to Credit Bureau Services

Association for further collection.

7. Consider and vote on receipt of the 2009 Water Quality Report.

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

8. None.

****NEW BUSINESS****

9. *RESOLUTION NO. 765*

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE PONCA CITY UTILITY AUTHORITY APPROVING THE OPERATING BUDGETS OF THE WATER, PONCA CITY ENERGY, SOLID WASTE DEPRECIATION RESERVE, UTILITY BILLING, WASTEWATER, STORMWATER, AND TECHNOLOGY SERVICES FUNDS, MORE SPECIFICALLY DELINEATED AS EXHIBITS 1 AND 2 ATTACHED HERETO, FOR THE FISCAL YEAR 2010-11.

Trustee Chapman made the motion to approve the Resolution of the Ponca City Utility Authority for the operating budgets of the Water, Ponca City Energy, Solid Waste Depreciation Reserve, Utility Billing, Wastewater, Stormwater, and Technology Services Funds, more specifically delineated as Exhibits 1 and 2 attached hereto, for the fiscal year 2010 -11. Anderson seconded.

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

10. Trustee Flegler made the motion to adjourn the meeting. Anderson seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:26 p.m.

ASSESSED IN SESSION AND APPROVED THIS 28TH DAY OF JUNE 2010.

CHAIRMAN:

ATTEST:

TRUST SECRETARY