

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
JUNE 28, 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  
Bill Flegler, Commissioner  
Lanita Chapman, Commissioner  
Craig Stephenson, City Manager  
Dave Garrison, Assistant City, Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Paul Krueger, Commissioner  
Kevin Murphy, City Attorney

Others Present: Clayton Johnson, Chris Henderson, Rhonda Skrapke, Rob Dick, Don Nuzum, David Horinek, Jim Sindelar, Terry Brown, Mike Chapman, Mike Lane, Craige Baird, Tana McKinley, Jim Fairbanks, Hong Fu, City staff; David Myers, PCDA; Bret Keast, Kendig Keast Collaborative; Tom Ramsey, 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\*\***

None.

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

The Board of Commissioners found items #4, #5, #6, #7, #8, #9 and #10 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Flegler seconded.

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held June 14, 2010.
5. **RESOLUTION NO. 5845**

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

6.

**RESOLUTION NO. 5846**

***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>
Ponca City Development Authority	Kelly Johnson	Appointed	2012
Ponca City Development Authority	Jim Stieber	Appointed	2012
Ponca City Development Authority	Derrin Hiatt	Re-Appointed	2013
Ponca City Development Authority	Jeff Meyers	Re-Appointed	2013
Senior Advisory Board	Glenda P. Hisey	Appointed	2013
Senior Advisory Board	Robert Montgomery	Appointed	2013

7. Consider and vote on one-year lease agreement between Ponca City Alternative Sports Association and the City of Ponca City to continue to operate a BMX track in Dan Moran Park.
8. Consider and vote upon a contract with Rick Scott Construction, Inc. in the amount of \$56,791.00 for Rehab of 417 W. Emporia-Project No. NSP REHAB 10-02.
9. Consider and vote on easement granting OG&E a working and a permanent electric transmission line easement across City property at the northeast corner of Fountain Road and Hwy 177 south of town.
10. Consider and vote on quit claim deed conveying a tract of land owned by the City of Ponca City to Frontier Siding and Storm Window Company, said tract located at the intersection of Hartford Avenue and Third Street.

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

11. None.

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

12. Commissioner Anderson reminded all that with the Independence Day holiday coming up that fireworks are illegal in the City limits, and for everyone to be safe.

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

13. CITY MANAGER'S REPORT

Stephenson in addressing the subject of the new swimming beach, stated that it would be ready to open sometime in the middle of July. Stephenson further added that an Ordinance will be brought to the Commission, which will address rules in regard to the swimming beach, for their approval at the July 12, 2010 Commission meeting. Stephenson also informed the Commission that the buoys for the project would not be ready until July 8, 2010. Stephenson stated that many groups have been helping in removing the aquatic weed from the swimming beach area, and sand will not be spread until all of the aquatic weed is removed. Stephenson stated that 1,750 tons of sand has been delivered to the site, and signage is in the process of being completed, which will provide a welcome and the rules for the beach.

Stephenson further added that earlier this spring the Oklahoma Community Institute selected the City's WI-FI Project, as a winner for the Outstanding Community Improvement Award. Stephenson also added that this award came with a \$1,000.00 check, that was designated for the Senior Center Food Program

Other items mentioned by Stephenson were; Ken Eck has been selected as the new EMS Division Chief, the Full Moon over Wentz brought out 1,112 participants, Music in the park will be held July 1, 2010 at the War Memorial Park, Independence Day Fireworks will be July 4, 2010 at 9:50 p.m., pool hours on July 4 and July 5, 2010 will be from 1:00 p.m. to 7:00 p.m., and the City offices will all be closed on July 5, 2010 in observance of Independence Day.

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

None.

**\*\*UNFINISHED BUSINESS**

None.

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

14.

**ORDINANCE NO. 6123**

***AN ORDINANCE AMENDING TITLE 12, CHAPTER 8, OF THE CITY CODE OF PONCA CITY, 2003, ENTITLED "DRAINAGE DESIGN STANDARDS"; PROVIDING FOR AMENDED DESIGN CRITERIA FOR DRAINAGE, DETENTION AND STREETS; PROVIDING FOR REPEALER; SEVERABILITY; AND CODIFICATION.***

Commissioner Chapman made the motion to approve the Ordinance amending Title 12, Chapter 8, of the City of Ponca City Code for Ponca City, 2003, entitled "Drainage Design Standards," providing for amended Design Criteria for Drainage, Detention, and Streets; providing for repealer; severability and codification. Flegler seconded.

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

15.

**ORDINANCE NO. 6124**

***AN ORDINANCE AMENDING TITLE 11, CHAPTER 15, OF THE CITY CODE OF PONCA CITY, 2003, ENTITLED "ACCESS MANAGEMENT"; PROVIDING FOR NEW ACCESS STANDARDS, MANAGEMENT, AND CIRCULATION; RIGHT TURN AND VEHICLE STACKING REQUIREMENTS; INTERNAL SITE DESIGN STANDARDS; AND TRAFFIC IMPACT STUDIES; PROVIDING FOR REPEALER; SEVERABILITY; AND CODIFICATION.***

Commissioner Flegler made the motion to approve the Ordinance amending Title 11, Chapter 15, of the City Code of Ponca City, 2003, entitled "Access Management"; providing for New Access Standards, Management, and Circulation; Right Turn and Vehicle Stacking Requirements; Internal Site Design Standards; and Traffic Impact Studies; providing for Repealer; Severability; and Codification. Anderson seconded

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

16. Consider and vote on a lease agreement between the City of Ponca City and KCI Enterprises, Inc. dba KCI Aviation for property located at Ponca City Regional Airport.

Commissioner Anderson made the motion to approve the lease agreement between the City of Ponca City and KCI Enterprises, Inc. dba KCI Aviation, for property located at Ponca City Regional Airport. Chapman seconded.

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

17. Consider and vote on Construction Payment No. 16 to Lambert Construction Company in the amount of \$976,125.00 for construction of the Ponca City Aquatic & Family Center-YMCA.

Commissioner Chapman made the motion to approve Construction Payment No. 16 to Lambert Construction Company in the amount of \$976,125.00 for Construction of the Ponca City Aquatic & Family Center-YMCA. Flegler seconded.

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

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

18. None

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Mayor Nicholson recessed the Board of Commissioners meeting at 6:38 p.m.

19. Commissioner Flegler made the motion to enter into executive session at 6:41 p.m. pursuant to Title 25 Section 307 Oklahoma Statutes for purposes of discussing negotiations with the International Association of Fire Fighters (IAFF). Chapman seconded.

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

- 20 The Board of Commissioners returned to regular session at 7:07 p.m. with no action being taken.
- 21 Mayor Nicholson adjourned the Board of Commissioners at 7:07 p.m.

***PASSED IN SESSION AND APPROVED THIS 12TH DAY OF JULY 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  
JUNE 28, 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  
Bill Flegler, Trustee  
Lanita Chapman, Trustee  
Diane Anderson, Trustee  
Craig Stephenson, City Manager  
Dave Garrison, Assistant City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Paul Krueger, Trustee  
Kevin Murphy, City Attorney

Others Present: Clayton Johnson, Chris Henderson, David Horinek, Terry Brown, Craige Baird, Tana McKinley, Hong Fu, City staff; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:38 p.m.

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

The Board of Trustees found items #2, #3, #4, #5, and #6 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 Anderson. Nays; None. Motion carried.

2. Consider and vote upon the minutes of the regular session held June 14, 2010.

3. **RESOLUTION NO.766**

***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 on authorizing Finance Director to issue a manual check in the amount of \$21,902.65 to General Steel Corporation upon satisfactory delivery of the Recycling Center Building kit as deemed so by the Solid Waste Superintendent.
6. Consider and vote upon Change Order No. 3 to construction contract with Clarke Well & Equipment, Inc. in the add-on amount of \$6,795.33 for the two new water wells project.
7. Trustee Flegler made the motion to adjourn the meeting. Chapman seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:41

p.m.

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

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CHAIRMAN:

ATTEST: