

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
FEBRUARY 28, 2005

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 Room at City Hall, 516 E. Grand, with Mayor Richard Stone presiding:

Present: Richard Stone, Mayor
Stan Kistler, Commissioner
David Cummings, Commissioner
Stan Paynter, Commissioner
Paul Krueger, City Commissioner
Gary Martin, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Others Present: Clayton Johnson, Craig Stephenson, Tana McKinley, Jim Fairbanks, Brad Nesom, Chris Henderson, Gary Reed, Jim Sindelar, Judy Newland, Terry Brown, City staff; Steve Bredeson, Arlene Stauffer, Chuck Rager, T.L. Walker, Pat Drake, Mary Haney, citizens; Rog Allen, Rod Bolin, news press

1. Mayor Richard Stone called the meeting to order at 5:30 p.m.
2. Steve Bredeson, Asbury United Methodist Church, gave the invocation followed by the pledge of allegiance.

****CEREMONIES AND PROCLAMATIONS****

4. Character Trait for February: Forgiveness presented by Arlene Stauffer, Career/Guidance Counselor, Pioneer Technology Center.
5. Traffic Department Commendation

****CONSENT AGENDA****

The Board of Commissioners found items #5, #6, #8, #9, and #10 non-controversial and routine in nature. Commissioner Paynter requested item #7 be removed. Commissioner Cummings made the motion to approve the balance of the consent agenda. Commissioner Kistler seconded.

Roll: Yeas; Kistler, Krueger, Stone, Paynter, and Cummings. Nays; None. Motion carried.

6. Consider and vote upon minutes of the Ponca City Board of Commissioners regular work session held February 7, 2005, and regular session held February 14, 2005.
8. Consider and vote on a request by Jim Sindelar to burn brush within the City limits.
- 9A. Consider and vote on the Administrative Agreement with America's Choice Healthplans, LLC for Plan Year 2004-05.
- 9B. Consider and vote on the Business Associate Amendment with America's Choice Healthplans, LLC.

10.

RESOLUTION NO 5448

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

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

11. Commissioner Paynter asked that Item # 7 to consider and vote on a request by Clayton Johnson to burn brush within the City Limits be removed from the consent agenda.

Police Chief Clayton Johnson presented a plan to burn brush at the animal control site. Commissioner Paynter made the motion to approve item #7. Commissioner Krueger seconded.

Roll: Yeas; Krueger, Stone, Paynter, Cummings, and Kistler. Nays; None. Motion carried.

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

12. Commissioner Cummings commented on the International Trade Seminar sponsored by the Ponca City Development Authority and the Pioneer Career Tech and also congratulated the Po-Hi Wrestling team who crowned all six of their finalists as champions.

Mayor Stone commented on the Chinese delegation that will be coming to Ponca City in March.

Commissioner Paynter wished good luck to the Hi-Steppers in their national championship, and encouraged residents to go vote tomorrow.

Commissioner Krueger complimented the girls and boys basketball teams and added his encouragement to the citizens to exercise their right to vote.

Commissioner Kistler commented on the boxing program in Ponca City and congratulated Ken Lutrell and participants of the program. Kistler stated that this program provides a wonderful outlet for young people. Kistler also requested that an item regarding partnering with the Salvation Army on a North Central Oklahoma Complex be added to a work session in the future. Kistler commented that FOP had challenged the IAFF to a dodgeball contest to be held at the YMCA.

Mayor Stone echoed compliments to the area team successes, as well as condolences to two of the City's firemen in the loss of a mother and mother-in-law. Mayor Stone stated that in regards to the possible project with the Salvation Army, this issue will be addressed by the Vision 2020 group.

Mayor Stone also informed the Commission that he would be attending the Oklahoma Conference of Mayors on Wednesday, and would be accompanied by two Po-Hi Students. Mayor Stone stated that the theme this year for the conference is mentoring future leaders.

****REPORTS****

13. CITY MANAGER'S REPORT

City Manager Gary Martin passed along a citizen comment from Roxy Schrader with appreciation on Character First. Martin reported that the City has two interns working for the next five weeks at no cost to the City. Martin related to the Commission that there is to be a meeting with Department heads regarding the relocation of utilities on Highway 77 or South 14th, as this is a major project that will make a big impact on the budget.

Martin concluded by asking that agenda item #16 be moved to the PCUA agenda as Item #5B.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

14. ORDINANCE NO. 6014

AN ORDINANCE AMENDING TITLE 11, CHAPTER 6, OF THE CITY CODE OF PONCA CITY 2003, ENTITLED "RESIDENTIAL DISTRICTS"; BY AMENDING TABLE 11-6-3.2, RESIDENTIAL BULK STANDARDS; PROVIDING FOR INCREASED LOT COVERAGE IN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR A MAXIMUM HEIGHT OF ACCESSORY BUILDINGS; PROVIDING FOR REPEALER; SEVERABILITY; AND CODIFICATION.

Community Development Director Chris Henderson gave background on the item being presented for consideration stating that a survey had been done of other cities in the state, which showed lot coverage ranging from 30% to 50%, making Ponca City's lot coverage of 25% very restrictive when compared to other communities.

Henderson went on to say that this restrictive coverage provision prevents homeowners from re-investing or otherwise improving his or her property by adding additional square footage to the residence. Henderson also stated that this limits the ability of a developer to create low maintenance "patio" type homes. Henderson further added that staff often has to deny permits for expansion of existing homes, necessitating appeals to the Board of Adjustment for relief.

Henderson advised that his recommendation would have been 40%, but that the Planning Commission recommended to increase the coverage to 35%, and to limit the height of accessory buildings to that of the main structure.

Commissioner Kistler made the motion to approve an Ordinance amending Title 11, Chapter 6 of the City Code of Ponca City, 2003, entitled Residential Districts; by amending Table 11-6-3.2,

Residential Bulk Standards; providing for increased lot coverage in residential zoning districts; providing for increased lot coverage in Residential Zoning Districts; providing for a maximum height of accessory buildings, and; providing for Repealer; severability; and codification. Commissioner Cummings seconded.

Discussion ensued with Commissioner Kistler inquiring if the Planning Commission had a reason for not approving Henderson's recommendation to raise the lot coverage to 40%. Henderson replied that he did not feel that they would object to 40%, if that is what the Commission approved.

Commission Kistler amended his prior motion to increase the lot coverage size to 40% instead of the 35% approved by the Planning Commission. Cummings seconded.

Roll: Yeas; Cummings, Paynter, Stone, Krueger, and Kistler. Nays; None. Motion carried.

15. Consider and vote on Committee recommendation to award the bid to furnish and install Ball Field Lights on the Northwest and Southwest Fields at Dan Moran Park to Shawnee Lighting Systems in the amount of \$69,998.00 as the lowest and best bid.

Commissioner Krueger made the motion to approve the Committee recommendation to award the bid to furnish and install Ball Field Lights on the Northwest and Southwest Fields at Dan Moran Park to Shawnee Lighting Systems in the amount of \$69,998.00 as the lowest and best bid. Paynter seconded.

Roll: Yeas; Kistler, Krueger, Stone, Paynter, and Cummings. Nays; None. Motion carried.

16. Consider and vote upon awarding the contract and authorizing the execution of the contract documents for "Integrated Utility Design & Maintenance Software Update" to upgrade the City's software for electric and water and wastewater data maintenance, in the amount of \$66,100.00. (Removed to PCUA agenda)

17. Consider and vote upon approving Change Order No. 1 in the deduct amount of \$210,813.92 for 'The City of Ponca City Standing Bear Phase IV Trails Project – Grading, Drainage, Paving, and Landscaping', to Evans and Associates Construction Company, Inc. contingent upon approval of Change Order No. 1 by the Oklahoma Department of Transportation Special Projects Branch.

Commissioner Kistler made the motion to approve Change Order No. 1 in the deduct amount of \$210,813.92 for the City of Ponca City Standing Bear Phase IV Trails Project – Grading, Drainage, Paving, and Landscaping", to Evans and Associates Construction Company, Inc. in the amount of \$990,752.65, contingent upon approval of the Change Order No. 1 by the Oklahoma Department of Transportation Special Projects Branch.

Roll: Yeas; Kistler, Krueger, Stone, Paynter, and Cummings. Nays; None. Motion carried.

****CITIZENS COMMENTS****

- 18.. Mary Haney, 1515 S 8th Street, gave her opinions on a variety of issues and environmental concerns.

Pat Drake, 65 Stoneridge, expressed concerns over processes, communication, and actions of the local government on issues without allowing adequate public input. Mayor Stone reminded Drake that the citizen's comments section of the agenda that she was speaking under provides for such input.

19. Mayor Stone adjourned the meeting at 6:40 p.m.

PASSED IN SESSION AND APPROVED THIS 14TH DAY OF MARCH 2005.

MAYOR

ATTEST

CITY CLERK