

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
SEPTEMBER 27, 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
Lanita Chapman, Commissioner
Bill Flegler, Commissioner
Paul Krueger, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Diane Anderson, Commissioner

Others Present: Butch Herring, Terry Brown, Dwaine Vincent, Tana McKinley, Randy Tyner, Mike Lane, Jim Fairbanks, Mike Chapman, City staff; T.L. Walker, citizens; Beverly Bryant, Ponca City News.

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

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

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

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held September 7, 2010 and September 20, 2010 and regular session held September 13, 2010.
5. **RESOLUTION NO. 5864**

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

6.

RESOLUTION NO. 5865

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 2010-11.

7. Consider and vote on a Traffic Commission recommendation to remove no parking restrictions from the west side of Turner Street from the north property line of Quail Creek Market to Woodmont.
8. Consider and vote on a lease termination agreement with ConocoPhillips on its hangar at the Ponca City Airport contingent on City Engineer's review of Phase II testing by tenant confirming no subsurface pollutants.
- 9A. Consider and vote on purchase of Kids' Zone Play Equipment in the amount of \$45,989.00 from International Play Company, British Columbia, for Ponca City Aquatic & Family Center-YMCA.
- 9B. Consider and vote on purchase of furnishings Group A Seating in the amount of \$40,766.00 from Scott Rice Office Interiors, LLC, Wichita, Kansas, for Ponca City Aquatic & Family Center-YMCA.

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

10. None.

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

11. Mayor Nicholson spoke about the Household Hazardous Waste Day to be held on October 9, 2010. Nicholson also mentioned that on City Channel 22 there was to be a showing of the Ponca Politics Forum, regarding the state questions that will be on the ballot for the November election.

City Manager Craig Stephenson announced that this would be starting today on Channel 22 and would be shown at 10:30 a.m. and at 9:30 p.m. starting today and running through the week, and also will be shown the week prior to the election.

****REPORTS****

12. CITY MANAGER'S REPORT

City Manager Craig Stephenson spoke about the special dedication by the Sage, Rosemary & Thyme Club of a statue to Jim Eck, called Dandelion Days.

Stephenson informed the Commission that the City has been verbally notified by the Northern Oklahoma Development Authority (NODA), that they will begin providing meals on Friday October 1, 2010 at the Senior Center. Stephenson further added, however, these would be a cold sack lunch or frozen food to be eaten at home on Friday, and not at the Senior Center.

Stephenson announced that the Oktoberfest would be this weekend at the Marland Estate.

Stephenson reminded the public again about the Household Hazardous Waste Day, to be held October 8, 2010, and that this year they will collect medication, as well as ammunition.

Stephenson concluded by saying that some of the Commissioners and staff would be attending the Oklahoma Municipal League Conference this week, Tuesday thru Thursday.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

13. **RESOLUTION NO. 5866**

A RESOLUTION APPROVING THE SUBMISSION OF THE CITY OF PONCA CITY'S STANDING BEAR TRAILS PHASE 6 APPLICATION FOR ENHANCEMENT FUNDS TO THE OKLAHOMA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$830,812.00.

Commissioner Chapman made the motion to approve a Resolution of the Board of Commissioners approving the submission of an application for enhancement funds to the Oklahoma Department of Transportation for the Standing Bear Phase 6 Trails project in the amount of \$830,812.00. Flegler seconded.

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

14. Consider and vote upon contract with Hembree and Hodgson Construction, LLC of Ponca City, Oklahoma in the amount of \$471,085.15 for "Street Improvement Project—Concrete Pavement Reconstruction," Project No. GEN 11-1.

Commissioner Krueger made the motion to approve the contract with Hembree and Hodgson Construction, LLC of Ponca City, Oklahoma in the amount of \$471,085.15 for "Street Improvement Project—Concrete Pavement Reconstruction," Project No. GEN 11-1. Flegler seconded.

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

15. Consider and vote upon construction Payment No. 19 to Lambert Construction Company in the amount of \$1,187,662.00 for construction of the Ponca City Aquatic & Family Center-YMCA.

Commissioner Krueger made the motion to approve the construction Payment No. 19 to Lambert Construction Company in the amount of \$1,187,662.00 for construction of the Ponca City Aquatic & Family Center-YMCA. Flegler seconded.

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

****CITIZENS COMMENTS****

16. None.

17. Commissioner Flegler made a motion to adjourn the Board of Commissioners meeting. Chapman seconded.

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

Mayor Nicholson adjourned the Board of Commissioners at 5:56 p.m.

PASSED IN SESSION AND APPROVED THIS 11TH DAY OF OCTOBER 2010.

MAYOR

ATTEST:

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
SEPTEMBER 27, 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
Bill Flegler, Trustee
Paul Krueger, Trustee
Lanita Chapman, Trustee
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Diane Anderson, Trustee

Others Present: Butch Herring, Terry Brown, Dwaine Vincent, Tana McKinley, Randy Tyner, Hong Fu, City staff; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 5:57p.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 September 13, 2010.

3. **RESOLUTION NO. 773**

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

- 4 **RESOLUTION NO. 774**

A RESOLUTION AMENDING THE OPERATING BUDGETS OF VARIOUS FUNDS OF THE PONCA CITY UTILITY AUTHORITY FOR FISCAL YEAR 2010-11.

5. Consider and vote upon authorizing Chairman to submit Operating Statement to OWRB.

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

6. None.

****NEW BUSINESS****

7. Consider and vote on a construction contract with Nowak Construction Company, Inc. in the amount of \$521,244.95 for the 12" Princeton to Prospect Interceptor Project.

Trustee Flegler made the motion to approve the construction contract with Nowak Construction Company, Inc. in the amount of \$521,244.95 for the 12" Princeton to Prospect

Interceptor Project. Krueger seconded.

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

8. Consider and vote on a Construction Contract with Nowak Construction Company, Inc. in the amount of \$134,163.50 for the El Camino Liftstation Elimination and Sewer Collection Line Project.

Trustee Flegler made the motion to approve a Construction Contract with Nowak Construction Company, Inc. in the amount of \$134,163.50 for the El Camino Liftstation Elimination and Sewer Collection Line Project. Chapman seconded.

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

9. Trustee Flegler made the motion to adjourn the meeting. Krueger seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:12 p.m.

PASSED IN SESSION AND APPROVED THIS 11TH DAY OF OCTOBER 2010.

CHAIRMAN:

ATTEST:

TRUST SECRETARY