

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
MAY 26, 2009

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, Commissioner
Bill Flegler, Commissioner
Paul Krueger, Commissioner
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Finance Director/City Clerk

Absent: Lanita Chapman, Commissioner

Others Present: Don Bohon, Chris Henderson, Butch Herring, Mike Chapman, Phil Johnston, Tana McKinley, Hong Fu, City staff; John Young, citizens; Beverly Bryant, Ponca City News.

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

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

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

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held May 11, 2009.
5. **RESOLUTION NO. 5761**

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>
Board of Adjustment	Bruce Evans	Re-Appointed	2012

Board of Adjustment	James Smith	Re-Appointed	2012
Park & Recreation Advisory Board	Amy Cox	Appointed	2012
Traffic Commission	John Bohannon	Appointed	2012

6. **RESOLUTION NO. 5762**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGETS OF VARIOUS CITY FUNDS FOR FISCAL YEAR 2008-09.

7. **RESOLUTION NO. 5763**

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

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

8. None

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

9. Commissioner Anderson reminded everyone that school is out and to watch out for the children.

Mayor Nicholson hoped that everyone had a great holiday weekend and is ready to get on with another busy week.

****REPORTS****

10. **CITY MANAGER'S REPORT**

City Manager Craig Stephenson informed the Commission that the pools, both Ambuc and Wentz, opened last weekend with 90 adults and 125 youths using the pools. Stephenson also said that there would be a Grand Opening for Wentz sometime in June.

Stephenson stated that there is to be a public hearing for Small Cities Entitlement Grant this Thursday, May 28, 2009, at 5:30 p.m. in the McFadden Room. Stephenson advised that this would be the time for organizations and individuals in the community, who like to propose a request for those funds, to meet with grant administrator Rhonda Skrapke.

Stephenson related to the Commission that Ponca City Energy Key Accounts Breakfast is to be held at the Country Club on June 3, 2009, and the Commission is invited to attend and should RSVP.

Stephenson also reported that roof bids would go out in July, and Ponca Energy in cooperation with OMPA will be sending a wind power informational brochure in the July electric bills.

Stephenson informed the Commission of the many upcoming Community events, beginning with the Relay for Life to be held Friday night at the Ambucs Moto-Cross Park. Stephenson also gave an agenda for next weekend, June 5, 2009, starting with "Draggin Grand", and the Eagle Tribute Concert at 9:00 p.m. at the Poncan Theater. Stephenson further stated that beginning Saturday morning at 9:00 a.m. will be the kick-off of the Herb Festival, also on Saturday there will be the Corvette and Classic Car shows at Lake Ponca, and Saturday evening at the Poncan is the Ponca Opry.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

11. Consider and vote on Amendment No. 2 to Agreement with Lambert Construction Company to construct Ponca City Aquatic & Family Center-YMCA for a guaranteed maximum price of \$20,910,040.00 and to be substantially complete by September 14, 2010.

Commissioner Flegler made the motion to approve Amendment No. 2 to Agreement with Lambert Construction Company to construct Ponca City Aquatic & Family Center-YMCA for a guaranteed maximum price of \$20,910,040.00 and to be substantially complete by September 14, 2010. Anderson seconded.

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

12. **ORDINANCE NO. 6097**

AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR INCREASED ELECTRIC RATES REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Commissioner Krueger made the motion to approve the Ordinance amending the City Code to provide for increased electric rates, repealing Ordinances in conflict, providing for severability and declaring an effective date. Anderson seconded.

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

ORDINANCE NO. 6098

13. ***AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR INCREASED COSTS RECOVERY IN CERTAIN SOLID WASTE COLLECTION AND LANDFILL RATE, REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.***

Commissioner Anderson made the motion to approve the Ordinance amending the City Code to provide for increased costs in certain solid waste collection and landfill rates, repealing Ordinances in conflict, providing for severability and declaring an effective date. Flegler seconded.

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

14.

ORDINANCE NO. 6099

AN ORDINANCE AMENDING THE CITY CODE IN REGARD TO WATER FEE CHARGES TO PROVIDE FOR INCREASED COSTS RECOVERY IN ALL ASPECTS OF WATER COLLECTION, TREATMENT, DISTRIBUTION, CAPITAL EXPENSES ASSOCIATED THEREWITH AND RECOVERY OF COSTS OF SUPPORT SERVICES FURNISHED BY VARIOUS CITY DEPARTMENTS, REPEALING ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

Commissioner Flegler made the motion to approve the Ordinance amending the City Code in regard to water fee charges to provide for increased costs recovery in all aspects of water collection, treatment, distribution, capital expenses associated therewith and recovery of costs of support services furnished by various City departments, repealing Ordinances in conflict, providing for severability and declaring an effective date. Anderson seconded.

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

15.

RESOLUTION NO. 5764

A RESOLUTION AFFIRMING THE CITY OF PONCA CITY'S SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS.

Chris Henderson, Community Development Director, explained the Census process and the importance of the support of the 2010 Census.

Commissioner Anderson made the motion to approve the Resolution affirming the City of Ponca City's support of and partnership with the 2010 census. Flegler seconded

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

****CITIZENS COMMENTS****

16. None.

17. Commissioner Flegler made the motion to adjourn the meeting. Krueger seconded.

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

Mayor Nicholson adjourned the Ponca City Board of Commissioners meeting at 6:10 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF JUNE 2009.

MAYOR

ATTEST:

CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
MAY 26, 2009

Pursuant to notice as required by law, the Board of Trustees of the Ponca City Utility Authority met in regular session at 6:10 p.m. in the Commission Chamber at City Hall, 516 E. Grand, with Chairman Homer Nicholson presiding.

Present: Homer Nicholson, Chairman
Paul Krueger, Trustee
Diane Anderson, Trustee
William Flegler, Trustee
Craig Stephenson, City Manager
Kevin Murphy, Trust Attorney
Marc LaBossiere, Finance Director/Secretary

Absent: Lanita Chapman, Trustee

Others Present: Don Bohon, Butch Herring, Mike Chapman, Tana McKinley, City staff;
Beverly Bryant, Ponca City News.

1. Chairman Nicholson called the meeting to order at 6:10 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 Anderson made the motion to approve the consent agenda. Flegler seconded.

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

2. Consider and vote upon the minutes of the regular session held May 11, 2009.
3. Consider and vote upon authorizing the Chairman to submit the Monthly Operating Statement to OWRB.

4. **RESOLUTION NO. 724**

A RESOLUTION AMENDING THE OPERATING BUDGETS OF VARIOUS FUNDS OF THE PONCA CITY UTILITY AUTHORITY FOR FISCAL YEAR 2008-09.

5. **RESOLUTION NO. 725**

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

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

6. None.

****NEW BUSINESS****

None.

- Trustee Krueger made the motion to adjourn the Ponca City Utility Authority meeting. Anderson seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:13 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF JUNE 2009.

CHAIRMAN:

ATTEST:

TRUST SECRETARY

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
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Others Present: Don Bohon, Butch Herring, Mike Chapman, Tana McKinley, City staff;
Beverly Bryant, Ponca City News.

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

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

2. Consider and vote upon the minutes of the regular session held May 11, 2009.
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****ITEMS REMOVED FROM THE CONSENT AGENDA****

6. None.

****NEW BUSINESS****

None.

- Trustee Krueger made the motion to adjourn the Ponca City Utility Authority meeting. Anderson seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:13 p.m.

PASSED IN SESSION AND APPROVED THIS 8TH DAY OF JUNE 2009.

CHAIRMAN:

ATTEST:

TRUST SECRETARY