

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
DECEMBER 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, Commissioner  
Bill Flegler, Commissioner  
Craig Stephenson, City Manager  
Marc LaBossiere, Finance Director/City Clerk

Absent: Lanita Chapman, Commissioner  
Paul Krueger, Commissioner  
Kevin Murphy, City Attorney

Others Present: Clayton Johnson, Mike Lane, Terry Brown, Holly LaBossiere, Jim Sindelar, Phil Johnston, Aaron Michaud, City staff; T.L. Walker, Standing Bear Museum; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Michael Schlicting of the Salvation Army
3. Pledge of Allegiance

**\*\*CEREMONIES AND PROCLAMATIONS\*\***

None.

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

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

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held December 13, 2010.

5. **RESOLUTION NO. 5875**

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

6. **RESOLUTION NO. 5876**

***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.

RESOLUTION NO. 5877

*A RESOLUTION ACKNOWLEDGING CITY OPTIONS FOR BRIDGE INSPECTIONS FOR COMPLIANCE WITH NATIONAL BRIDGE INSPECTION STANDARDS, APPROVING CITY STAFF'S ACTIONS IN UTILIZING OPTION NUMBER 1 FOR SELECTING ENGINEERING FIRM TO PERFORM INSPECTIONS AND DESIGNATING ENGINEERING FIRM FOR INSPECTIONS FOR INSPECTION CYCLE OF APRIL 2011 TO MARCH 2013.*

8. Consider and vote on a contract award for road construction materials to the lowest bidder available for January 1, 2011 through June 30, 2011.
9. Consider and vote on contract between the Oklahoma Department of Libraries and the Ponca City Library for FY11 State Aid Grant.
10. Consider and vote upon release of retainage and final payment to Sooner Construction of North Central Oklahoma in the amount of \$14,100.36 for the completion of the new restrooms at Dan Moran Park.

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

11. None.

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

12. Mayor Nicholson offered his congratulations to Commissioners Chapman and Anderson, saying that he was excited about their being unopposed, and would be returning to the Commission for another term.

Commissioner Anderson expressed gratitude to the community in allowing her to serve another term. Anderson also reminded everyone to be safe on New Year's Eve.

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

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson informed those interested that the Christmas Tree Recycling would be open until January 19, 2011. Stephenson further reported that once it is closed the trees would be turned into mulch for landscaping and gardening uses. Stephenson added that the mulch would be free to the public, but they would need to provide their own shovels, containers, and transportation.

Stephenson advised that City offices would be closed on Friday, December 31, 2010 for the New Year's Holiday. He also advised of the hours for the Library, Golf Course, Recycling Center and Landfill.

Stephenson concluded by saying that the Lime Softening Project at the water plant was coming on line.

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

None.

**\*\*UNFINISHED BUSINESS\*\***

None.

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

14.

**RESOLUTION NO. 5878**

***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 \$729,100.00.***

Commissioner Anderson made the motion to approve the Resolution for 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 \$729,100.00. Flegler seconded

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

15. Consider and vote upon Change Order #1, in the add amount of \$6,506.00, and Change Order #2, in the deduct amount of \$24,927.00, for a final contract price of \$71,003.00 between the City of Ponca City and Superior Roofing for the Ponca City Library Roof Replacement Project Phase I.

Commissioner Flegler made the motion to approve Change Order #1, in the add amount of \$6,506.00, and Change Order #2, in the deduct amount of \$24,927.00, for a final contract price of \$71,003.00 between the City of Ponca City and Superior Roofing for the Ponca City Library Roof Replacement Project Phase I. Anderson seconded.

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

16. Consider and vote on a contract between the City of Ponca City and RSI Company, Inc. in the amount of \$19,921.00 for the Ponca City Library Roof Replacement Project, Phase II, Areas "F" & "G".

Commissioner Anderson made the motion to approve the contract with Librarian Holly LaBossiere doing further research that the bid gives the City what they are paying for in the amount of \$19,921.00, for areas "F" and "G". Commissioner Flegler stated that he still had concerns about the difference in the bid amounts, and would like to have further research done regarding the bids for this project. Commissioner Anderson then rescinded her motion, and moved that this item be continued at the January 10, 2011 meeting. Flegler seconded.

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

17. Consider and vote on the purchase of Infield Field Mix, Site Security Service, and materials for outside benches, outside cigarette urns/trash receptacles and bike racks through Lambert Construction Company in the amount of \$94,570.19 for Ponca City Aquatic & Family Center-YMCA.

Commissioner Flegler made the motion to purchase Infield Field Mix, Site Security Service, and materials for outside benches, outside cigarette urns/trash receptacles and bike racks through Lambert Construction Company in the amount of \$94,570.19 for Ponca City Aquatic & Family Center-YMCA. Anderson seconded.

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

18. Consider and vote on Construction Payment No. 22 to Lambert Construction Company in the amount of \$195,897.00 for construction of the Ponca City Aquatic & Family Center-YMCA.

Commissioner Anderson made the motion to approve Construction Payment No. 22 to Lambert Construction Company in the amount of \$195,897.00 for construction of the

Ponca City Aquatic & Family Center-YMCA. Flegler seconded.

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

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

19. None

20. Commissioner Flegler made the motion to adjourn the Board of Commissioners meeting. Anderson seconded.

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

Mayor Nicholson adjourned the Board of Commissioners at 6:03 p.m.

***PASSED IN SESSION AND APPROVED THIS 10<sup>TH</sup> DAY OF JANUARY 2011.***

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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  
DECEMBER 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  
Craig Stephenson, City Manager  
Marc LaBossiere, Finance Director/City Clerk

Absent: Paul Krueger, Trustee  
Lanita Chapman, Trustee  
Kevin Murphy, City Attorney

Others Present: Hong Fu, Clayton Johnson, Terry Brown, Phil Johnston, Aaron Michaud, City staff; T.L. Walker, Standing Bear Museum; citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:03 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 Flegler made the motion to approve the consent agenda. Anderson seconded.

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

2. Consider and vote upon the minutes of the regular session held December 13, 2010.

3. **RESOLUTION NO. 780**

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

4. Consider and vote on contract with Warren Cat of Tulsa, OK in the amount \$51,997.00 for the purchase of a Hydraulic Excavator with Compact Radius/Swing Boom.
5. Consider and vote upon authorizing Chairman to submit Monthly Operating Statement to OWRB.
6. Consider and vote on Acknowledgement and approval of Septic Hauler Use Permits for Calendar Year 2011.
7. Consider and vote on Acknowledging Receipt of Construction Permit Numbers WL000036100721 and WL000036100636.

PERMIT NO.	AREA OF CONSTRUCTION/IMPROVEMENT
WL000036100721	2" Water Line Replacement on Irving from Grand Ave. to Central Ave.
WL000036100636	Upsizing Portions of a Raw Water Intake Line for Well Nos. 10, 11 & 13 for the West Well Field Improvement

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

8. None

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

None.

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

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:07 p.m.

***PASSED IN SESSION AND APPROVED THIS 10TH DAY OF JANUARY 2011.***

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CHAIRMAN:

ATTEST:

\_\_\_\_\_  
TRUST SECRETARY