

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
FEBRUARY 28, 2011

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 Vice-Mayor Diane Anderson presiding:

Present: Diane Anderson, Vice-Mayor  
Lanita Chapman, Commissioner  
Paul Krueger, Commissioner  
Bill Flegler, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Homer Nicholson, Mayor

Others Present: Chris Henderson, Butch Herring, Terry Brown, Sherri Tapp, Clayton Johnson, Holly LaBossiere, Tana McKinley, Rhonda Skrapke, Phil Johnston, Mike Lane, Terry Brown, Steve Sullivan Don Bohon, Hong Fu, City staff; citizens, Beverly Bryant, Ponca City News.

1. Vice-Mayor Diane Anderson called the meeting to order at 5:30 p.m.
2. Invocation – Tom Ramsey, First Lutheran
3. Pledge of Allegiance

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

4. Oath of Office for Commissioners Diane Anderson and Lanita Chapman.

**\*\*CHARTER ITEM\*\***

5. Election of Vice-Mayor in accordance with provisions of Section 60 of the City Charter.

Commissioner Chapman made the motion to nominate Paul Krueger as Vice-Mayor. Flegler seconded.

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

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

The Board of Commissioners found items #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, Anderson, and Krueger. Nays; None. Motion carried.

6. Consider and vote upon minutes of the Ponca City Board of Commissioners work sessions held December 6, 2010, February 7, and 21, 2011 and regular session held February 14, 2011.

7. RESOLUTION NO. 5883

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

8. RESOLUTION NO. 5884

*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	Shawna N. Taylor	Appointed	2013

9. Consider and vote on installation of a 20 MPH School Zone and a “No Parking from Center” sign in the 600 block of S. Eighth Street for Garfield School.

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

10. None.

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

11. None.

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

12. CITY MANAGER’S REPORT

City Manager Craig Stephenson expressed appreciation to all who participated in the recent send-off of our local National Guard Unit to Afghanistan. Stephenson then informed Commissioners that staff is processing a special use permit for Dorado Foods on the former Tyson Plant, and that it should come to the Commission for consideration on March 14, 2011. Stephenson noted that he and Fire Chief Butch Herring had attended a meeting with Kay County Commissioners earlier in the day, regarding implementation of HB 1888 that requires counties to have a plan for ambulance service to residents in the county. Stephenson announced that water valve replacements would begin soon on Meadowbrook, Mockingbird, Blue Bird, Hummingbird, and Cardinal. Stephenson stated that the work would be done between the hours of 8:00 a.m. to 3:00 p.m., and there could be some discoloration in the water.

13. RECEIVE BUDGET STATE REPORT FOR SECOND QUARTER ENDED DECEMBER 31, 2010.

Finance Director Marc LaBossiere gave a quarterly report on revenues and expenses for the second quarter ended December 31, 2010.

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

None.

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

None.

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

14. *RESOLUTION NO. 5895*

*A RESOLUTION WAIVING CITY CODE SEC. 7-1-4 (NUMBER OF GARAGE SALES IN A GIVEN YEAR) FOR APRIL 2, 2011 AND WAIVING \$5 PERMIT FEE IN CONJUNCTION WITH THE CITY'S ANNUAL SPRING CLEANUP WHICH WILL BE HELD APRIL 2-9, 2011.*

Commissioner Flegler made the motion to approve the Resolution waiving City Code Sec. 7-1-4 (Number of Garage Sales in a given year) for April 2, 2011 and waiving \$5 permit fee in conjunction with the City's Annual Spring Cleanup, which will be held April 2-9, 2011. Krueger seconded.

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

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

15. Carol Sloan, 2100 Berkshire, expressed dissatisfaction with the fee structure in place at the new Ponca City Family & Recreation Center – YMCA.
16. Commissioner Flegler made the motion to adjourn the Board of Commissioners meeting. Chapman seconded.

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

Vice-Mayor Anderson adjourned the Board of Commissioners at 5:59 p.m.

***PASSED IN SESSION AND APPROVED THIS 14TH DAY OF MARCH 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  
FEBRUARY 28, 2011

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: Diane Anderson, Vice-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: Homer Nicholson, Chairman

Others Present: Chris Henderson, Butch Herring, Terry Brown, Tana McKinley, Terry Brown, Don Bohon, Hong Fu, City staff; citizens, Beverly Bryant, Ponca City News.

1. Vice-Chairman Diane Anderson called the meeting to order at 5:59 p.m.

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

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

2. Consider and vote upon the minutes of the regular session held February 14, 2011.

3. **RESOLUTION NO. 784**

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

4. Consider and vote on authorizing Chairman to submit Monthly Operating Statement to OWRB.
5. Consider and vote on contract with Cabbiness Engineering to provide engineering bidding, and construction administration services for a Sanitary Sewer Interceptor Section Repair Project in the not-to-exceed amount of \$8,000.00.
6. Consider and vote on Change Order No. 1 to Construction Contract with Nowak Construction Company, Inc. for the Princeton to Prospect Sewer Interceptor in the deduct amount of \$2,439.48.

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

7. None

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

8.

**RESOLUTION NO. 785**

***A RESOLUTION AUTHORIZING THE PONCA CITY UTILITY AUTHORITY (THE "AUTHORITY") TO OPTIONALLY REDEEM THE OUTSTANDING AMOUNT OF ITS SERIES 1995A PROMISSORY NOTE TO OKLAHOMA WATER RESOURCES BOARD (THE "NOTE") ORIGINALLY ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,925,000.00 AND CONTAINING OTHER PROVISIONS RELATING THERETO.***

Trustee Chapman made the motion to approve the Resolution authorizing the Ponca City Utility Authority (the "Authority") to optionally redeem the outstanding amount of its series 1995A promissory note to Oklahoma Water Resources Board (the "Note") originally issued in the aggregate principal amount of \$3,925,000.00 and containing other provisions relating thereto. Flegler seconded.

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

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

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

Chairman Nicholson adjourned the Ponca City Utility Authority meeting at 6:08 p.m.

***PASSED IN SESSION AND APPROVED THIS 14TH DAY OF MARCH 2011.***

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CHAIRMAN:

ATTEST:

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TRUST SECRETARY