

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
OCTOBER 24, 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 Paul Krueger presiding:

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

Absent: Homer Nicholson, Mayor
Bill Flegler, Commissioner

Others Present: Tana McKinley, Terry Brown, Mike Lane, Steve Miner, Dwaine Vincent, Butch Herring, City staff; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:31 p.m.
2. Invocation – Reverend Mike Smith, First United Methodist Church
3. Pledge of Allegiance

****CEREMONIES AND PROCLAMATIONS****

None.

****CONSENT AGENDA****

The Board of Commissioners found #4, #5, #6, #7, #8, #9, and #10 non-controversial and routine in nature. Commissioner Anderson made the motion to approve the consent agenda. Chapman seconded.

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

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held October 10, 2011.
5. **RESOLUTION NO. 5933**

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

6. **RESOLUTION NO. 5934**

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>
Housing Authority	Evelyn Yancey	Appointed	2013

7. **RESOLUTION NO. 5935**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, AUTHORIZING THE FINANCE DIRECTOR/CITY CLERK TO DESTROY MUNICIPAL RECORDS UNDER HIS CONTROL AND ACCORDING TO STATE STATUTE.

8. Consider and vote upon authorizing the City Clerk to advertise for bids for Project Number GEN 12-3, Mill & Asphalt Overlay of Ash, Fourth, Patton, and Standing Bear.
9. Consider and vote on the Oklahoma Municipal Assurance Group (OMAG) "Municipal Liability Protection Plan" for the City of Ponca City for the Policy Period November 1, 2011 through November 1, 2012.
10. Consider and vote on Amendment #1 to the Engineering Agreement with Cabiness Engineering for additional engineering services in the amount of \$4,000.00 for Water Line Relocation Plans for the Widening and Reconstruction of Prospect Avenue, Ash to Union.

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

11. None.

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

12. None.

****REPORTS****

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported on the following:

Striping has begun on Grand Avenue, and the mill and overlay project should be completed this week.

Department Heads and Supervisors will be attending Bloomers to Bloggers training on Wednesday, October 26.

Ponca Politics will be held on Friday, October 28 at 11:30 a.m. in the Commission Chambers of City Hall. Steve Tiger of the Pioneer Technology Center and David Pennington of the Ponca City Public Schools will be presenting.

The Ponca City Police Department will once again be hosting the National Drug Take Back event in front of City Hall on Saturday, October 29 from 10 a.m. to 2 p.m.

The Veterans Day Parade will be held Saturday, November 5 at 10:30 a.m.

The City of Ponca City was placed under a Consent Order by the Oklahoma Department of Environmental Quality in August of 2005, for unpermitted discharges. ODEQ and the City established a list of improvements that were necessary to address ODEQ's concerns. The project list and schedule was agreed to in June of 2006. In August of this year the City sent a letter to ODEQ stating that all projects required were completed at a cost of \$3,775,000. On October 11, 2011, the City received a letter from ODEQ stating that unpermitted discharges have been adequately addressed, and therefore closed the Consent Order.

L.A. Cann will be closed between Prentice and Fairway Lane beginning October 31 to tie underground utility services from Fox Run Estates to existing lines on the west side of L.A. Cann. Sober brothers Construction will be trenching across L.A. Cann to install an 8" sanitary sewer line and 30" storm sewer line. The work is expected to take three to four weeks to complete. That is longer than work of this sort would normally require due to shallow rock ledges in the area. Northbound traffic on LA Cann will be detoured to Prentice Road and then up to Prospect Avenue during this construction. The bridge replacement project on Hubbard Road at the north end of Lake Ponca is also underway. The new bridge abutments have been completed and are ready for the bridge beams to be installed. Estimates are that the bridgework on Hubbard will be completed by the end of December. The traffic on Hubbard is being detoured one mile north using Pecan, Coleman Road, and L.A. Cann.

Commissioner Anderson questioned as to whether they were going to block off streets for the Halloween Carnival. Stephenson answered by saying that the Halloween Carnival would be held this Thursday night between 5th Street and 7th Street, and these streets would be blocked off for this event sponsored by Main Street.

Vice-Mayor Krueger asked for clarification on the detour that would affect those living east of Lake Ponca when both of the bridges would be under construction at the same time. Stephenson answered that it is anticipated that the construction will take between fifteen to sixteen days to complete, but have allowed for three to four weeks in case of any unanticipated problems.

Commissioner Anderson asked if the Fire Chief Herring knew how many "Pink Heals" fire trucks would be visiting Ponca City. Stephenson advised that there would be five trucks, and they would be located on Thursday at the Mansion.

****PUBLIC HEARINGS****

None.

****UNFINISHED BUSINESS****

None.

****NEW BUSINESS****

14A.

ORDINANCE NO. 6146

AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 7-3-12 CONCERNING ANIMAL ADOPTION REGULATIONS, REQUIRING FEE FOR ADOPTION OF ANIMALS A PORTION OF WHICH IS TO BE USED TO PAY VETERINARIAN EXPENSES OF NEUTERING AND VACCINATION; ESTABLISHING ANIMAL MICROCHIP REQUIREMENTS; ESTABLISHING PENALTIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY.

City Attorney Kevin Murphy explained to the Commission that Oklahoma Statutes are requiring that cities collect a deposit when an animal is adopted. Murphy further added that this deposit or fee should be large enough to cover costs of spaying, neutering, vaccination shots, and micro-chipping of the animal. Murphy stated that presently our animal control facility does not charge a fee for the adoption of animals, and there is a minimal amount of record keeping in the adoption of animals. Murphy gave various examples where passing of the new Ordinance would discourage

those who would adopt an animal for the wrong reason. Murphy concluded by saying that the issue has been presented to the Animal Control Board, and it is their recommendation to approve the Ordinance. Murphy stated that an Emergency Clause requires 4/5ths vote to pass, and since only three of the five Commissioners are in attendance, the Ordinance would need to be passed with the Emergency Clause excluded.

Commissioner Chapman made the motion to approve the Ordinance amending the Code of Ordinances by amending section 7-3-12 concerning animal adoption regulations, requiring fee for adoption of animals a portion of which is to be used to pay veterinarian expenses of neutering and vaccination; establishing animal microchip requirements; establishing penalties; repealing Ordinances in conflict; providing for severability. Anderson seconded.

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

14B. Consider And Vote On The Emergency Clause Of The Ordinance.

Due to only three of five commissioners present, the emergency clause could not be considered.

14C. **RESOLUTION NO. 5936**

A RESOLUTION ESTABLISHING DEPOSIT/FEE AMOUNTS FOR ADOPTION OF ANIMALS FROM THE PONCA CITY ANIMAL SHELTER.

Commissioner Chapman made the motion approving the Resolution establishing deposit/fee amounts for the adoption of animals from the Ponca City Animal Shelter. Anderson seconded.

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

****CITIZENS COMMENTS****

15. None.

16. Commissioner Anderson made the motion to adjourn the regular session of the Board of Commissioners. Chapman seconded.

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

Vice-Mayor Krueger adjourned the Board of Commissioners at 5:58 p.m.

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

MAYOR

ATTEST:

CITY CLERK

.MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
OCTOBER 24, 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 Vice-Chairman Paul Krueger presiding.

Present: Paul Krueger, Vice-Chairman
Diane Anderson, Trustee
Lanita Chapman, Trustee
Craig Stephenson, City Manager
Kevin Murphy, City Attorney
Marc LaBossiere, Secretary

Absent: Homer Nicholson, Chairman
Bill Flegler, Trustee

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

1. Chairman Homer Nicholson called the meeting to order at 5:59 p.m.

****CONSENT AGENDA****

The Board of Trustees found items #2, #3, #4, and #5 noncontroversial and routine in nature by the governing body and are approved by one motion.

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

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

2. Consider and vote upon the minutes of the regular session held October 10, 2011.

3. **RESOLUTION NO. 808**

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

4. Consider and vote upon authorizing Chairman to submit Monthly Operating Statement to OWRB.
5. Consider and vote on rejection of all bids for the Purchase of a Mini Derrick by Ponca City Energy and rebidding the item later in the fiscal year.

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

6. None.

****NEW BUSINESS****

7. Consider and vote on construction contract with Krapff-Reynolds Construction Company in the amount of \$33,144.00 for Ash Street Sanitary Sewer Interceptor Repair Project.

Trustee Anderson made the motion to approve the construction contract with Krapff-Reynolds Construction Company in the amount \$33,144.00 for Ash Street Sanitary Sewer Interceptor Repair Project. Chapman seconded.

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

8. Consider and vote on purchase of one current year model 1 ¼ -Ton Truck with Utility Bed in the amount of \$84,621.00 from Jack Bowker Ford.

Trustee Chapman made the motion to approve the purchase of one current year model 1 ¼ -Ton Truck with Utility Bed in the amount of \$84,621.00 from Jack Bowker Ford. Anderson seconded.

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

9. Trustee Anderson moved to adjourn the Ponca City Utility Authority meeting. Chapman seconded.

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

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

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

CHAIRMAN:

ATTEST:

TRUST SECRETARY