

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
JANUARY 9, 2012

Southwest Business Products E815989JB

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

Absent: Lanita Chapman, Commissioner

Others Present: Tana McKinley, Chris Henderson, Jim Fairbanks, Holly LaBossiere, Marcia Hull, Rob Dick, Terry Brown, Butch Herring, Don Bohon, Sam Whitecotton, Hong Fu, City staff; Steve Hermann, David Myers, citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – Bob Innis, Word of Life
3. Pledge of Allegiance

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

4. Character Trait for January: Availability

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

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

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners work session held December 19, 2011 and regular session held December 27, 2011.

6. RESOLUTION NO. 5946

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

7. RESOLUTION NO. 5947

***A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA, AMENDING THE OPERATING BUDGETS OF***

***VARIOUS FUNDS, AS OUTLINED ON AMENDMENT #6, FOR THE FISCAL YEAR 2011-12.***

8. Consider and vote on a contract between the Oklahoma Department of Libraries and the Ponca City Library for FY12 State Aid Grant.

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

9. None.

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

10. Mayor Nicholson welcomed commissioner-elect Steve Hermann who was in the audience. Commissioner Flegler wished the mayor a happy birthday.

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

11. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported the following to the Commission:

Stephenson stated that with the New Year also comes the 2012-2013 Budget Kick-Off. The process starts with Department Heads and Supervisors on January 19, 2012, with a Kick-Off meeting, and a budget overview for the City Commission will be at the February 6, 2012, work session. City Commission budget hearings have been tentatively set for April 16 & 17. Please put these dates on your calendar.

A project to relocate the water and forced main sanitary sewer lines at Lake Ponca has begun. This project is to remove the existing utility lines that are attached to the bridge, and is being done in advance of a planned bridge reconstruction project. L.A. Cann will remain open to traffic during this project.

A great new winter golf program will be held at the Wentz Club House on Thursday nights, starting January 12, 2012. The program will discuss anything and everything pertaining to golf, including rules, fitness, and instruction (putting, chipping, pitching, full swing, practice drills, course management, and how to practice). In addition, a net will be used to hit balls. It will be held on Thursday nights, from 6:00 p.m. to 7:30 p.m., on January 12, January 26, February 2, and February 16, 2012. The cost is \$25.00 per person for all four-sessions.

Last week the Oklahoma Municipal Assurance Group presented Bloodborne Pathogens and Defensive Driving training to all of our City employees, stressing the importance of avoiding distractions while driving.

The City Management Association of Oklahoma will hold their annual winter conference in Stillwater, January 11, 2012 through January 13, 2012.

The City of Ponca City will host the Oklahoma Municipal League Clerks and Treasurers required statutory training, here in the City Commission Chamber, on Friday, January 13, 2012.

This Saturday, January 14, 2012, at Attucks Community Center there will be a celebration in recognition of Dr. Martin Luther King's holiday. The program will begin at 6:00 p.m., and

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The City of Ponca City will observe the Martin Luther King Holiday on Monday, January 16, 2012, and residential refuse will not be picked up and the Recycling Center, Landfill, Library, Senior Center, Unity Gym and Marland's Grand Home will be closed, but Lew Wentz Golf Course and the Marland Mansion will be open.

12. REVIEW SNOW & ICE CONTROL MANUAL

Acting Public Works Director Rob Dick gave a PowerPoint presentation on the City's snow removal procedures when winter storm events occur.

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

None.

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

None.

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

13. Consider and vote upon contract in the amount of \$53,479.92 with Hembree and Hodgson Construction, LLC of Ponca City, Oklahoma for Circle Drive Pavement Repairs—Intersection of 4<sup>th</sup> Street and Standing Bear Parkway project No. GEN 12-1.

Commissioner Flegler made the motion to approve the contract in the amount of \$53,479.92 with Hembree and Hodgson Construction, LLC of Ponca City, Oklahoma for Circle Drive Pavement Repairs—Intersection of 4<sup>th</sup> Street and Standing Bear Parkway project No. GEN 12-1. Krueger seconded.

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

14. Consider and vote on purchase of a Fire Engine Pumper in the amount of \$324,414.00 from Pierce Manufacturing, Appleton, Wisconsin.

Commissioner Flegler made the motion to approve the purchase of a Fire Engine Pumper in the amount of \$324,414.00 from Pierce Manufacturing Appleton, Wisconsin with pre-pay discount. Anderson seconded.

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

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

15. Carol Sloan, 2100 Berkshire, expressed discontent with YMCA membership definitions, more specifically the definition of family, and not recognizing gay couples as a family. Sloan also expressed gratitude to Commissioner Krueger for support on challenging the issue.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

The motion to recess to the Ponca City Utility Authority meeting was made by Krueger and seconded by Flegler.

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

Mayor Nicholson recessed the Board of Commissioners meeting at 6:21 p.m.

**RETURN TO REGULAR SESSION**

The Commission returned to regular session at 6:31 p.m.

16. Receive Ponca City Development Authority Review.

David Myers, Ponca City Development Authority, gave an update on the local economy and current initiatives in Ponca City for economic development.

17. Commissioner Flegler made the motion to enter into executive session at 6:43 p.m. pursuant to Title 25 Section 307 Oklahoma Statutes for purpose of:

- A. Conferring on matters pertaining to Economic Development upon finding that the matter to be discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business.
- B. Negotiations with the Fraternal Order of Police (F.O.P.)

Krueger seconded.

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

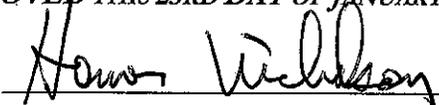
18. At 7:13 p.m., Commissioner Flegler made the motion to return to regular session, and was seconded by Anderson.

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

19. Mayor Nicholson adjourned the Board of Commissioners at 7:13 p.m.

*PASSED IN SESSION AND APPROVED THIS 23RD DAY OF JANUARY 2012*



  
MAYOR

  
DEPUTY CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
JANUARY 9, 2012

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  
Diane Anderson, Trustee  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Secretary

Absent: Lanita Chapman, Trustee

Others Present: Chris Henderson, Jim Fairbanks, Rob Dick, Terry Brown, Butch Herring, Don Bohon, Hong Fu, City staff; Steve Hermann, David Myers, citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:21 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 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 December 27, 2011.

3. **RESOLUTION NO. 814**

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

4. **RESOLUTION NO. 815**

***A RESOLUTION OF THE PONCA CITY UTILITY AUTHORITY, PONCA CITY, OKLAHOMA AMENDING THE OPERATING BUDGET OF VARIOUS PCUA FUNDS FOR THE FISCAL YEAR 2011-12.***

5. Consider and vote on Acknowledging Receipt of Construction Permit No. WL000036110743 to replace 300 Feet of 18 Inch Water Main immediately West of the Water Treatment Plant.
6. Consider and vote on acknowledgement and approval of Septic Hauler Use Permits for Calendar Year 2012.

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

7. None.

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

8. Consider and vote on a contract in the not-to-exceed amount of \$102,500.00 with Cabbiness Engineering to provide preliminary Engineering, Design, and project Administration Services for Refinery Sewer Interceptor Rehabilitation Project.

Trustee Krueger made the motion to approve a contract in the not-to-exceed amount of \$102,500.00 with Cabbiness Engineering to provide preliminary Engineering, Design, and project Administration Services for Refinery Sewer Interceptor Rehabilitation Project. Flegler seconded.

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

9. Trustee Flegler made the motion to adjourn the Ponca City Utility Authority. Anderson seconded.

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

Chairman Nicholson adjourned the Ponca City Utility Authority at 6:31 p.m.

***PASSED IN SESSION AND APPROVED THIS 23<sup>RD</sup> DAY OF JANUARY 2012.***



*Shelley Crum*  
ASSISTANT TRUST SECRETARY

*Homer Welch*  
CHAIRMAN: