

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
MAY 29, 2012

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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  
R. Mark Macy, Commissioner  
Steve Hermann, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: Diane Anderson, Commissioner  
Lanita Chapman, Commissioner

Others Present: Phil Johnston, Tana McKinley, Chris Henderson, Jim Sindelar, Terry Brown, Don Bohon, Holly LaBossiere, Marcia Hull, Rob Dick, David Horinek, Don Nuzum, Craige Baird, Mike Lane, Butch Herring, Steve Sullivan, Hong Fu, City staff; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:32 p.m.
2. Invocation – Reverend Bill Beard, Pioneer Christian Church
3. Pledge of Allegiance

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

4. Power Point and Birthday Cookies – Ponca City Energy: 100 Years of Lighting the Way
5. Proclamation – Ponca City Energy: 100 Years of Lighting the Way
6. Award – Public Technology Institute 2011-2012 Solution

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

The Board of Commissioners found #7, #8, #9, #10, #11, #12, and #13 non-controversial and routine in nature. Commissioner Macy made the motion to approve the consent agenda. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

7. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held May 14, 2012.
8. **RESOLUTION NO. 5966**

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

9. RESOLUTION NO. 5967

*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 OFFICE THEREOF.*

<u>BOARD OR COMMISSION</u>	<u>NAME</u>	<u>TERM</u>	<u>TERM EXPIRATION</u>
Airport Advisory Board	Chris Greenwood	Re-Appointed	2015
Airport Advisory Board	Edward Jones	Re-Appointed	2015
Board of Adjustment	Bruce Evans	Re-Appointed	2015
Board of Adjustment	James A. Smith	Re-Appointed	2015
Construction Appeals Board	Larry Baird	Re-Appointed	2017
Construction Appeals Board	L. Randol Marzuola	Re-Appointed	2016
Construction Appeals Board	Richard Welborn	Re-Appointed	2015
Construction Appeals Board	William T. Salmons	Re-Appointed	2017
Library Board	Lilly Freeman	Appointed	2015

10. RESOLUTION NO. 5968

*A RESOLUTION DESIGNATING CERTAIN CITY EMPLOYEES AS PURCHASING OFFICERS WITH AUTHORITY TO MAKE PURCHASES AGAINST CITY AND MUNICIPAL TRUST APPROPRIATIONS.*

11. RESOLUTION NO. 5969

*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 2011-12.*

12. Consider and vote upon Change Order No. 1, for the additional amount of \$4,527.00, to the contract with Diversified Construction Company of Edmond, Oklahoma for roof repairs for buildings #4 and #6 at the Ponca City Regional Airport bring the contract amount to \$471,527.00.
13. Consider and vote on the Oklahoma Municipal Assurance Group as the City of Ponca City's agent for buildings and contents insurance, boiler & machinery insurance and electronic data processing insurance for the policy period of July 1, 2012 through June 30, 2013.

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

14. None.

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

15. Commissioner Macy complimented the Ponca City Police Department for the Take 25 event at Ponca City Family & Aquatics Center, also complimented the Touch a Truck program and expressed gratitude for Citizens Fire Academy.

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

16. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported the following items:

This Saturday, June 2, 2012, the Fire Department will hold testing for individuals interested in becoming Ponca City firefighters. Interested individuals should contact the Fire Department at 767-0368 or stop by the Human Resources Department.

The Touch-A-Truck Event was held on May 19, 2012 at the parking lot behind the Ponca City Library. There were over 22 different vehicles including: Fire Engine, Ambulance, 18-wheeler Cab, Concrete Mixer and Police Car all available for up-close inspection by attendees. There were 600 children that participated.

City Pools opened on Memorial Day, May 28, 2012 and the Full Moon Over Wentz will be June 4, 2012 from 7:00 to 11:00 p.m. at Wentz Camp and Pool. This is a free family swim and all children 12 and under must be accompanied by an adult.

Tennis lessons registration has been extended until June 1, 2012. Lessons will be May 29-July 21, 2012 at the Wally Smith Tennis Center. The cost is \$40/person, and if interested contact Larry Williams at 762-5846.

Bring your chair or blanket, and join us for an evening of music featuring The Sherbon Brothers. June 7, from 6:30-8:30 p.m. in War Memorial Park, located at 718 North 7th Street. There is no charge to attend.

On June 12, 2012 from 9:00 a.m. to 11:00 a.m. at the Marland Mansion Pond the Park and Recreation Department and Oklahoma Department of Wildlife are partnering to teach you how to tie knots, identify fish, cast & fishing safety. Be sure to bring water to drink and your rod & reel. Bait will be provided. This event is for children 15 years old and under. There will no charge, if interested contact Terri Sherbon, Park and Recreation at 767-0430.

Junior Golf Clinic is open to boys and girls aged 7-17 at Lew Wentz Golf Course. Registration is Saturday, June 16, 2012 at 10 a.m. The cost is \$60/person with clinics to be on Wednesday and Thursday, June 19-21, 2012. Play dates are Wednesday, June 27, July 11, 18, 25, 2012. Contact: Golf Pro Rod Alexander at 767-0433 for further information.

The Summer Reading Program Kick-off Party and Scavenger Hunt for all ages will begin June 1, 2012, from 9:00 a.m. to 6:00 p.m. in the Programming Room of the Ponca City Library. Contact: Sidney Ashby, Children's Department, 767-0345.

17. Oklahoma Municipal Power Authority Update.

Bruce Ackerman, OMPA Member Services Representative, provided the Commission with an update on the City's Wholesale Power Supply Program, and congratulated the City of Ponca City and Ponca City Energy for having been around for 100 years.

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

None.

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

None.

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

18. ORDINANCE NO. 6151

*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 Hermann 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. Macy seconded.

Roll: Yeas; Hermann, Macy, and Nicholson. Nays; None. Motion carried.

19. ORDINANCE NO. 6152

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

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

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

20. ORDINANCE NO. 6153

*AN ORDINANCE AMENDING THE CITY CODE, TITLE 9, CHAPTER 8C-8, STORMWATER UTILITY SERVICE CHARGE RATES REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; WITH AN EFFECTIVE DATE OF JULY 1, 2012.*

Commissioner Macy made the motion to approve an Ordinance amending the City Code, Title 9, Chapter 8c-8, Stormwater Utility Service Charge Rates repealing Ordinances in conflict; providing for severability; with an effective date of July 1, 2012. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

21A.

ORDINANCE NO. 6154

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

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

Roll: Yeas; Hermann, Macy, and Nicholson. Nays; None. Motion carried.

21B.

ORDINANCE NO. 6155

*AN ORDINANCE AMENDING THE CITY CODE IN REGARD TO INDUSTRIAL PRETREATMENT ANNUAL PERMIT FEE TO PROVIDE FOR ADJUSTING THE PERMIT FEE FOR SIGNIFICANT INDUSTRIAL USERS, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.*

Commissioner Macy made the motion to approve an Ordinance amending the City Code in regard to Industrial Pretreatment Annual Permit Fee to provide for adjusting the permit fee for significant industrial users, repealing ordinances in conflict; providing for severability and establishing an effective date. Hermann seconded.

Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

22.

ORDINANCE NO. 6156

*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 VARIOUS CITY DEPARTMENT, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.*

Commissioner Macy made the motion to approve 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 various city department, repealing Ordinances in conflict; providing for severability and establishing effective date. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

23.

RESOLUTION NO. 5970

*A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF PONCA CITY, OKLAHOMA APPROVING THE OPERATING BUDGETS OF THE VARIOUS CITY FUNDS, MORE SPECIFICALLY DELINEATED AS EXHIBITS 1, 2, AND 3 ATTACHED HERETO FOR THE FISCAL YEAR 2012 - 13.*

Commissioner Macy made the motion to approve the operating budgets of the various city funds, more specifically delineated as exhibits 1, 2, and 3 attached hereto for the fiscal year 2012-13. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

24. Consider and vote upon authorizing advertisement of bids for Project Number GEN 10-5, Bridge Replacement -L.A. Cann Drive over Lake Ponca.

Commissioner Hermann made the motion to approve advertisement of bids for Project Number GEN 10-5, Bridge Replacement -L.A. Cann Drive over Lake Ponca. Macy seconded.

Roll: Yeas; Hermann, Macy, and Nicholson. Nays; None. Motion carried.

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

25. None.

26. Commissioner Macy made the motion to adjourn the Board of Commissioners. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:45 p.m.

PASSED IN SESSION AND APPROVED THIS 11<sup>TH</sup> DAY OF JUNE 2012.

  
DEPUTY CITY CLERK

  
MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
MAY 29 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  
R. Mark Macy, Trustee  
Steve Hermann, Trustee  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Secretary

Absent: Lanita Chapman, Trustee  
Diane Anderson, Trustee

Others Present: Tana McKinley, Terry Brown, Rob Dick, David Horinek, Butch Herring, Randy Tyner, City staff; citizens; Beverly Bryant, Ponca City News

1. Chairman Homer Nicholson called the meeting to order at 6:45 p.m.

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

The Board of Trustees found items #2, #3, #4, #5, #6 noncontroversial and routine in nature by the governing body and are approved by one motion.

Trustee Macy made the motion to approve the consent agenda. Hermann seconded.

Roll: Yeas; Macy, Hermann, and Nicholson. Nays; None. Motion carried.

2. Consider and vote upon the minutes of the regular session held May 14, 2012.

3. **RESOLUTION NO. 829**

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

4. **RESOLUTION NO. 830**

***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 the first Amendment to the Association for Landfill Financial Assurance (ALFA) Participation Agreement.
6. Consider and vote upon Authorizing Chairman to submit Monthly Operating Statement to OWRB.

7. Consider and vote on acknowledging receipt of Construction Permit No. WL000036120271 Public Replacing 1,558 L.F. of 12-Inch Water Line on Prospect Avenue between Ash Street and Union Street.

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

8. None

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

9. **RESOLUTION NO. 831**

***A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF PONCA CITY UTILITY AUTHORITY APPROVING THE OPERATING BUDGETS OF THE WATER, PONCA CITY ENERGY, SOLID WASTE, LANDFILL CLOSURE, SOLID WASTE DEPRECIATION RESERVE, UTILITY BILLING, WASTEWATER, STORMWATER AND TECHNOLOGY SERVICES FUNDS , MORE SPECIFICALLY DELINEATED AS EXHIBITS 1, 2, AND 3 ATTACHED HERETO FOR THE FISCAL YEAR 2012-2013***

Commissioner Hermann made the motion to approve the Resolution of the Board of Trustees of the Ponca City Utility Authority approving the operating budgets of the Water, Ponca City Energy, Solid Waste, Landfill Closure, Solid Waste Depreciation Reserve, Utility Billing, Wastewater, Stormwater and Technology Services Funds, more specifically delineated as exhibits 1, 2, and 3 attached hereto for the fiscal year 2012-13. Macy seconded.

Roll: Yeas; Hermann, Macy, & Nicholson. Nays; None. Motion carried.

10. Trustee Macy made the motion to adjourn the Ponca City Utility Authority. Hermann seconded.

Roll: Macy, Hermann, and Nicholson. Nays; None. Motion carried.

Chairman Nicholson adjourned the Ponca City Utility Authority at 6:49 p.m.

*PASSED IN SESSION AND APPROVED THIS 11<sup>th</sup> DAY of June 2012.*



*Homer Nicholson*  
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CHAIRMAN: