

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
AUGUST 27, 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  
Diane Anderson, Commissioner  
Lanita Chapman, Commissioner  
Steve Hermann, Commissioner  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None

Others Present: Terry Brown, Butch Herring, Chris Henderson, Phil Johnston, Tana McKinley, Mike Lane, Earl Watkins, City staff; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. Invocation – BJ Keeter, St. Luke’s Nazarene Church
3. Pledge of Allegiance

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

None.

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

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

Roll: Yeas; Macy, Chapman, Anderson, Nicholson, and Hermann. Motion carried.

4. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held August 13, 2012 and Work Session held August 20, 2012.

5. **RESOLUTION NO. 5980**

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

6. **RESOLUTION NO. 5980**

***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>
Marland Estate Commission	Becky Hatton	Appointed	2015
Marland Estate Commission	Lori Henderson	Appointed	2014
Park & Recreation Advisory Board	Kara E. Polito	Appointed	2015

7. RESOLUTION NO. 5992

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

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

8. None.

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

9. Commissioner Hermann commented that he was eagerly waiting for the arrival of the new fire truck. Hermann also reported that he had the privilege of sitting in on the PCDA retreat this past Friday, and there were some in attendance that had some good ideas, and was looking forward to implementing some of them.

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

10. CITY MANAGER'S REPORT

City Manager Craig Stephenson reported the following:

Labor Day is next Monday; September 3<sup>rd</sup> and City Offices will be closed.

With the recent rains, which we are most grateful, may bring about an increase in the mosquito population with standing water. There are several things residents can do to help minimize the breeding grounds for the mosquitoes: dispose of any refuse that can hold water; such as tin cans, containers and used tires, empty accumulated water from wheelbarrows, boats, cargo trailers, pet dishes, toys and ceramic pots. If possible, turn these items over when not in use. Do not allow water to stagnate in birdbaths, ornamental pools, water gardens and swimming pools or their covers. Ornamental pools can be aerated or stocked with fish. Keep in mind that during warm weather; mosquitoes can breed in any puddle of water.

The center two lanes of Prospect should be open to traffic this Thursday, the outer two lanes will remain closed until the sod is put down, but those two lanes should open sometime next week. The traffic will be open all the way around this Thursday.

Tomorrow, August 28, 2012, the county will begin a project to overlay 2 inches of asphalt on Hubbard Road from 14th Street to L.A. Cann. This project will be done this week.

Hot off the presses....Ponca City Energy continues to celebrate 100 years of public power. We would like to give you each a book commemorating Ponca City Energy's 100 years of providing electric service to our community from 1912-2012.

Ponca City Energy will be celebrating during Public Power Week in October, with festivities here at City Hall and with a display highlighting this new book at the Ponca City Library.

A reminder that the new Fire Pumper will be out front after the City Commission meeting this evening.

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

None.

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

None.

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

11. ORDINANCE NO. 6161

***AN ORDINANCE AMENDING SECTIONS 4-3-1 AND 4-3-3 OF THE CITY CODE REPEALING EXEMPTION FROM PAYING HOTEL/MOTEL TAX CURRENTLY ALLOWED TO "PERMANENT RESIDENTS" OF HOTELS/MOTELS; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2012.***

Commissioner Anderson made the motion to approve the Ordinance amending Sections 4-3-1 and 4-3-3 of the City Code repealing exemption from paying Hotel/Motel Tax currently allowed To "Permanent Residents" of Hotels/Motels; repealing Ordinances in conflict, providing for severability and setting an effective date of October 1, 2012. Chapman seconded.

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

12. RESOLUTION NO. 5993

***A RESOLUTION CLOSING OUT THE FIRE STATION #1 TAX FUND, THE PUBLIC FACILITIES TAX FUND, AND THE MARLAND ESTATE RENOVATION FUND, AND DIRECTING THE FINANCE DIRECTOR TO IMPLEMENT THE TERMS OF THIS RESOLUTION.***

Commissioner Macy made the motion approving the closing out of the Fire Station #1 Tax Fund, the Public Facilities Tax Fund, and the Marland Estate Renovation Fund, and directing the Finance Director to implement the terms of this resolution. Chapman seconded

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

13. Consider and vote upon awarding a contract in the amount of \$2,186,527.31 to Dondlinger

& Sons Construction Co., Inc. for Project Number GEN 10-5 Bridge Replacement – L.A. Cann Drive over Ponca Lake.

Commissioner Anderson made the motion to approve awarding a contract in the amount of \$2,186,527.31 to Dondlinger & Sons Construction Co., Inc. for Project Number GEN 10-5 Bridge Replacement – L.A. Cann Drive over Ponca Lake. Macy seconded.

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

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

14. None.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Mayor Nicholson recessed the meeting to the Ponca City Utility Authority meeting at 6:01 p.m.

At 6:11 the Commissioners returned to regular session.

15. Commissioner Macy made the motion to enter into executive session at 6:01 p.m. pursuant to Title 25 Section 307 Oklahoma Statutes for purposes of discussing two pending legal actions. Chapman seconded.

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

16. **RETURN TO REGULAR SESSION**

At 6:35 p.m., the Board of Commissioners returned to regular session with no action being taken.

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

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:35 p.m.

**PASSED IN SESSION AND APPROVED THIS 10<sup>TH</sup> DAY OF SEPTEMBER 2012.**



*Thomas Wickham*  
MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
PONCA CITY UTILITY AUTHORITY  
AUGUST 27, 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  
Diane Anderson, Trustee  
Lanita Chapman, Trustee  
Steve Hermann, Trustee  
Craig Stephenson, City Manager  
Kevin Murphy, City Attorney  
Marc LaBossiere, Finance Director/City Clerk

Absent: None.

Others Present: Terry Brown, Butch Herring, Chris Henderson, Phil Johnston, Tana McKinley, Earl Watkins, City staff; citizens; Beverly Bryant, Ponca City News.

1. Chairman Homer Nicholson called the meeting to order at 6:01 p.m.

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

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

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

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

2. Consider and vote upon the minutes of the regular session held August 13, 2012.
- 3.

**RESOLUTION NO. 840**

***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.

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

5. None.

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

- 6A. Consider and vote on contract with Asplundh Tree Expert Co. in the amount of \$249,819.53 for Tree and Brush Trimming of Areas 8, 9, 12, 18, and 19.

Trustee Hermann made the motion to approve the contract with Asplundh Tree Expert Co. in the amount of \$249,819.53 for Tree and Brush Trimming of Areas 8, 9, 12, 18, and 19. Macy seconded.

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

6B. Consider and vote on contract with Asplundh Tree Expert Co. for hourly tree and brush trimming.

Trustee Anderson made the motion to approve the contract with Asplundh Tree Expert Co. for hourly tree and brush trimming. Macy seconded.

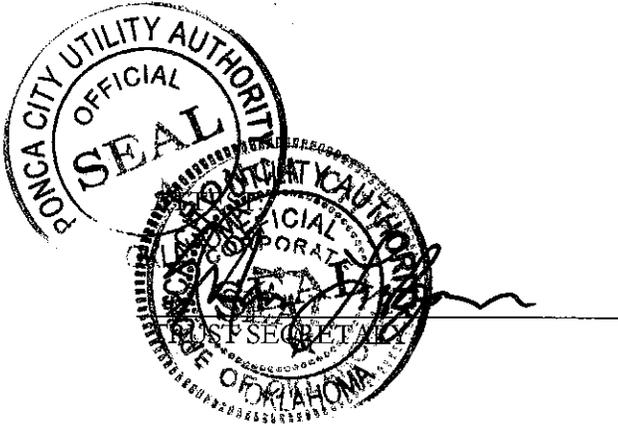
Roll: Yeas; Anderson, Macy, Nicholson, Hermann, and Chapman. Nays; None. Motion carried.

7. Trustee Anderson made the motion to adjourn. Macy seconded.

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

Mayor Nicholson adjourned the PCUA Board of Trustees at 6:10 p.m.

*PASSED IN SESSION AND APPROVED THIS 10<sup>th</sup> DAY of September 2012.*



*Homer Nicholson*  
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CHAIRMAN: