

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
JANUARY 22, 2013

Southwest Business Products E1113067LD

Pursuant to notice as required by law, the Ponca City Board of Commissioners met in work session at 2:00 p.m. in the Commission Chamber at City Hall, 516 E. Grand Avenue, with Mayor Homer Nicholson presiding:

Present:           Homer Nicholson, Mayor  
                      R. Mark Macy, Commissioner  
                      Steve Hermann, Commissioner  
                      Lanita Chapman, Commissioner  
                      Diane Anderson, Commissioner  
                      Craig Stephenson, City Manager  
                      Kevin Murphy, City Attorney  
                      Marc LaBossiere, Finance Director/City Clerk

Others Present:

1. Mayor Nicholson called the meeting to order at 2:00 p.m.
3. REVIEW THE CITY'S CURRENT REGULATIONS AS THEY APPLY TO THE USE AND OPERATION OF WIND ENERGY CONSERVATION SYSTEMS (WECS), AND DISCUSS POSSIBLE AMENDMENTS TO SAID REGULATIONS IN LIGHT OF THE CONTINUING EMERGENCE OF THIS ALTERNATIVE ENERGY TECHNOLOGY. (ITEM TAKEN OUT OF ORDER)

Development Services Director Chris Henderson introduced the topic and explained that different versions of wind energy technology are showing up everywhere. Henderson informed commissioners that the current City ordinance on windmills was adopted in 1999, and does not address some models found in current technology. Henderson noted that he has had some requests to construct windmills and then tie into the City's electric grid and sell excess power back to the City. Other units are small, and designed to power a barn, outbuilding, or outside light. Henderson showed PowerPoint examples of such structures.

Henderson expressed belief that there will be more demand in the future for WECS, and that the City needs to be in the position to address it with an updated ordinance. Henderson noted that the City of Piedmont recently passed an ordinance to address the issue. Discussion ensued on related problems such as the City's sole purchase power agreement with OMPA, noise pollution, strobe light visual pollution, and fall zones. Henderson stated he was looking for general feedback, and that he would take the item to the Planning Commission to get ideas and a recommendation.

4. REVIEW THE CITY'S CURRENT CODES AS THEY RELATE TO THE SIZE AND LOCATION OF ACCESSORY BUILDINGS, AND DISCUSS PLACING A LIMIT ON THE SIZE OF SUCH BUILDINGS IN RESIDENTIAL NEIGHBORHOODS.

Mayor Nicholson began, stating that he is still getting complaints about accessory buildings in neighborhoods. City Manager Craig Stephenson reminded commissioners that they can set restrictions. Development Services Director Chris Henderson continued, reviewing the current ordinance that was approved in 2011. Discussion ensued of recent complaints. Consensus among commissioner was to leave the current ordinance as it is.

2. DISCUSS THE INSTALLATION OF AN AUTOMATIC WATER FILL STATION AND CONSIDERATION OF A PROPOSED RATE INCREASE FOR BULK WATER SALES. (ITEM TAKEN OUT OF ORDER)

City Manager Craig Stephenson reported to commissioners that the City has been inundated with bulk water sales, mostly driven by oil related activity. In response, Stephenson explained, staff has drawn up plans to develop a bulk water station at 4<sup>th</sup> Street and Erie. Stephenson noted that staff has done a rate survey, and will propose a bulk water rate increase in conjunction with the new facility to help cover the cost.

Environmental Services Director Hong Fu continued with a PowerPoint presentation. The presentation described bulk water as treated drinking water that is transported by water trucks, usually contractors. Fu gave the history of bulk water sales in Ponca City, reviewed how the hydrant meter process works, and outlined problematic areas. Fu stated that staff feels the best solution for today's demand is a bulk water fill station. Discussion ensued on pricing, local contractors, and surveillance camera needs.

5. DISCUSS AND CONSIDER APPLYING FOR WAIVER OF CONFLICT OF INTEREST PROVISIONS PERTAINING TO THE HOME-BUYER ASSISTANCE PROGRAM ADMINISTERED BY THE CITY.

Mayor Nicholson introduced the topic, after which he and Commissioner Hermann left the Commission Chambers to allow remaining commissioners who have no business ties to real estate discuss the issue. City Manager Craig Stephenson outlined how the first time home buyer assistance program works. Stephenson explained that in the past there have been instances where residents qualified for the program, but because the agent or auctioneer was a commissioner, it is considered a conflict and the resident lost out on program benefits.

Grants Administrator Rhonda Skrapke continued, noting the City has had the program since 2004. Skrapke explained that grant guidelines state if a mayor or commissioner received direct or indirect compensation, there is a conflict of interest. Skrapke expresses a feeling that the requirement has never been fair to the applicant, and that it had occurred twice in one month last year. Skrapke relayed that she had contacted the Oklahoma Department of Commerce (ODOC) and questioned if there were any alternatives, as this problem is likely to occur in small communities. ODOC researched the issue and found a procedure for an exception. A public disclosure must be made that a conflict exists. Skrapke posed the question, do you believe a hardship exists when qualified individuals are excluded because a commissioner is involved on the realtor side and does the benefit outweigh the cost. Discussion ensued.

COMMENTS FROM MAYOR AND COMMISSIONERS.

Commissioner Hermann and Mayor Nicholson re-entered the meeting. Commissioner Chapman expressed gratitude for staff input on the day's topics. Mayor Nicholson expressed appreciation for commissioners taking the time to handle City business.

6. CITY MANAGER COMMENTS.

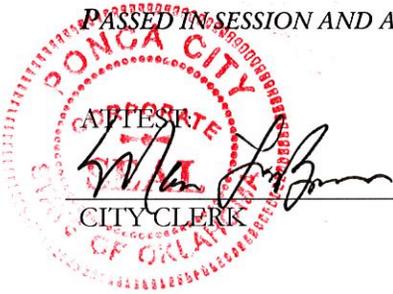
City Manager Craig Stephenson informed commissioners that staff had the Budget Kick-off Meeting earlier that day. Stephenson noted that staff would bring an item to the February 4<sup>th</sup> work session to discuss the budget process and issues. Stephenson reported that the State legislative session was beginning, which is always a concern. Stephenson the reported that "Active Shooter" training would be held for all City employees over the next three days and invited commissioners to attend. Stephenson concluded by thanking Commissioner Anderson for all the work she put into the community's Martin Luther King celebration.

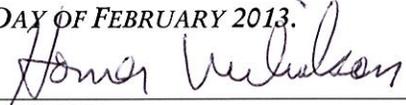
7. ADJOURN.

Motion was made by Commissioner Anderson at 3:39 p.m. to adjourn the Ponca City Board of Commissioners Work Session. Chapman seconded.

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

~~PASSED IN SESSION AND APPROVED THIS 11<sup>TH</sup> DAY OF FEBRUARY 2013.~~



  
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MAYOR

CITY CLERK

