

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
PONCA CITY, OKLAHOMA  
APRIL 8, 2013

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

Absent: None.

Others Present: Terry Brown, Randy Tyner, Chris Henderson, Holly LaBossiere, Marcia Hull, Sydney Ashby, Paula Cain, Pamela Salisbury, Butch Herring, Tana McKinley, Craige Baird, City staff; David Myers, PCDA; citizens; Beverly Bryant, Ponca City News.

1. Mayor Homer Nicholson called the meeting to order at 5:31 p.m.
2. Invocation – Reverend David Borrego, "Fuente De Agua Viva" Asamblea De Dios
3. Pledge of Allegiance

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

4. Character Trait for April: Virtue

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

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

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

5. Consider and vote upon minutes of the Ponca City Board of Commissioners regular session held March 25, 2013.

6. **RESOLUTION NO. 6027**

***A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS.***

7. **RESOLUTION NO. 6028**

***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 #7, FOR THE FISCAL YEAR 2012-13.***

8. RESOLUTION NO. 6029

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

9. Consider And Vote Upon A Contract Between The City Of Ponca City, Ponca City Library And Mobile Laser Forces, Inc. For Mobile Laser Forces, Inc. To Hold An Event At The Library On May 28, 2013 From 1:00 PM To 3:00 PM.
10. Consider And Vote On A Lease Agreement For The Motocross Track With ABC Race Association And Authorize City Attorney To Make Technical, Non-Substantial Changes After Full Review By The ABC Race Association.

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

11. None.

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

12. Commissioner Macy expressed gratitude for the City-wide garage sale. Macy also thanked the Solid Waste staff for the hard work they face this week to clean up the City. Macy concluded, reminding all that there is a leash law in the City and encouraged all to follow the law.

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

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson reminded all that the all day budget meetings with City Staff will occur on the following Monday, April 15, 2013 and Tuesday, April 16, 2013. These meetings will be with Department Heads and their staff to go over their budgets.

On April 22, 2013 the City will be holding an event we are calling the Municipal Showcase Event. This event is designed to showcase some of the equipment, tools and resources that City Staff use on a regular basis to provide quality services to the residents and visitors of Ponca City. The event will be held at Hutchins Memorial Auditorium. It will begin at 2:30 p.m. and run until 6:30 p.m. We will also be holding the April 22, 2013 regular City Commission meeting from this event. The meeting will be held at its regular time 5:30 p.m. The Commission will be utilizing the stage to conduct their meeting.

The City of Ponca City's Annual Spring Clean-Up is currently underway and is a great time to clean your home and property, dispose of your newly cleaned-out items, better guard your home against pests, and revisit codes enforced by the city in the event such situations are neglected.

Reminder that as spring kicks off in high gear so does the grass and weed growing season. Grass and weeds that exceed 12 inches in height are defined by city codes as a public nuisance. Non-compliance by owners or residents can result in citations. The city also has the right to have the property cleaned; the expense is then billed to the owner.

All vegetation must be trimmed back to right-of-way lines such that free and convenient travel over and along the sidewalk, street or alley is possible. Vegetation shall be trimmed to provide vertical clearance of at least 14 feet above streets and alleys and to at least 8 feet above sidewalks.

The City of Ponca City will be holding their annual Earth Day Event at Hutchins Memorial, from 9:00 a.m. to 1:00 p.m., on April 22, 2013.

The event will include:

Educational Information: Composting, Recycling, and Energy Savings

Shred-It Truck: 10:00 a.m.–1:00 p.m.

Give Away Items – Free Trees to Plant

Vendors for this event are Public Works, Stormwater Division, Ponca City Energy, Solid Waste Division, Parks and Recreation Department, Kay County District Conservation Office.

Reminder to put on your calendar that the City's Annual Safety Banquet will be held on May 2, 2013 beginning approximately 11:00 a.m.

Wanting to update the public and Commission on the street light replacement program. We have passed the 500 street light mark and should be South of Hartford this week.

Lake Ponca Bridge Project has several items to complete prior to opening. It is beginning to look like it will be closer to May 1, 2013 for the bridge to be opened to the travelling public.

This Saturday, April 13, 2013 is the Ponca City Leadership Alumni's Big Cleanup event. As of today there are 373 volunteers that will be working to clean up 30 plus properties in the community.

Stephenson requested items 17A & 17B be removed from the agenda and continue at the next work session.

14. PRESENTATION OF OPERATING GUIDELINES FOR STORM SIREN ACTIVATION.

Paula Cain gave an overview of operating guidelines for storm siren activation in Ponca City and related criteria.

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

15A. Conduct a Public Hearing on Subparagraph (B) Hereof.

Development Services Director Chris Henderson noted that the petition to re-zone this property was initiated by the Ponca City Development Authority and gave details of the site.

PCDA Executive Director David Myers gave further details on the project being pursued.

No further comments were made.

15B.

ORDINANCE NO. 6168

**CONSIDER AN VOTE ON AN ORDINANCE REZONING A TRACT OF LAND DESCRIBED AS PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, T26N, R2E, TO THE CITY OF PONCA CITY, LOCATED WEST OF 2120 HALL BOULEVARD, I-1 LIGHT INDUSTRIAL TO I-2 MODERATE INDUSTRIAL.**

Commissioner Macy made the motion to approve the Ordinance rezoning a tract of land described as part of the Northwest Quarter of the Southeast Quarter of Section 17, T26N, R2E, to the City of Ponca City, located west of 2120 Hall Boulevard, I-1 Light Industrial To I-2 Moderate Industrial. Commissioner Hermann seconded.

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

16A. Conduct a Public Hearing on Subparagraph (B) Hereof.

Development Services Director Chris Henderson noted that the petition related to a planned project to construct a new Cannon Honda facility and detailed the proposal.

No further comments were made.

16B.

ORDINANCE NO. 6169

**AN ORDINANCE REZONING A TRACT OF LAND DESCRIBED AS PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, T26N, R2E TO THE CITY OF PONCA CITY, LOCATED EAST OF 3414 NORTH 14<sup>TH</sup> STREET, RMHP RESIDENTIAL MOBILE HOME PARK TO C-2 GENERAL COMMERCIAL.**

Commissioner Macy made the motion to approve the ordinance rezoning a tract of land described as part of the southwest quarter of the northwest quarter of Section 11, T26N, R2E to the City of Ponca City, located east of 3414 North 14<sup>th</sup> Street, RMHP Residential Mobile Home Park to C-2 General Commercial. Commissioner Hermann seconded.

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

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

None

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

17A. **CONSIDER AND VOTE ON AN ORDINANCE AMENDING THE CITY CODE REPEALING PROVISIONS RELATED TO "SHOOTING GALLERIES"; PROVIDING FOR ESTABLISHMENT OF COMMERCIAL FIRING RANGES IN CONFORMITY WITH BUILDING CODES ADOPTED BY CITY; CONFORMING OFFENSES INVOLVING FIREARMS TO STATE LAW; CONFERRING JURISDICTION ON THE MUNICIPAL COURT TO HEAR MISDEMEANOR FIREARM OFFENSES WHICH ARE PROHIBITED BY STATE LAW BUT NOT PRESENTLY SUBJECT TO MUNICIPAL COURT JURISDICTION; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.**

- 17B. Consider And vote On The Emergency Clause Of The Ordinance.

Commissioner Anderson made a motion to continue item 17 A & B to a work session in the future. Macy seconded.

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

18. Consider And Vote On The Purchase Of Virtual Server And Backup Solution For Disaster Recovery From Interworks, Inc. In The Amount Of \$188,969.69.

Commissioner Macy made the motion to approve the purchase of Virtual Server and Backup Solution for disaster recovery from Interworks, Inc. in the amount of \$188,969.69. Commissioner Chapman seconded.

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

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

19. Larry Murphy, 2304 Copperfield Circle, appeared to protest a neighbor's project that is currently underway and is constructing a large metal building. Murphy gave background on the project and expressed discontent with the current building permit procedures that do not give adequate notice to neighbors and he questioned what options are available at this time.

**RECESS TO PONCA CITY UTILITY AUTHORITY MEETING**

Commissioner Anderson made the motion to recess to the Ponca City Utility Authority at 6:21 p.m. Hermann seconded.

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

Mayor Nicholson recessed to the Ponca City Utility authority at 6:21 p.m.

At 6:23 p.m. the Commission returned to regular session.

20. Entertain a motion to enter into executive session pursuant to Title 25 Section 307 Oklahoma Statutes for purposes of discussing negotiations with the Fraternal Order of Police (FOP) and the International Association of Fire Fighters (IAFF).

A motion was made by Commissioner Macy at 6:23 p.m. to enter into executive session. Hermann seconded.

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

22. The motion to adjourn was made by Commissioner Anderson and seconded by Commissioner Macy.

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 7:23 p.m.

*PASSED IN SESSION AND APPROVED THIS 22<sup>ND</sup> DAY OF APRIL 2013.*

  
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MAYOR

ATTEST:

  
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CITY CLERK