

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
MARCH 3, 2014

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

Absent: None

Others Present: Jim Sindelar, Randy Tyner, Anthony Rogers, Tana McKinley, Don Bohon, Chris Henderson, City staff; citizens.

1. CALL TO ORDER.

Mayor Nicholson called the meeting to order at 2:01 p.m. In the wake of a February 11, 2014 City election, Nicholson welcomed new commissioner Mary Beth Moore, and returning commissioner Lanita Chapman.

2. CONSIDER AND DISCUSS PROPOSED CHANGES TO NO-SMOKING ORDINANCE INCREASING LIMITATIONS ON SMOKING IN SOME PUBLIC VENUES AND INCLUDING RESTRICTIONS ON NON-TOBACCO PRODUCTS.

City Manager Craig Stephenson began, reminding all that the topic was discussed previously at a work session, also by the Park & Recreation Advisory Board and staff. City Attorney Kevin Murphy reviewed the history of State laws on smoking, which now allows cities to regulate outdoor smoking. Murphy qualified that there is a prohibition of smoking in public buildings and private businesses, except for bars, smoke shops, etc. Murphy explained that the proposed ordinance adopts the State law and mimics its language, explaining that if the City does not adopt it into our Code of Ordinances we cannot prosecute violations in our municipal court that we may one day wish to do. Murphy then outlined the proposed ordinance which speaks to smoking outdoors and those places to be regulated, which will be set by the Park & Recreation Advisory Board with delegated authority from the City Commission.

Park & Recreation Director Jim Sindelar continued, reviewed the process used in determining criteria on where to limit smoking. First and foremost was protection of children, so areas such as playgrounds, swimming pools, and splash pads will be limited. Sindelar explained other areas that probably should be left alone, such as Lake Ponca, where rental docks and lake lots are rentals, but not the swimming beach, which will be limited. For public events held on City grounds, the organizer will need to decide if smoking is to be limited or not, as well as enforce their decision. Discussion ensued. Stephenson noted the item would be on the March 10, 2014 agenda for consideration.

3. COMMENTS FROM MAYOR AND COMMISSIONERS.

Mayor Nicholson expressed appreciation to the Street Department and other City staff who had the streets well cleared after the overnight snowfall. Commissioner Macy welcomed Mary Beth Moore to the City Commission. Commissioners Chapman and Hermann echoed comments welcoming Moore.

4. CITY MANAGER COMMENTS.

City Manager Craig Stephenson relayed that the City won the Best Public Improvement Award for the new Christmas Tree at the recent Main Street annual awards event. Stephenson noted that he has begun meeting with departments on budget requests for Fiscal Year 2014-15. Stephenson concluded by relaying sad news about the new canine Police Officer, Koda. Due to a health issue Koda will be returned to the seller and a new canine will be picked out from the training facility.

5. ENTERTAIN A MOTION TO ENTER EXECUTIVE SESSION FOR ANNUAL REVIEW OF CITY MANAGER'S PERFORMANCE.

At 2:32 p.m., Commissioner Hermann moved to enter executive session to discuss annual appraisal of the City Manager. Commissioner Macy seconded.

Yeas: Hermann, Macy, Nicholson, Chapman, Moore. Nays: none. Motion carried

At 3:55 p.m. the Commission returned to regular session.

5.. ADJOURN.

Commissioner Hermann made the motion to adjourn the meeting. Commissioner Macy seconded.

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

Mayor Nicholson adjourned the meeting at 4:01 p.m.

PASSED IN SESSION AND APPROVED THIS 10TH DAY OF MARCH 2014.



Homer Nicholson

MAYOR

ATTEST:

Walter Johnson

CITY CLERK