

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
March 10, 2014

Southwest Business Products E1113067LD

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

Absent: Craig Stephenson, City Manager

Others Present: Jim Sindelar, Don Bohon, Butch Herring, Jim Fairbanks, Johnny Barron, Pam Salisbury, Chris Henderson, Anthony Rogers, Randy Tyner, Jason Filtz, City staff; citizens.

1. CALL TO ORDER
Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. INVOCATION – Pastor Mark Busch, Brookfield Wesleyan
3. PLEDGE OF ALLEGIANCE

****CEREMONIES AND PROCLAMATIONS****

4. Ponca City Police Department Police Officer of the Year: Corporal Manny Lara
5. Ponca City Police Department Civilian of the Year: Gina Payne
6. Proclamation: Arbor Week
7. Character Trait for March: Tolerance

****CHARTER ITEM****

8. Election Of Vice-Mayor In Accordance With Provisions Of Section 60 Of The City Charter.

Commissioner Chapman made the motion to nominate Commissioner Macy for Vice-Mayor. Commissioner Hermann seconded.

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

****CONSENT AGENDA****

The Board of Commissioners found items #9 through #12 non-controversial and routine in nature. Commissioner Chapman made the motion to approve the consent agenda as presented. Commissioner Macy seconded.

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

9. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Work Sessions Held February 17, 2014, Regular Session Held February 24, 2014 And Work Session Held March 3, 2014.
10. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims.

RESOLUTION NO. 6085

A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS.

11. Consider And Vote Upon A Resolution 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>
Marland Estate Commission	Lori Henderson	Appointed	2017
Marland Estate Commission	Tom Myatt	Appointed	2016

RESOLUTION NO. 6086

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AND ESTABLISHING THE TERMS OF OFFICE THEREOF

12. Consider And Vote On A Contract Award For Road Construction Materials To The Lowest And Most Responsible Bidder Available For January 1, 2014 Through June 30, 2014.

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

13. None

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

14. Mayor Homer Nicholson welcomed new commissioner Mary Beth Moore and hoped our citizens were enjoying the nice weather. Commissioner Moore expressed to everyone that she was happy to be on the City Commission and thanked Mayor Nicholson for welcoming her. Commissioner Steve Hermann also welcomed Commissioner Moore and congratulated Commissioner Mark Macy on becoming Vice-Mayor. Commissioner Macy thanked the commission for the opportunity to serve as Vice-Mayor.

****REPORTS****

15. CITY MANAGER'S REPORT

Assistant City Manager Tana McKinley shared a few spring reminders which included the second annual Arbor Day Poetry Contest to be submitted to the Park and Recreation Department with a deadline of March 13, 2014 for entries. Also, the City-wide Garage Sale will be held on Saturday, April 5, 2014, in conjunction with the City's annual Spring Clean-Up

scheduled for April 5th through April 12th, 2014. McKinley encouraged everyone to be prepared for severe weather by staying alert, developing emergency plans and sharing resources and alert systems.

****NEW BUSINESS****

- 16A. Consider And Vote On Ordinance Amending The “No Smoking” Provisions Of City Code, At Section 6-5-1, To Adopt State Law Regarding Smoking Indoors And To Prohibit Smoking At Certain Locations Outdoors If Property Is Open To The Public, Establishing A Penalty For Violation, Repealing Ordinances In Conflict; Providing For Severability, Declaring An Emergency And Authorizing Codifier To Renumber Sections In Codification

ORDINANCE NO. 6185

AN ORDINANCE AMENDING THE “NO SMOKING” PROVISIONS OF CITY CODE, AT SECTION 6-5-1, TO ADOPT STATE LAW REGARDING SMOKING INDOORS AND TO PROHIBIT SMOKING AT CERTAIN LOCATIONS OUTDOORS IF PROPERTY IS OPEN TO THE PUBLIC, ESTABLISHING A PENALTY FOR VIOLATION, REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, DECLARING AN EMERGENCY AND AUTHORIZING CODIFIER TO RENUMBER SECTIONS IN CODIFICATION

Commissioner Hermann made the motion to approve the ordinance. Commissioner Macy seconded.

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

- 16B. Consider And Vote On The Emergency Clause Of The Ordinance

Commissioner Hermann made the motion to approve the emergency clause of the ordinance. Commissioner Macy seconded.

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

17. Consider And Vote On Proposed Agreement With AT&T For Payment Of Fee For Use Of Public Rights Of Way Associate With Its U-Verse Products.

Commissioner Hermann excused himself from the meeting, due to a potential conflict of interest.

Commissioner Macy made the motion to approve item 17. Commissioner Moore seconded.

Roll: Yeas; Macy, Moore, Nicholson, Chapman. Nays; Hermann (abstention). Motion carried.

Commissioner Hermann returned to the meeting.

****CITIZENS COMMENTS****

18. None

19. ADJOURN

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

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:15 p.m.

PASSED IN SESSION AND APPROVED THIS 24TH DAY OF MARCH 2014.



ATTEST:


CITY CLERK



MAYOR

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
March 10, 2014

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
Lanita Chapman, Trustee
R. Mark Macy, Trustee
Mary Beth Moore, Trustee
Steve Hermann, Trustee
Tana McKinley, Assistant City Manager
Kevin Murphy, Trust Attorney
Marc LaBossiere, Secretary

Absent: Craig Stephenson, City Manager

Others Present: Butch Herring, Jim Fairbanks, Johnny Barron, Pam Salisbury, Chris Henderson, Anthony Rogers, Randy Tyner, Jason Filtz, City staff; citizens.

1. CALL TO ORDER

Chairman Homer Nicholson called the meeting to order at 6:15 p.m.

****CONSENT AGENDA****

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

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

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

2. Consider And Vote Upon The Minutes Of The Regular Session Held February 24, 2014.
3. Consider And Vote Upon A Resolution Appropriating Money For Payment Of Claims.

RESOLUTION NO. 891

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

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

4. None.

****NEW BUSINESS****

5. Consider And Vote Upon Agreement For Engineering Services With Meshek & Associates, PLC In The Amount Not To Exceed \$54,000 For The Channel Repairs Of Arkansas River Tributary E From 14th Street To Elmwood Avenue.

Trustee Chapman made the motion to approve PCUA item #5. Trustee Hermann seconded.

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

6. ADJOURN

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

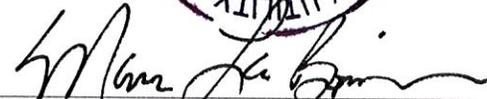
Roll: Yeas; Hermann, Macy, Nicholson, Moore, Chapman. Nays; None. Motion carried.

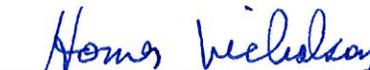
Chairman Nicholson adjourned the PCUA Board of Trustees at 6:28 p.m.

PASSED IN SESSION AND APPROVED THIS 24TH DAY of March 2014.



ATTEST:


TRUST SECRETARY


CHAIRMAN: