

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
PONCA CITY, OKLAHOMA
October 13, 2014

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

Absent: None

Others Present: Chris Henderson, Terry Brown, Anthony Rogers, Butch Herring, Jim Sindelar, Johnny Barron, Paula Cain, Rhonda Skrapke, City staff; citizens; Steve Dye, Ponca City News.

1. CALL TO ORDER
Mayor Homer Nicholson called the meeting to order at 5:30 p.m.
2. INVOCATION – Rick Hughes, Victory Tabernacle
3. PLEDGE OF ALLEGIANCE

****CEREMONIES & PROCLAMATIONS****

4. Character Trait for October: Loyalty

****CONSENT AGENDA****

The Board of Commissioners found items #5 through #10 non-controversial and routine in nature. Commissioner Macy made the motion to approve the consent agenda as presented. Commissioner Chapman seconded.

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

5. Consider And Vote Upon Minutes Of The Ponca City Board Of Commissioners Regular Session Held September 22, 2014.
6. Consider And Vote Upon Resolution Appropriating Money For Payment Of Claims.

RESOLUTION NO. 6131

A RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF CLAIMS.

7. Consider And Vote On A Resolution Readopting The City Of Ponca City Citizen Participation Plan As Part Of The CDBG Disaster Recovery (2nd Round State Allocation) Application.

RESOLUTION NO. 6132

A RESOLUTION READOPTING THE CITY OF PONCA CITY CITIZEN PARTICIPATION PLAN AS PART OF THE CDBG DISASTER RECOVERY (2ND ROUND STATE ALLOCATION) APPLICATION.

8. Consider And Vote To Adopt A Resolution To Affirm The City's Commitment To Take All Action Within Its Power To Facilitate The Receipt Of Assistance Of Community Development Funds If The City Of Ponca City Is Awarded A Community Development Block Grant From The Oklahoma Department Of Commerce.

RESOLUTION NO. 6133

A RESOLUTION TO AFFIRM THE CITY'S COMMITMENT TO TAKE ALL ACTION WITHIN ITS POWER TO FACILITATE THE RECEIPT OF ASSISTANCE OF COMMUNITY DEVELOPMENT FUNDS IF THE CITY OF PONCA CITY IS AWARDED A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE OKLAHOMA DEPARTMENT OF COMMERCE.

9. Consider And Vote On The Oklahoma Municipal Assurance Group (OMAG) "Municipal Liability Protection Plan" For The City Of Ponca City For The Policy Period November 1, 2014 Through November 1, 2015.
10. Consider And Vote Upon Change Order No. 2, In The Add Amount Of \$4,244.22, And The Final Payment In The Amount Of \$2,681.55, To Hembree And Hodgson Construction, LLC, To Accept All Work As Complete For "Pioneer Park Replacement" Project.

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

11. None.

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

12. Mayor Homer Nicholson welcomed Rod Norris to the evening's meeting, a member of the current Leadership Ponca City Class.

****REPORTS****

13. CITY MANAGER'S REPORT

City Manager Craig Stephenson made it known that the City of Ponca City has registered to participate in a nation-wide earthquake drill, the Great American ShakeOut, which is scheduled for October 16, 2014 at 10:16 a.m. Participation requires very little time, but is important given the recent earthquake occurrences in Oklahoma. Everyone should know the proper earthquake responses, which are drop, cover, and hold on.

Stephenson reminded everyone that this year's Household Hazardous Waste Event will be on October 25, 2014 from 9:00 a.m. to 2:00 p.m. in the parking lot of Phillips 66 located at South Avenue and Oak Street.

Stephenson announced the Dog Park Committee of the Park Board is planning a Grand Opening of the dog park on October 25, 2014 from 9:00 a.m. to Noon. They plan to have a ribbon cutting about 9:30 a.m. Also planned are some local vendors. Taylor Oldfield Veterinary will give rabies shots for \$5.00, implant computer chips for \$25.00, and a pet groomer will trim nails. The AMBUCs Food Mob will be there to give away hotdogs, chips, and a drink. There will be Sparky from the Fire Department, the police dog, Blitz, and Officer Ben Garrison, his handler, with the K9 vehicle. They plan to have a "Strut Your Mutt" contest. The Kennel Club will be on hand to show the public the proper way to enter and exit the dog park with your dog. There will also be door prizes and some other giveaways

Stephenson advised Ponca Politics on October 24, 2014 will be the State of the City report. Mayor Nicholson and Stephenson will be making the presentation. It will be held in the City Commission Chamber beginning at noon and ending at 1:00 p.m.

Mayor Nicholson added his congratulations to the Ponca City Energy lineworkers: Tomas Alveraz, Tyler Simpson, Jared Evans, Chris Crain, Tanner Lee, and Keenan Pappan, for the awards they recently received at the Public Power Professionals Lineworker's Rodeo.

****PUBLIC HEARINGS****

14A. Conduct A Public Hearing On Subparagraph (B) Hereof.

Development Services Director Chris Henderson explained the history and definition of the proposed ordinance.

LouAnn Bush, 110 S. Olympia, questioned the wording gasoline station in lieu of petroleum station.

Bret Carter, 116 S. Stephens, asked if the proposed gasoline station at Grand Avenue and Waverly Street was actually defined as a truck stop because of the "off street parking" in their proposal.

Bill Miller, 109 S. Stephens, voiced opposition to any gas station at Grand Avenue and Waverly Street.

Michelle Carter, 116 S. Stephens, spoke about the proposed development, not the ordinance at hand.

14B. Consider And Vote On An Ordinance Amending Title 11, Chapter 4 Of The Code Of Ponca City Entitled "Use Categories," By Redefining Certain Terms Related To Establishments That Are Engaged In The Retail Sale Of Automotive Fuels, Providing For Repealer; Severability; And Codification.

ORDINANCE NO. 6194

AN ORDINANCE AMENDING TITLE 11, CHAPTER 4 OF THE CODE OF PONCA CITY ENTITLED "USE CATEGORIES," BY REDEFINING CERTAIN TERMS RELATED TO ESTABLISHMENTS THAT ARE ENGAGED IN THE RETAIL SALE OF AUTOMOTIVE FUELS, PROVIDING FOR REPEALER; SEVERABILITY; AND CODIFICATION.

Commissioner Macy made the motion to approve the ordinance as presented by Mr. Henderson. Commissioner Moore seconded.

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

14C. Consider And Vote On The Emergency Clause Of The Ordinance.

Commissioner Hermann made the motion to approve item #14C. Commissioner Macy seconded.

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

****NEW BUSINESS****

15. Consider And Vote On A Resolution Designating Certain Fund Balance Accounts Of Governmental Fund Types, And Directing The Finance Director To Implement The Terms Of This Resolution.

RESOLUTION NO. 6134

A RESOLUTION DESIGNATING CERTAIN FUND BALANCE ACCOUNTS OF GOVERNMENTAL FUND TYPES, AND DIRECTING THE FINANCE DIRECTOR TO IMPLEMENT THE TERMS OF THIS RESOLUTION.

Commissioner Hermann made the motion to approve item 15. Commissioner Macy seconded.

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

16. Consider And Vote On The Submission Of An Application For The Community Development Block Grant (CDBG) Disaster Recovery (2nd Round State Allocation) Program To The Oklahoma Department Of Commerce For Funding In The Amount Of \$200,000.

Commissioner Hermann made the motion to approve item 16. Commissioner Moore seconded.

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

17A. Consider And Vote On "First Amendment To Land Lease Agreement" With American Tower For Time Extension Of Antennae Lease On The Meadows Water Tower.

Commissioner Macy made the motion to approve item 17A as presented. Commissioner Hermann seconded.

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

- 17B. Consider And Vote On “First Amendment To Land Lease Agreement” With American Tower For Time Extension Of Ground Lease On Hobo Park Cell Tower Location.

Commissioner Moore made the motion to approve item 17B as presented. Commissioner Chapman seconded.

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

****CITIZENS COMMENTS****

18. LouAnn Bush, 110 S. Olympia, asked if the City had any ownership of the communication wiring in town and if there would be fiber optic installed by the City throughout town.

Eyvind Logan, 1500 W. Broadway, expressed opposition to the proposed gasoline station at Waverly Street and Grand Avenue for security reasons.

George Venable, 1317 W. Chestnut, voiced concern about the proposed development of a convenience store at Waverly Street and Grand Avenue failing and resulting in an empty store.

Michelle Carter, 116 S. Stephens, questioned why the Commission would approve a proposed convenience store at the location if neighbors do not want it.

Ginger Davis, 2200 W. Grand, expressed opposition to a convenience store at Waverly Street and Grand Avenue due to proximity to two schools nearby.

Candace Smith, 93 Elmwood, voiced concern over children who attend the YMCA if a convenience store is approved at Waverly Street and Grand Avenue.

LouAnn Bush, 110 S. Olympia, re-iterated concerns about a convenience store if approved at Waverly Street and Grand Avenue.

Shirley Venable, 803 N. Sunset, voiced concern over littering and safety of children if a convenience store is built at Waverly Street and Grand Avenue.

Bill Miller, 109 S. Stephens, voiced a strong desire to see a new City zoning ordinance that would prohibit a station selling motor fuels within 500 feet of schools or a YMCA.

Mayor Nicholson commented to the public and all in attendance regarding the Master Plan for the City of Ponca City and how this particular area was identified by Master Planners as the most likely spot for commercial development. Also, Nicholson clarified that there are strict rules and regulations by the EPA for the prevention of fuel leakage from underground fuel tanks.

19. ADJOURN

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

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

Mayor Nicholson adjourned the Board of Commissioners meeting at 6:37 p.m.

PASSED IN SESSION AND APPROVED THIS 27TH DAY OF OCTOBER 2014.



Homer Wilson

MAYOR

ATTEST:

Maria Johnson
CITY CLERK

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
PONCA CITY UTILITY AUTHORITY
October 13, 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
R. Mark Macy, Trustee
Mary Beth Moore, Trustee
Steve Hermann, Trustee
Lanita Chapman, Trustee
Craig Stephenson, City Manager
Kevin Murphy, Trust Attorney
Marc LaBossiere, Secretary

Absent: None

Others Present: Chris Henderson, Terry Brown, Anthony Rogers, Butch Herring, Johnny Barron, City staff; citizens; Steve Dye, Ponca City News.

1. CALL TO ORDER

Chairman Homer Nicholson called the meeting to order at 6:37 p.m.

****CONSENT AGENDA****

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

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

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

2. Consider And Vote Upon The Minutes Of The Regular Session Held September 22, 2014.
3. Consider And Vote Upon A Resolution Appropriating Money For Payment Of Claims.

RESOLUTION NO. 912

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

4. Consider And Vote On Acknowledgement And Approval Of A Septic Hauler Use Permit And DEQ Consent Form For Scott's Septic Service For The Remainder Of Calendar Year 2014.

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

5. None.

****NEW BUSINESS****

6. Consider And Vote On A Resolution Establishing The PCUA Affordable Housing Incentive Program (AHIP) Whose Purpose And Intent Is To Target New Homes Under \$150,000 In Sales Price For Entry Level Home Owners By Offering Rebates To Qualified Builders Who Construct Single Family Housing Units.

RESOLUTION NO. 913

A RESOLUTION ESTABLISHING THE PCUA AFFORDABLE HOUSING INCENTIVE PROGRAM (AHIP) WHOSE PURPOSE AND INTENT IS TO TARGET NEW HOMES UNDER \$150,000 IN SALES PRICE FOR ENTRY LEVEL HOME OWNERS BY OFFERING REBATES TO QUALIFIED BUILDERS WHO CONSTRUCT SINGLE FAMILY HOUSING UNITS.

Trustee Macy made the motion to approve the PCUA Affordable Housing Incentive Program (AHIP) whose purpose and intent is to target new homes under \$150,000 in sales price for entry level home owners by offering rebates to qualified builders who construct single family housing units. Trustee Chapman seconded.

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

7. ADJOURN

Trustee Chapman made the motion to adjourn the meeting of the Ponca City Utility Authority. Trustee Moore seconded.

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

Chairman Nicholson adjourned the PCUA Board of Trustees at 6:46 p.m.

PASSED IN SESSION AND APPROVED THIS 27TH DAY of October 2014.



ATTEST:


TRUST SECRETARY


CHAIRMAN