



**CITY COUNCIL AGENDA
March 17, 2015**

**Ken Smith, Mayor ~ At-Large
Michael McEachern, Vice-Mayor ~ Ward 4
Richard Russell, Council Member ~ Ward 1
John Alberts, Council Member ~ Ward 2
Donna Yanda, Council Member ~ Ward 3
Grayson Bottom, City Manager**

Yukon City Council / Yukon Municipal Authority Work Session
Conference Room - Centennial Building - 12 South 5th Street
March 17, 2015 – 6:00 p.m.

There is no work session preceding the March 17, 2015 City Council Meeting.

City Council - Municipal Authority Agendas

March 17, 2015 - 7:00 p.m.

Council Chambers - Centennial Building

12 South Fifth Street, Yukon, Oklahoma

The City of Yukon strives to accommodate the needs of all citizens, including those who may be disabled. If you would like to attend this Council meeting but find it difficult to do so because of a disability or architectural barrier, please contact City Hall at 354-1895. We will make a sincere attempt to resolve the problem. If you require a sign-language interpreter at the meeting, please call or notify City Hall, 500 West Main, by noon, March 16, 2015.

Invocation: Pastor Mike Sparks, Church of Christ South Yukon

Flag Salute:

Roll Call: Ken Smith, Mayor
Michael McEachern, Vice Mayor
John Alberts, Council Member
Richard Russell, Council Member
Donna Yanda, Council Member

Presentations and Proclamations

Visitors

(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority)

1A. YMA Consent Docket

This item is placed on the agenda so the Yukon Municipal Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Authority Members, that item will be heard in regular order.

The City Manager recommends a motion to approve:

- A) The minutes of the regular meeting of March 3, 2015**
- B) Payment of material claims in the amount of \$30,555.86**

ACTION _____

- 2A. Consider authorizing the City Attorney to negotiate a contract with the Yukon Chamber of Commerce for the Sale of 13,770 square feet of property located 150 feet south of Highway 66 with 125 feet of frontage on the East side of Yukon Parkway (156 S Yukon Parkway), including an easement for access to and maintenance of the City sign**

ACTION _____

(Adjourn as YMA and Reconvene as Yukon City Council)

1. Consent Docket

This item is placed on the agenda so the City Council, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Council Members, that item will be heard in regular order.

The City Manager recommends a motion that will approve:

- A) The minutes of the regular meeting of March 3, 2015**
- B) Payment of material claims in the amount of \$430,544.22**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) Accepting Oklahoma Department of Environmental Quality Permit No. SL000009150146 for the construction of approximately 590 linear feet of eight (8) inch sewer line and appurtenances to serve the City of Yukon Bounce Academy Gymnasium Sewer Line Extension Project, Canadian County, Oklahoma**
- E) Setting the date for the next regular Council meeting for April 7, 2015, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.**

ACTION _____

- 2. Consider authorizing the City Attorney to negotiate a contract with the Yukon Chamber of Commerce for the Sale of 13,770 square feet of property located 150 feet south of Highway 66 with 125 feet of frontage on the East side of Yukon Parkway (156 S Yukon Parkway), including an easement for access to and maintenance of the City sign**

ACTION _____

- 3. Consider authorizing an expenditure of funds in an amount not to exceed \$57,973.00, for a Hydro Excavator from Vermeer, to be paid from the Water/Wastewater Capital Improvement Fund, as recommended by the Public Works Director**

ACTION _____

4. Consider authorizing an expenditure of funds in an amount not to exceed \$43,101.15, for repair of 380 square yards of road at the intersection of Cornwell and Dianna, to be paid from the Streets Capital Improvement Fund, as recommended by the Public Works Director

ACTION _____

5. Consider approving Ordinance No. 1311, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 1-7 to provide for Court Cost in the amount of thirty dollars (\$30.00) and a fine not to exceed the amount of two hundred dollars (\$200.00) for a Traffic Offense unless otherwise allowed by State Law; and Declaring an Emergency

ACTION _____

- 5a. Consider approving the Emergency Clause of Ordinance No. 1311

ACTION _____

6. Consider approving Ordinance No. 1312, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending certain Sections by adding new definitions, clarifying and providing for procedures for Municipal Court, and providing applicable fines and punishment for violations of the Code of Ordinances; and Declaring an Emergency

ACTION _____

- 6a. Consider approving the Emergency Clause of Ordinance No. 1312

ACTION _____

7. Consider approving Ordinance No. 1313, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon Oklahoma by amending certain sections to provide for clarification of violations and assessment of fines; and Declaring an Emergency

ACTION _____

7a. Consider approving the Emergency Clause of Ordinance No. 1313

ACTION_____

- 8. Consider approving Ordinance No. 1314, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by removing and/or amending certain sections to provide for clarification of violations and assessment of fines; and Declaring an Emergency**

ACTION_____

8a. Consider approving the Emergency Clause of Ordinance No. 1314

ACTION_____

- 9. Consider approving Ordinance No. 1315, an Ordinance adopting the SmartCode; establishing the SmartCode (SC) District regulations for land use; SmartCode regulations to be mandatory within the Urban Gateway overlay Supplemental District unless specifically exempted or unless contiguous developable land area, by ownership, does not meet minimum size requirements for community scale plans; SmartCode regulations to be optional for all remaining development areas within the City of Yukon; repealing conflicting ordinances and resolutions; providing for severability and Declaring an Emergency**

ACTION_____

9a. Consider approving the Emergency Clause of Ordinance No. 1315

ACTION_____

- 10. Consider approving Ordinance No. 1316, an Ordinance providing amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Appendix A – Zoning Ordinance, Sections 201.1, 401.3, 404.1, 406.1 to provide for consistency with the City of Yukon SmartCode; and enacting new Section 607 and new Section 608, providing for the creation of a new Urban Gateway overlay Supplemental District and providing for new zoning designations corresponding with the City of Yukon SmartCode transects; establishing boundaries for the Urban Gateway overlay supplemental District; providing for severability and Declaring an Emergency**

ACTION_____

10a. Consider approving the Emergency Clause of Ordinance No. 1316

ACTION_____

11. Consider approving the Scrivener Error correction, to the recordation information numbers on the Utility Easement that serves Frisco Ridge Phase II, as recommended by the Development Services Director

ACTION_____

12. City Manager’s Report – Information items only

- A. Sales Tax Report**
- B. Events Report**
- C. Sanitation Notice**

13. New Business

14. Council Discussion

15. Consider a motion to recess as the Yukon City Council and convene into Executive Session, to discuss a pending investigation, litigation, or proceeding with the City Attorney, as provided for in 25 OS 2003, Section 307 (B) (4)

ACTION_____

16. Consider a motion to adjourn from Executive Session and reconvene as Yukon City Council

ACTION_____

17. Adjournment

**Yukon Municipal Authority Minutes
March 3, 2015**

ROLL CALL: (Present) Michael McEachern, Vice Chairman
John Alberts, Trustee
Richard Russell, Trustee
Donna Yanda, Trustee

(Absent) Ken Smith, Chairman

(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority)

1A. YMA Consent Docket

This item is placed on the agenda so the Yukon Municipal Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Authority Members, that item will be heard in regular order.

The City Manager recommends a motion to approve:

- A) The minutes of the regular meeting of February 17, 2015**
- B) Payment of material claims in the amount of \$71,979.07**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of February 17, 2015; and payment of material claims in the amount of \$71,797.07, was made by Trustee Yanda and seconded by Trustee Russell.

The vote:

AYES: Alberts, McEachern, Russell, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

(Adjourn as YMA and Reconvene as Yukon City Council)

EXHIBIT A
YUKON MUNICIPAL AUTHORITY
(Yukon, Oklahoma)
SALES TAX AND UTILITY SYSTEM REVENUE BONDS
SERIES 2013

PAYMENT REQUISITION
YUKON MUNICIPAL AUTHORITY
CONSTRUCTION FUND
Project Account

TO: Bank of Oklahoma, N.A., Trustee
FROM: Yukon Municipal Authority
DATE:

Pursuant to the provisions of the General Bond Indenture dated June 1, 1996, and Supplemented by the Supplemental Bond Indenture dated March 1, 2013 by and between Yukon Municipal Authority and Bank of Oklahoma, N.A., Oklahoma, as Trustee, you are directed to pay Creditor from the Construction Fund of said Authority as indicated below, the amounts shown for the purposes set forth in this Requisition.

Professional Service Industries, Inc. 82-8818-16-1
CREDITOR TRUST NO.

ITEM	ITEM NO.
<u>2/28/15</u> <u>Prairie West Boulevard</u>	<u>\$580.86</u>
DATE	PURPOSE AMOUNT

AUTHORIZATION AND CERTIFICATE OF GENERAL MANAGER

With reference to the above requisition, the undersigned certifies:
The above requisition is approved.

Each obligation therein has been properly incurred and is now due and unpaid and that insofar as such obligation was incurred for work, materials, equipment or supplies, such work was actually performed, and such materials, equipment or supplies were actually installed or delivered to or for the Project as evidenced by the certificate of the supervising architect or engineer or other appropriate certification.

Those obligations in the stated amounts have been incurred by the Authority and that each item is a proper charge against the Yukon Municipal Authority Construction Fund and has not been paid.

That there has not been filed with or served upon the Yukon Municipal Authority notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the monies payable to any of the persons, firms, or corporations named in such requisition, which has not been of such obligation.

That such requisition contains no item representing payment on account of any retained percentages which Yukon Municipal Authority is at the date of such certificate entitled to retain.

YUKON MUNICIPAL AUTHORITY

Date

Date Approved: _____

Date Paid _____

Authorized Officer

Chairman or Vice Chairman

Attest:

Secretary

Submit in triplicate: 1 to Bank, 1 to General Manager, 1 to City



March 9, 2015

Grayson Bottom
City Manager
City of Yukon
P.O. Box 850500
Yukon, OK 73085

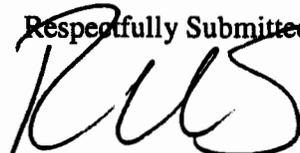
Re: Prairie West Boulevard

Dear Mr. Bottom:

Please find attached PSI, Inc. Invoice #00351886 in an amount of \$580.86 for which we recommend payment.

Should you have any questions, please contact me at 405-752-1122.

Respectfully Submitted,



Robbie Williams, P.E.

RW/jh

Attachment

cc: Larry Mitchell, YEDA
Arnold Adams, Yukon PWD
J.I. Johnson, Yukon City Treasurer
File 232/Pay Claims



Engineering • Consulting • Testing

Professional Service Industries, Inc.

www.psiusa.com

OKLAHOMA CITY CS DEPT
OKLAHOMA CITY, OK 73129-5647
(405) 632-8800

Federal ID 37-0962090

TRIAD DESIGN GROUF
3020 NW 149TH STREET
OKLAHOMA CITY OK 73134

CITY OF YUKON
PO BOX 850500
YUKON OK 73085

Customer #	Purchase Order	PSI Project Number	Date	Invoice #	Page
913942		05461245	02/28/15	00351886	0001

Project: PRAIRIE WEST BOULEVARD

Date	Work Order Nbr	Description	Quantity	Unit Cost	Amount
02/12/15	05461245-3	ENGINEERING TECH, SOIL (HR)	3.00	59.75	179.25
02/12/15	05461245-3	TRIP CHARGE (EA)	1.00	29.00	29.00
02/12/15	05461245-3	TEST EVAL-REPORT REVIEW	0.30	137.25	41.18
02/12/15	05461245-3	NUCLEAR DENSITY EQP (DAY)	1.00	41.00	41.00
02/20/15	05461245-4	ENGINEERING TECH, SOIL (HR)	3.00	59.75	179.25
02/20/15	05461245-4	TRIP CHARGE (EA)	1.00	29.00	29.00
02/20/15	05461245-4	TEST EVAL-REPORT REVIEW	0.30	137.25	41.18
02/20/15	05461245-4	NUCLEAR DENSITY EQP (DAY)	1.00	41.00	41.00

Invoice Total:	\$580.86
Balance Due:	\$580.86

VOID PUG

TERMS: NET 30 DAYS. A SERVICE CHARGE OF 1.5% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18% WILL BE ADDED TO ALL PAST DUE ACCOUNTS.

To assure proper credit to your account, please return with your check made payable to PSI.

Please mail remittance to:

Customer #	Invoice #	Project Number	Amount Enclosed
913942	00351886	05461245	

Professional Service Industries, Inc.
7192 Solutions Center
Chicago, IL 60677-7001

EXHIBIT A
YUKON MUNICIPAL AUTHORITY
(Yukon, Oklahoma)
SALES TAX AND UTILITY SYSTEM REVENUE BONDS
SERIES 2013

PAYMENT REQUISITION
YUKON MUNICIPAL AUTHORITY
CONSTRUCTION FUND
Project Account

TO: Bank of Oklahoma, N.A., Trustee
FROM: Yukon Municipal Authority
DATE:

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Triad Design Group 82-8818-16-1
CREDITOR TRUST NO.

ITEM	ITEM NO.
<u>3/9/15</u>	<u>\$ 26,350.00</u>
DATE	AMOUNT
<u>Frisco Water Tower</u>	
PURPOSE	

AUTHORIZATION AND CERTIFICATE OF GENERAL MANAGER

With reference to the above requisition, the undersigned certifies:
The above requisition is approved.

Each obligation therein has been properly incurred and is now due and unpaid and that insofar as such obligation was incurred for work, materials, equipment or supplies, such work was actually performed, and such materials, equipment or supplies were actually installed or delivered to or for the Project as evidenced by the certificate of the supervising architect or engineer or other appropriate certification.

Those obligations in the stated amounts have been incurred by the Authority and that each item is a proper charge against the Yukon Municipal Authority Construction Fund and has not been paid.

That there has not been filed with or served upon the Yukon Municipal Authority notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the monies payable to any of the persons, firms, or corporations named in such requisition, which has not been of such obligation.

That such requisition contains no item representing payment on account of any retained percentages which Yukon Municipal Authority is at the date of such certificate entitled to retain.

YUKON MUNICIPAL AUTHORITY

Date

Date Approved: _____

Date Paid _____

Authorized Officer

Submit in triplicate: 1 to Bank, 1 to General Manager, 1 to City

Chairman or Vice Chairman

Attest:

Secretary



City of Yukon
 Attn: J.I. Johnson
 P. O. Box 850500
 Yukon, Oklahoma 73085

Invoice No. 9218
 Project No. E245.00
 Statement No. 6
 Date: March 9, 2015
 CIT220

 Re: Frisco Water Tower and 12" Waterline Distribution Project

Estimated Construction Cost:		\$4,500,000.00
Estimated Fee:	5.11%	\$230,000.00
Updated Environmental Assessment/ Categorical Exclusion		\$56,500.00
Additional Services:		
RW Acquisition / Right-of-Entry:		<u>\$20,000.00</u>
	Total Fee	\$306,500.00

Architectural and Engineering Services through February 25, 2015

Survey (25%) (\$57,500.00)

Completed to Date: \$57,500.00 x 100% = \$57,500.00

Preliminary Plans (50%) (\$57,500.00)

Completed to Date: \$57,500.00 x 100% = \$57,500.00

Final Plans (95%) (\$103,500.00)

Completed to Date: \$103,500.00 x 35% = \$36,225.00

As-Built Plans (5%) (\$11,500.00)

Completed to Date: \$11,500.00 x 0% = \$0.00

Environmental Assessment/Categorical Exclusion (\$56,500.00)

Completed to Date: \$56,500.00 x 90% = \$50,850.00

R/W Acquisition/Right-of-Entry (\$20,000.00)

Completed to Date: \$20,000.00 x 0% = \$0.00

	<u>\$202,075.00</u>
Less Previous Billing	<u>175,725.00</u>
Amount Due	\$26,350.00

DESCRIPTION City of Yukon
P.O. Box 850500
Yukon, Oklahoma 73085

Frisco Water Tower and
12" Waterline Distribution Project

STATE OF OKLAHOMA SS
COUNTY OF OKLAHOMA

The undersigned (architect, contractor, supplier, or engineer) of lawful age, being first duly sworn on oath, says that this invoice or claim is truth and correct. Affiant further states that the (work, services, or materials) as shown by this invoice or claim have been (completed, or supplied) in accordance with the plans, specifications, orders, or requests furnished the affiant. Affiant further states that (s)he has made no payment directly or indirectly to any elected official, officer, or employee of the State of Oklahoma, any county or local subdivision of the state, of money or any other things of value to obtain payment.



Architect, Supplier, Contractor, Engineer

Subscribed and sworn to before me this

9th Day of March, 2015

Krista Dobbs
Notary Public (or Clerk or Judge) 

My Commission Expires: March 13, 2016

EXHIBIT A
YUKON MUNICIPAL AUTHORITY
(Yukon, Oklahoma)
SALES TAX AND UTILITY SYSTEM REVENUE BONDS
SERIES 2013

PAYMENT REQUISITION
YUKON MUNICIPAL AUTHORITY
CONSTRUCTION FUND
Project Account

TO: Bank of Oklahoma, N.A., Trustee
FROM: Yukon Municipal Authority
DATE:

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<i>Triad Design Group</i>	82-8818-16-1
CREDITOR	TRUST NO.

ITEM		ITEM NO.
<i>3/11/15</i>	<i>Frisco Road Interchange</i>	<i>\$3,625.00</i>
DATE	PURPOSE	AMOUNT

AUTHORIZATION AND CERTIFICATE OF GENERAL MANAGER

With reference to the above requisition, the undersigned certifies:
The above requisition is approved.

Each obligation therein has been properly incurred and is now due and unpaid and that insofar as such obligation was incurred for work, materials, equipment or supplies, such work was actually performed, and such materials, equipment or supplies were actually installed or delivered to or for the Project as evidenced by the certificate of the supervising architect or engineer or other appropriate certification.

Those obligations in the stated amounts have been incurred by the Authority and that each item is a proper charge against the Yukon Municipal Authority Construction Fund and has not been paid.

That there has not been filed with or served upon the Yukon Municipal Authority notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the monies payable to any of the persons, firms, or corporations named in such requisition, which has not been of such obligation.

That such requisition contains no item representing payment on account of any retained percentages which Yukon Municipal Authority is at the date of such certificate entitled to retain.

YUKON MUNICIPAL AUTHORITY

Date

Date Approved: _____

Date Paid _____

Authorized Officer

Submit in triplicate: 1 to Bank, 1 to General Manager, 1 to City

Chairman or Vice Chairman

Attest:

Secretary



City of Yukon
 Attn: J.I. Johnson
 P. O. Box 850500
 Yukon, Oklahoma 73085

Invoice No. 9221
 Project No. E248.00
 Statement No. 7
 Date: March 11, 2015
 CIT220

Re: I-40 & Frisco Road Interchange - Phase 1

Design Fee: \$750,000.00

Architectural and Engineering Services through February 25, 2015

Conceptual Plan & Feasibility Study (\$75,000.00)

Completed to Date: \$75,000.00 x 100% = \$75,000.00

Survey (\$75,000.00)

Completed to Date: \$75,000.00 x 18% = \$13,173.00

Highway Capacity & Access Justification Study (\$100,000.00)

Completed to Date: \$100,000.00 x 6% = \$6,000.00

Traffic Study (\$50,000.00)

Completed to Date: \$50,000.00 x 0% = \$0.00

Environmental Study (\$125,000.00)

Completed to Date: \$125,000.00 x 19.5% = \$24,375.00

Roadway Design (\$300,000.00)

Completed to Date: \$300,000.00 x 3% = \$9,000.00

Hydraulics/Hydrology (\$25,000.00)

Completed to Date: \$25,000.00 x 0% = \$0.00

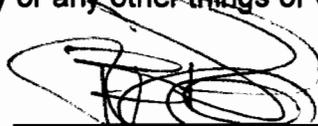
	127,548.00
Less Previous Billing	123,923.00
Amount Due	\$3,625.00

DESCRIPTION City of Yukon
P.O. Box 850500
Yukon, Oklahoma 73085

City of Yukon
I-40 & Frisco Road Interchange
Phase 1

STATE OF OKLAHOMA SS
COUNTY OF OKLAHOMA

The undersigned (architect, contractor, supplier, or engineer) of lawful age, being first duly sworn on oath, says that this invoice or claim is truth and correct. Affiant further states that the (work, services, or materials) as shown by this invoice or claim have been (completed, or supplied) in accordance with the plans, specifications, orders, or requests furnished the affiant. Affiant further states that (s)he has made no payment directly or indirectly to any elected official, officer, or employee of the State of Oklahoma, any county or local subdivision of the state, of money or any other things of value to obtain payment.



Architect, Supplier, Contractor, Engineer

Subscribed and sworn to before me this

11th day of March, 2015

Krista Dobb
Notary Public (or Clerk or Judge)



My Commission Expires: March 13, 2016



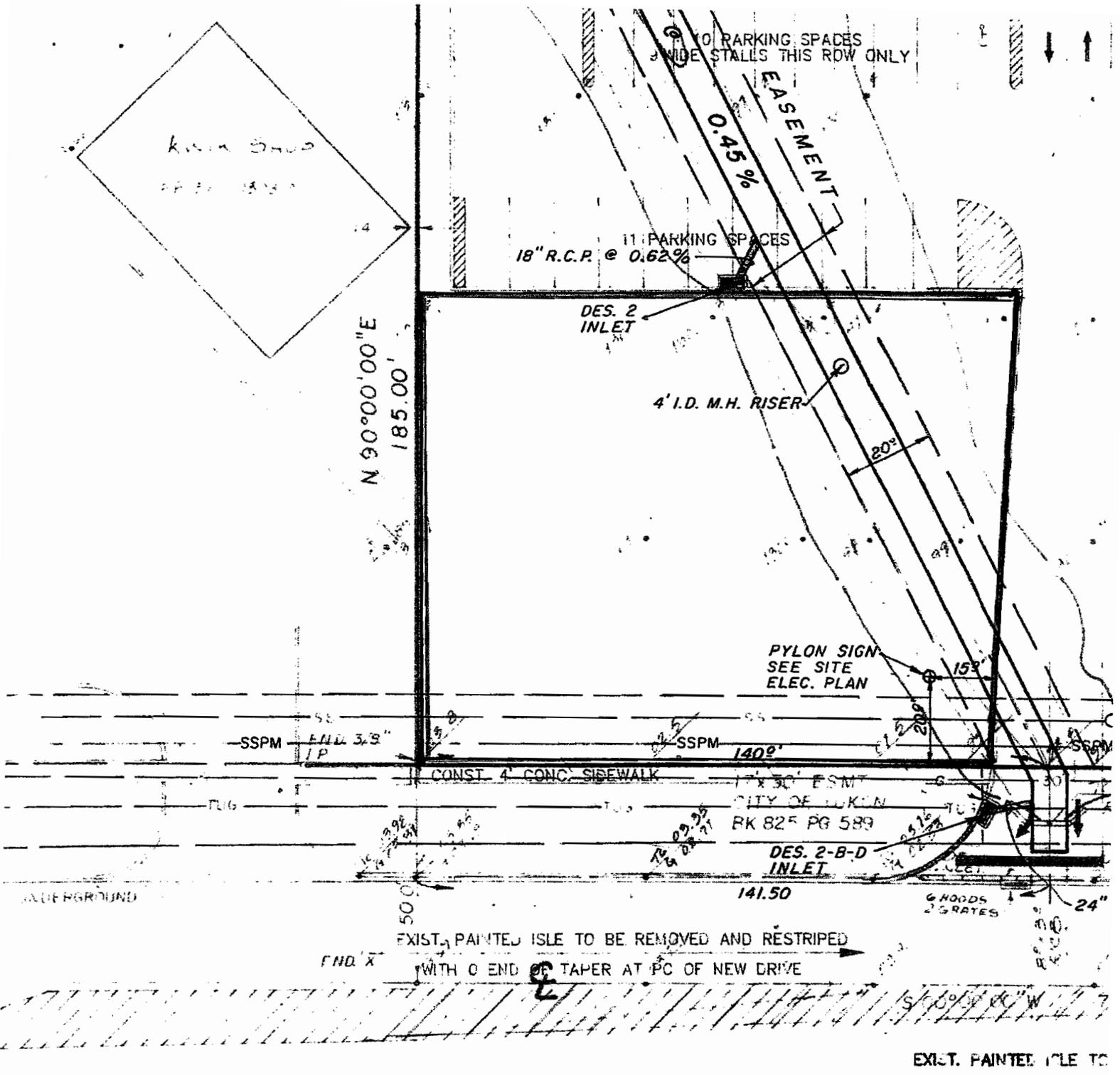
MEMORANDUM

DATE: January 29, 2015
TO: Yukon City Council
FROM: Grayson Bottom, City Manager
SUBJECT: Proposed sale of land to the Chamber of Commerce

Some time ago Mike Gears approached me concerning the possibility of the City selling a parcel of land to the Yukon Chamber of Commerce for the purpose of construction a new office. We came to the conclusion that the parcel of land just south of the intersection of Main St. and Yukon Parkway would be a suitable site. The site is on the east side of Yukon Parkway, north of the entrance road to the Dale Robertson Center/Mabel C. Fry Library, adjacent to the Circle K convenience store. It is the property where our new electronic sign is located.

After visiting with the other members of the site selection committee Mike presented me the attached contract for the purchase of the property. The \$48,195 price was based on \$3.50 per square foot that is representative of the most recent land sales in the area. I am providing this to you seeking your council on moving forward.

The only thing I can think of that the land could be used for in additional parking and we plan on providing that immediately to the west of the library.



SITE UTILITIES PL

SC

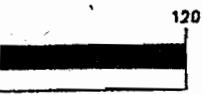


Exhibit 'A'
1/19/15

OKLAHOMA REAL ESTATE COMMISSION
This is a legally binding Contract; if not understood, seek advice from an attorney.
OKLAHOMA UNIFORM CONTRACT OF SALE OF REAL ESTATE
COMMERCIAL LAND

CONTRACT DOCUMENTS. The Contract is defined as this document with the following attachment(s):
 (check as applicable)

_____ Financing Supplement
 Exhibit A
 _____ Supplement

Parties. THE CONTRACT is entered into between:

YUKON MUNICIPAL AUTHORITY _____ "Seller," and
YUKON CHAMBER OF COMMERCE or assigns _____ "Buyer."

The Parties' signatures at the end of the Contract, which includes any attachments or documents incorporated by reference, with delivery to their respective Brokers, if applicable, will create a valid and binding Contract, which sets forth their complete understanding of the terms of the Contract. This agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, successors and permitted assigns. The Contract shall be executed by original signatures of the Parties or by signatures as reflected on separate identical Contract counterparts (carbon, photo, fax or other electronic copy). The Parties agree that as to all aspects of this transaction involving documents an electronic signature shall have the same force and effect as an original signature pursuant to the provisions of the Uniform Electronic Transactions Act, 12A, Oklahoma Statutes, Section 15-101 et seq. All prior verbal or written negotiations, representations and agreements are superseded by the Contract, which may only be modified or assigned by a further written agreement of Buyer and Seller.

The Parties agree that all notices and documents provided for in this contract shall be delivered to the Parties or their respective brokers, if applicable. Seller agrees to sell and convey by General Warranty Deed, and Buyer agrees to accept such deed and buy the Property described herein, on the following terms and conditions:

The Property shall consist of the following described real estate located in CANADIAN _____ County, Oklahoma.

1. LEGAL DESCRIPTION. a parcel of land 150' south of Rt 66 with 125' (mol) fronting on the east side of Yukon Parkway by a de
of 108' containing 13,770 sq ft (mol) as shown outlined in red on Exbhit A attached with rights to access and parking on and over
Seller adjacent property. Buyer shall grant an easement to the Seller on the 20.9' by 15.9' shown on shown on Exhibit A for right of
a sign and access to maintain the sign.

	Yukon	73099
Property Address	City	Zip

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or deed restrictions, utility easements serving the Property, **Including** all mineral rights owned by Seller, which may be subject to lease, unless expressly reserved by Seller in the Contract and **excluding** mineral rights previously reserved or conveyed of record (collectively referred to as "the Property")

2. PURCHASE PRICE, EARNEST MONEY AND SOURCE OF FUNDS. This is a CASH TRANSACTION unless a Financing Supplement is attached. The Purchase Price is \$48,195 payable by Buyer as follows: Buyer has paid \$1,000 as earnest money on execution of the Contract, and Buyer shall pay the balance of the purchase price and Buyer's Closing costs at Closing. Upon execution of the Contract, the earnest money shall be deposited in the trust account of Old Republic Title Company or if left blank, the Listing Broker's trust account, as part payment of the purchase price and/or closing costs.

3. CLOSING, FUNDING AND POSSESSION. The Closing process includes execution of documents, delivery of deed and receipt of funds by Seller and shall be completed on or before May 1, 2015, ("Closing Date") or not later than five (5) days thereafter caused by a delay of the Closing process, or such later date as may be necessary in the Title Evidence Paragraph. Possession shall be transferred upon conclusion of Closing process unless otherwise provided below:

In addition to costs and expenses otherwise required to be paid in accordance with terms of the Contract, Buyer shall pay Buyer's Closing fee, Buyer's recording fees, and all other expenses required from Buyer. Seller shall pay documentary stamps required, Seller's Closing fee, Seller's recording fees, if any, and all other expenses required from Seller. Funds required from Buyer and Seller at Closing shall be either cash, cashier's check or wire transfer.

4. TIME PERIODS SPECIFIED IN CONTRACT. Time periods for Investigations, Inspections and Reviews and Financing Supplement Agreement shall commence on _____ (**Time Reference Date**), regardless of the date the Contract is signed by Buyer and Seller. The day after the **Time Reference Date** shall be counted as day one (1). If left blank, the **Time Reference Date** shall be the third day after the last date of signatures of the Parties.

5. INVESTIGATIONS, INSPECTIONS AND REVIEWS.

- A.** The Buyer agrees and acknowledges that Seller, Seller's Broker(s) and their associated licensees, are not experts regarding the condition of the Property. No representations, warranties, or guarantees regarding the condition of the Property, or environmental hazards, are expressed or implied except as may be specified by Seller in the additional provisions under Paragraph 11.
- B.** Buyer shall have _____ days (ten [10] days if left blank) after the **Time Reference Date** to complete any investigations, inspections, and reviews. If required by ordinance, Seller shall deliver to Buyer, in care of Buyer's Broker, if applicable, within five (5) days after the **Time Reference Date** any written notices affecting the Property.
- C.** Buyer, at Buyer's expense, shall have the right to enter upon the Property, together with Buyer's representative, independent contractors and/or any other person Buyer deems qualified, to conduct any and all investigations, inspections, tests, studies and reviews. Excepting only the negligence of Seller or a condition caused or permitted by Seller, Buyer shall indemnify, protect, defend and hold Seller harmless from and against any and all claims, demands, losses, liabilities, costs, fees and expenses (including attorney's and consultant's fees) arising out of or related to Buyer's entry onto the Property in connection with any testing or investigation performed pursuant to this Contract. Buyer's investigations, inspections and reviews may include, but may not be limited to, the following:
- 1) Flood, Storm Water Run-off, Storm Sewer Back-up or Water History**
 - 2) Environmental Risks.** Including, but not limited to soil, air, water, hydrocarbon, chemical, carbon, asbestos, mold, radon gas and lead-based paint
 - 3) Use of Property.** Property use restrictions, building restrictions, easements, restrictive covenants, zoning ordinances and regulations
 - 4) Square Footage/Acreage.** Buyer shall not rely on any quoted square footage and/or acreage and shall have the right to measure the Property.
- D. BUYER'S RIGHT TO CANCEL.** If, upon Buyer's investigation, inspections and reviews, the Buyer determines that the Property is not suitable for Buyer's intended use, the Buyer may cancel and terminate this Contract and receive a refund of the earnest money by delivering written notice to the Seller, in care of Seller's Broker, if applicable, as provided in Paragraph 17 within twenty-four (24) hours of the expiration of the time period specified in this provision.

6. RISK OF LOSS. Until transfer of Title or transfer of possession, risk of loss to the Property, ordinary wear and tear excepted, shall be upon Seller; after transfer of Title or transfer of possession, risk of loss shall be upon Buyer. (Parties are advised to address insurance coverage regarding transfer of possession prior to Closing.)

7. NON-FOREIGN SELLER. Seller represents that at the time of acceptance of this contract and at the time of Closing, Seller is not a "foreign person" as such term is defined in the Foreign Investments in Real Property Tax Act of 1980 (26 USC Section 1445(f) et. Sec) ("FIRPTA"). If either the sales price of the property exceeds \$300,000.00 or the buyer does not intend to use the property as a primary residence then, at the Closing, and as a condition thereto, Seller shall furnish to Buyer an affidavit, in a form and substance acceptable to Buyer, signed under penalty of perjury containing Seller's United States Social Security and/or taxpayer identification numbers and a declaration to the effect that Seller is not a foreign person within the meaning of Section "FIRPTA."

8. ACCEPTANCE OF PROPERTY. Buyer, upon accepting Title or transfer of possession of the Property, shall be deemed to have accepted the Property in its then condition. No warranties, expressed or implied, by Sellers, or Seller's Broker and/or their associated licensees, with reference to the condition of the Property, shall be deemed to survive the Closing.

9. TITLE EVIDENCE. Seller shall furnish Buyer title evidence covering the Property. Such title evidence shall be in the form of:

(check one or both)

- SURFACE RIGHTS ABSTRACT (A below)**
 TITLE INSURANCE COMMITMENT AND SURVEY (B below)

A. SURFACE RIGHTS ABSTRACT

- 1) Seller, at Seller's expense, within thirty (30) days prior to Closing Date, agrees to make available to Buyer the following (collectively referred to as "the Title Evidence"):
 - a) A complete surface-rights-only Abstract of Title, last certified to a date subsequent to the **Time Reference Date**, by an Oklahoma licensed and bonded abstract company; and
 - b) A current Uniform Commercial Code Search Certificate

- 2) LAND OR BOUNDARY SURVEY. Seller agrees that Buyer, at (check one) Buyer's Seller's expense, may have a licensed surveyor enter upon the Property to perform a Land or Boundary (Pin Stake) Survey that shall then be considered as part of the Title Evidence.
- 3) BUYER TO EXAMINE TITLE EVIDENCE.
- a) Buyer shall have ten (10) days after receipt to examine the Title Evidence and to deliver Buyer's objections to Title to Seller or Seller's Broker, if applicable. In the event the Title Evidence is not made available to Buyer within ten (10) days prior to Closing Date, said Closing Date shall be extended to allow Buyer the ten (10) days from receipt to examine the Title Evidence.
- b) Buyer agrees to accept Title subject to: (i) utility easements serving the Property, (ii) building and use restrictions of record, (iii) set back and building lines, (iv) zoning regulations, and (v) reserved and severed mineral rights, which shall not be considered objections for requirements of Title.
- 4) SELLER TO CORRECT ISSUES WITH TITLE (IF APPLICABLE); POSSIBLE CLOSING DELAY. Upon receipt by Seller, or in care of Seller's Broker, if applicable, of any Title requirements reflected in an Attorney's Title Opinion or Title Insurance Commitment, based upon the standard of marketable title set out in the Title Examination Standards of the Oklahoma Bar Association, the Parties agree to the following:
- a) Seller, at Seller's expense, shall make reasonable efforts to obtain and/or execute all documents necessary to cure Title requirements identified by Buyer; and
- b) Delay Closing Date for _____ days [thirty (30) days if left blank], or a longer period as may be agreed upon in writing, to allow Seller to cure Buyer's Title requirements. In the event Seller cures Buyer's objection prior to the delayed Closing Date, Buyer and Seller agree to close within five (5) days of notice of such cure. In the event that Title requirements are not cured within the time specified in this Paragraph, the Buyer may cancel the Contract and receive a refund of the earnest money.

B. TITLE INSURANCE COMMITMENT AND SURVEY

- 1) Seller, at Buyer's Seller's expense (check one), (including the cost of pre-closing abstracting and Title examiner's report) within 30 days after after final execution hereof _____ shall furnish Buyer a Commitment for title insurance from a title insurance company acceptable to Buyer (the "Title Commitment"). The Title Commitment covering the Property shall be addressed to the Buyer and bind the title company to issue to Buyer, at closing, an American Land Title Association (ALTA) standard form Owner's Policy of Title Insurance (the "Title Policy"), in the amount of the purchase price. The Title Commitment shall set forth the status of the Title to the Property, showing and having attached copies of all liens, claims, encumbrances, easements, rights-of-way, encroachments, reservations, restrictions and any other matters affecting the Property.
- 2) Seller, at Buyer's Seller's expense (check one), within 21 days after final execution hereof _____, shall furnish Buyer five (5) copies of a survey of the Property, prepared by a licensed surveyor, dated or updated no more than six (6) months prior to the **Time Reference Date** (the "Survey"). The Survey shall show:
- a) The boundary lines, dimensions and area of the land indicated thereon,
- b) The location of all fences, buildings, driveways, monuments, and other improvements located within the boundary lines,
- c) The location of all setback lines,
- d) The location of all easements, alleys, streets, roads, rights-of-way, and other matters of record affecting such land, together with the instrument, book and page number indicated,
- e) If the Property is un-platted, a metes and bounds description of the Property,
- f) The scale, the North direction, the beginning point, distance to the nearest intersecting street, and point of reference from which the Property is measured, and
- g) If the Property is located in (i) a floodway, (ii) a 100-year flood plain, (iii) a "flood prone area," as defined by the United States Department of Housing and Urban Development (HUD), pursuant to the U.S. Flood Disaster Protection Act of 1973, as amended, or (iv) an area classified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, reflected by Flood Insurance Rate Map covering the area in which the Property is situated; and shall identify the portion of the Property located in such floodway, 100-year flood plain, flood prone area, or flood hazard area. Such Survey shall be in a form sufficient to permit the Title Company issuing the Title Policy to remove printed survey exception from the policy.
- 3) The legal description of the Property contained in the Survey, if different from the description contained in this Contract, once approved by Buyer and Seller, shall be substituted for the description of the Property and the Contract shall be deemed amended by the substitution of the legal description of the Property contained in the Survey without the necessity of the Parties executing any further amendment to the Contract.

- 4) Buyer shall have ten (10) days from the receipt of both the Commitment for Title Insurance and the Survey referred to above to examine the same and specify to Seller, in care of Seller's Broker, if applicable, in writing, those matters which Buyer finds objectionable. No matter in the Title Commitment shall be construed as a valid objection to title under this Contract unless it is so construed under the Title Examination Standards of the Oklahoma Bar Association, where applicable. In case of valid objections to the title in the Title Commitment, Seller shall have thirty (30) days, or such additional time as may be agreed to, in writing, by Seller and Buyer, to make reasonable efforts to cure or remove such objections. If Buyer, or Buyer's Broker, if applicable, does not deliver to Seller, in care of Seller's Broker, if applicable, a written notice specifying those items to which Buyer objects within ten (10) days after the receipt by Buyer of the information referred to above, then all of the items reflected in the Title Commitment and Survey shall be considered to be acceptable to Buyer. If such valid objections cannot be satisfied within the time stipulated in this Paragraph, the earnest money shall be refunded to the Buyer, Buyer shall return the abstract to Seller, and this Contract shall be of no further force and effect.
- 5) On the date of closing of this transaction, as provided in the Contract, Seller shall furnish to Buyer a copy of the Title Commitment, fully marked and initialed by the title company issuing the Owner's Title Policy, which marked Title Commitment, shall reflect the exceptions and provisions to be contained in the Owner's Title policy upon issuance thereof. The Title Commitment shall commit to issue to Buyer an owner's policy of title insurance, covering all of the Property, in the sum of the purchase price, and written on an American Land Title Association (ALTA) Owner's Policy form or its equivalent, and, except for the objections Buyer has agreed to waive showing only the standard printed exceptions and exclusions contained in the said ALTA form of Owner's Title Policy. The premium charged by the Title Company and post closing abstracting expense of providing such Title Policy shall be borne by:
(check one) Buyer Seller
- 6) The Title Commitment shall permit deletion of the Survey exceptions, at Buyer's sole cost and expense. Additional extended coverage, including waiver of the standard exceptions and an ALTA standard zoning endorsement, which reflects the zoning classification of the Property, shall also be provided by Seller, at Buyer's request, and costs for such extended coverage in excess of the base policy premium shall be reimbursed to Seller by Buyer at closing.
- 7) Seller shall make reasonable efforts, at Seller's sole cost and expense, to cure or remove objections identified in the Survey. If Seller fails to cause all of the objections to be removed or cured prior to the closing date, or if Seller, or Seller's Broker, if applicable, notifies Buyer, in care of Buyer's Broker, if applicable, of Seller's decision not to cure or remove some, or all, of the objections, Buyer's sole remedy shall be to:
- Terminate this Contract by giving Seller, in care of Seller's Broker, if applicable, written notice thereof, which notice must be given within five (5) days after Seller, or Seller's Broker, if applicable, notifies Buyer, in care of Buyer's Broker, if applicable, of Seller's decision not to cure or remove the objections; in which event, the earnest money, together with all interest earned thereon, shall be returned to the Buyer, and neither Party shall have any further rights, duties, or obligations hereunder; or
 - Elect to purchase the Property subject to the Buyer's objections not so removed or cured; in which event, the objections not removed or cured shall be deemed acceptable to Buyer.
- 8) Notwithstanding anything to the contrary contained in this Contract, in the event the transaction contemplated by this Contract does not close for any reason except Seller's failure to cure or remove a title objection described in the Survey or wrongful refusal to close, **Buyer shall be responsible for the payment of the cost of the Survey.** Upon closing, any existing Abstract(s) of Title, owned by Seller, shall become the property of Buyer.

10. TAXES, ASSESSMENTS AND PRORATIONS.

- General ad valorem taxes for the current calendar year shall be prorated through the date of closing, if certified. However, if the amount of such taxes has not been fixed, the proration shall be based upon the rate of levy for the previous calendar year and the most current assessed value available at the time of Closing.
- The following items shall be paid by Seller at Closing: (i) Documentary Stamps; (ii) all utility bills, actual or estimated; (iii) all taxes other than general ad valorem taxes which are or may become a lien against the Property; and (iv) any labor, materials, or other expenses related to the Property, incurred prior to Closing which is or may become a lien against the Property.
- At Closing all leases, if any, shall be assigned to Buyer and security deposits, if any, shall be transferred to Buyer. Prepaid rent and lease payments shall be prorated through the date of Closing.
- If applicable, membership and meters in utility districts to include, but not limited to, water, sewer, ambulance, fire, garbage, shall be transferred at no cost to Buyer at Closing.
- If the property is subject to a mandatory Homeowner's Association, dues and assessments, if any, based on most recent assessment, shall be prorated through the date of Closing.
- All governmental and municipal special assessments against the property (matured or not matured), not to include Homeowner's Association special assessments, whether or not payable in installments, shall be paid in full by Seller at Closing.

11. ADDITIONAL PROVISIONS.

The purchase of this property is subject to approval of the Yukon City Counsel and Board of Directors of the Yukon Chamber of Commerce. The price of the property is subject to appraisal of the property by a board certified appraiser. The appraisal shall be ordered and paid for the Seller. The Buyer shall, at closing, shall reimburse Seller 50% of the cost of the appraisal. The price of e the property shall be adjusted to the amount of the appraisal.

12. TAX DEFERRED EXCHANGE 1031. In conformance with Section 1031 of the Internal Revenue Code, it may be the intention of the Seller or Buyer or both to effect a tax-deferred exchange. Either the Seller or Buyer or both may assign his/her rights in the contract to a Qualified Intermediary for the purpose of effecting a tax-deferred exchange. The Parties agree to cooperate and execute the necessary documents to allow either or both Parties to effect such exchange at no additional cost or liability to the other Party. However, any warranties that may be expressed in this contract shall remain and be enforceable between the Parties executing this document.

13. MEDIATION. Any dispute arising with respect to the Contract shall first be submitted to a dispute resolution mediation system servicing the area in which the Property is located. Any settlement agreement shall be binding. In the event an agreement is not reached, the Parties may pursue legal remedies as provided by the Contract.

14. BREACH AND FAILURE TO CLOSE.

A. UPON BREACH BY SELLER. If the Buyer performs all of the obligations of Buyer, and if, within five (5) days after the date specified for Closing under Paragraph 3, Seller fails to convey the Title or fails to perform any other obligations of the Seller under this Contract, then Buyer shall be entitled to either cancel and terminate this Contract, return the abstract to Seller and receive a refund of the earnest money, or pursue any other remedy available at law or in equity, including specific performance.

B. UPON BREACH BY BUYER. If, after the Seller has performed Seller's obligation under this Contract, and if, within five (5) days after the date specified for Closing under Paragraph 3, the Buyer fails to provide funding, or to perform any other obligations of the Buyer under this Contract, then the Seller may, at Seller's option, cancel and terminate this Contract and retain all sums paid by the Buyer, but not to exceed 5% of the purchase price as liquidated damages, or pursue any other remedy available at law or in equity, including specific performance.

15. INCURRED EXPENSES AND RELEASE OF EARNEST MONEY.

A. INCURRED EXPENSES. Buyer and Seller agree that any expenses, incurred on their behalf, shall be paid by the Party incurring such expenses and shall not be paid from earnest money.

B. RELEASE OF EARNEST MONEY. In the event a dispute arises prior to the release of earnest money held in escrow, the escrow holder shall retain said earnest money until one of the following occur:

- 1) A written release is executed by Buyer and Seller agreeing to its disbursement;
- 2) Agreement of disbursement is reached through Mediation;
- 3) Interpleader or legal action is filed, at which time the earnest money shall be deposited with the Court Clerk; or
- 4) The passage of thirty (30) days from the date of final termination of the Contract has occurred and options 1), 2) or 3) above has not been exercised; Broker escrow holder, at Broker's discretion, may disburse earnest money. Such disbursement may be made only after fifteen (15) days written notice to Buyer and Seller at their last known address stating the escrow holder's proposed disbursement.

16. DELIVERY OF ACCEPTANCE OF OFFER OR COUNTEROFFER. The Buyer and Seller authorize their respective Brokers, if applicable, to receive delivery of an accepted offer or counteroffer.

17. NOTICE. Any notice provided for herein shall be given in writing, sent by (a) personal delivery, (b) United States mail, postage prepaid, or (c) by facsimile, to the Escrow Agent, with copies to the other Parties, addressed as follows:

To Escrow/Closing Agent:

Old Republic Title Company, 4040 N. Tulsa, Oklahoma City, OK 73112
c/o Barbara Chatman

Phone: 405-942-4848

Buyers:
YUKON CHAMBER OF COMMERCE

c/o Tina Atkins, President
510 Elm
Yukon, Ok73099

Phone: 405-354-3567

FAX: 405-354-0724

Email: chamber@yukoncc.com

or such other address as shall hereafter be designated in writing.

FAX: 405-949-0597

Sellers:
YUKON MUNISPAL AUTHORITY

c/o Grayson Bottom, City Manager
500 W. Main
Yukon, OK 73099

Phone: 405-350-3939

FAX: 405-350-8926

Email: gbottom@cityofyukonok.gov

Property Address _____

18. BROKER RELATIONSHIP DISCLOSURE/COMMISSION. Parties acknowledge and confirm that Broker(s) providing brokerage services to the Parties have described and disclosed their duties and responsibilities to the Parties prior to the Parties signing this Contract.

(Applicable for in-house transactions only) Parties acknowledge and confirm that the broker is providing brokerage services to both Parties to the transaction prior to the Parties signing this Contract. Parties further acknowledge receipt of Estimate of Costs associated with this transaction and that a Contract Information Booklet has been made available to the Parties in print, or at www.orec.ok.gov.

Seller acknowledges and confirms that the Broker providing brokerage services to the seller has described and disclosed their duties and responsibilities to the seller prior to the seller signing this Contract.

It is further acknowledged and agreed by the Parties that the Buyer Seller (check one) will pay the Listing Broker a commission equal to 6 of the purchase price at Closing for services rendered in this real estate transaction.

19. EXECUTION BY Parties.

AGREED TO BY BUYER:

On this Date: _____
Buyer's Name (Print) Tina Adkins
Buyer's Signature _____
Buyer's Name (Print) _____
Buyer's Signature _____

AGREED TO BY SELLER:

On this Date: _____
Seller's Name (Print) ~~Grayson Bottom~~ City of Yukon
Seller's Signature _____
Seller's Name (Print) _____
Seller's Signature _____

TERMINATION OF OFFER. The above Offer shall automatically terminate on February 15, 2015 at 5:00 p.m., unless withdrawn prior to acceptance or termination.

OFFER REJECTED AND SELLER IS NOT MAKING A COUNTEROFFER _____, 20_____
Seller's Signature _____ Seller's Signature _____

EARNEST MONEY RECEIPT AND INSTRUCTIONS

Receipt of \$ 1,000 Check Cash as earnest money deposit, to be deposited in accordance with the terms and conditions of PURCHASE PRICE, EARNEST MONEY AND SOURCE OF FUNDS Paragraph. Broker(s) acknowledges receipt of earnest money and Listing Broker, if applicable, shall deposit said funds in accordance with Paragraph 2 of this Contract. If deposited in an escrow account other than the Listing Broker, the Listing Broker, if applicable, shall provide a copy of receipt to the Selling Broker.

Date: _____

Date: _____

Selling Broker/Associate Signature

Michael J Geers

Selling Broker/Associate (PRINT NAME)

GEERS REAL ESTATE

Company Name

613 Yukon Ave, Yukon, OK 73099

Address

405-641-4051

Phone

Listing Broker/Associate Signature

Michael J Geers

Listing Broker/Associate (PRINT NAME)

GEERS REAL ESTATE

Company Name

613 Yukon Ave, Yukon, OK 73099

Address

405-641-4051

Phone

**Yukon City Council Minutes
March 3, 2015**

The Yukon City Council met in regular session March 3, 2015 at 7:00 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Pastor Ron Rasmussen, Christ's Church of Yukon. The flag salute was given in unison.

ROLL CALL: (Present) Michael McEachern, Vice Mayor
 John Alberts, Council Member
 Richard Russell, Council Member
 Donna Yanda, Council Member

(Absent) Ken Smith, Mayor

OTHERS PRESENT:

Grayson Bottom, City Manager	Doug Shivers, City Clerk
Tammy Despain, Assistant City Manager	Robbie Williams, City Engineer
Arnold Adams, Public Works Director	John Corn, Police Chief
Gary Cooper, Information Technology Dir.	Dana Deckard, Admin. Coordinator
Mitchell Hort, Development Services Dir.	Jerome Brown, Information Technology
Jenna Roberson, Public Info. Officer	Jan Scott, Parks and Recreation Dir.
Jl Johnson, Treasurer	Bill Stover, Sanitation Director
Candy Schwarz, Court Clerk	

Presentations and Proclamations

There were no Presentations and Proclamations.

Visitors

There were no Visitors.

(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority)

1A. YMA Consent Docket

This item is placed on the agenda so the Yukon Municipal Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Authority Members, that item will be heard in regular order.

The City Manager recommends a motion to approve:

- A) The minutes of the regular meeting of February 17, 2015**
- B) Payment of material claims in the amount of \$71,979.07**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of February 17, 2015; and payment of material claims in the amount of \$71,797.07, was made by Trustee Yanda and seconded by Trustee Russell.

The vote:

AYES: Alberts, McEachern, Russell, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

(Adjourn as YMA and Reconvene as Yukon City Council)

1. Consent Docket

This item is placed on the agenda so the City Council, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Council Members, that item will be heard in regular order.

The City Manager recommends a motion that will approve:

- A) The minutes of the regular meeting of February 17, 2015**
- B) Payment of material claims in the amount of \$565,288.53**
- C) An agreement with the Yukon Horseshoe Club for use of Yukon City Park horseshoe courts from February 18, 2015 to October 30, 2015**
- D) An agreement with the Yukon Christian Athletic Association for use of Hilcrest Park Softball field from February 18, 2015 through September 1, 2015**
- E) An agreement with Yukon BMX to use Taylor Park BMX track from date of execution through December 31, 2015**
- F) An agreement with the Oklahoma Nitro Club to use Taylor Park Nitro track from February 18, 2015 through December 31, 2015**
- G) An agreement with the United Softball Association of Yukon for use of Sunrise Park Softball fields from February 18, 2015 to October 30, 2015**
- H) An agreement with the Yukon Optimist Sports Club for use of City Park baseball fields from February 18, 2015 to July 2, 2015**
- I) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- J) Setting the date for the next regular Council meeting for March 17, 2015, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.**

The motion to approve the Consent Docket, consisting of the approval of The minutes of the regular meeting of February 17, 2015; Payment of material claims in the amount of \$565,288.53; An agreement with the Yukon Horseshoe Club for use of Yukon City Park horseshoe courts from February 18, 2015 to October 30, 2015; An agreement with the Yukon Christian Athletic Association for use of Hilcrest Park Softball field from February 18, 2015 through September 1, 2015; An agreement with Yukon BMX to use Taylor Park BMX track from date of execution through December 31, 2015; An agreement with the Oklahoma Nitro Club to use Taylor Park Nitro track from February 18, 2015 through December 31, 2015; An agreement with the United Softball Association of Yukon for use of Sunrise Park Softball fields from February 18, 2015 to October 30, 2015; An agreement with the Yukon Optimist Sports Club for use of City Park baseball fields from February 18, 2015 to July 2, 2015; Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; Setting the date for the next regular Council meeting for March 17, 2015, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Alberts and seconded by Council Member Yanda.

The vote:

AYES: Russell, Alberts, Yanda, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials –

Final report concerning the 2015A and 2015B refunding revenue notes by Chris Gander.

Chris Gander, BOSCO, Bill Strecker and John Williams were present to report on the 2015A and 2015B revenue notes. Mr. Gander provided a handout out of the debt summary. He stated we had planned to come back February 10 with rates. When we came back on February 10, we asked for a parameter on the interest rate for the second note. Today we can report the 2015A is locked in at 2.19% and 2015B at

1.6%. The combined Net Interest Cost is 2.005%. The actual Debt Services are \$2,295,279.20. The Estimated Gross Savings is \$3,110,128.10. We were very happy and will close on one this week and one next month.

Council McEachern thanked Mr. Gander.

3. **Consider approving Resolution No. 2015-03, a Resolution authorizing the submission of an Economic Development Technical Assistance Grant, to the US Department of Commerce, for the purpose of performing a comprehensive property assessment of approximately 3,000 acres of land located along the I-40 transportation corridor between Frisco Road and Banner Road**

The motion to approve Resolution No. 2015-03, a Resolution authorizing the submission of an Economic Development Technical Assistance Grant, to the US Department of Commerce, for the purpose of performing a comprehensive property assessment of approximately 3,000 acres of land located along the I-40 transportation corridor between Frisco Road and Banner Road, was made by Council Member Russell and seconded by Council Member Alberts.

The vote:

AYES: McEachern, Yanda, Alberts, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. **Consider approving a First Amendment to the Engagement Agreement with Public Facilities Investment Corporation, LLC, to include the Site Selection, Design Services, Development and Financing of a new City Hall for the City of Yukon (furniture, fixtures and equipment may be included), as recommended by the City Manager**

The motion to approve a First Amendment to the Engagement Agreement with Public Facilities Investment Corporation, LLC, to include the Site Selection, Design Services, Development and Financing of a new City Hall for the City of Yukon (furniture, fixtures and equipment may be included), as recommended by the City Manager, was made by Council Member Yanda and seconded by Council Member Alberts.

The vote:

AYES: Yanda, Russell, McEachern, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. **Consider authorizing an expenditure of funds, for the amount of \$58,219.00, for the purchase of a 25' Glavel passenger bus with CNG prep package for the Dale Robertson Center, to be paid from the Capital Improvement Fund, as recommended by the Parks and Recreation Director**

The motion to authorize an expenditure of funds, for the amount of \$58,219.00, for the purchase of a 25' Glavel passenger bus with CNG prep package for the Dale Robertson Center, to be paid from the Capital Improvement Fund, as recommended by the Parks and Recreation Director, was made by Council Member Alberts and seconded by Council Member Russell.

The vote:**AYES: Alberts, Yanda, Russell, McEachern****NAYS: None****VOTE: 4-0****MOTION CARRIED****6. Consider acknowledging the award of a Tobacco Settlement Endowment Trust (TSET) Healthy Communities Incentive Grant 2014, in the amount of \$92,000.00**

The motion to acknowledge the award of a Tobacco Settlement Endowment Trust (TSET) Healthy Communities Incentive Grant 2014, in the amount of \$92,000.00, was made by Council Member Alberts and seconded by Council Member Yanda.

The vote:**AYES: Russell, McEachern, Yanda, Alberts****NAYS: None****VOTE: 4-0****MOTION CARRIED****7. City Manager's Report – Information items only****A. Events Report****B. Annexation Report**

This Saturday is Trout Fish Out from 10am to 1pm at the Dale Robertson Center pond. It is free. March 26, Thursday, is the Taste of Yukon. There will be over 20 restaurants. Admission is \$10 in advance, \$12 day of and Children are \$5. April 10-18, Yukon will host the Senior Games. As far as we know, we are the only community in Oklahoma that offers this for a week. March 18, United States Air Force Academy Band will be performing at 7:30pm at the Fine Arts Auditorium and it is free.

We have had our first meeting in Oklahoma City for the proposed property de-annexation for the Sports Complex. Mike Segler, Mitchell Hort and Larry Mitchell represented us at that meeting. Oklahoma City had three Council Members, City Manager, Public Works Director, Parks and Recreation Director and many others in attendance. This is one of the largest de-annexations ever considered by the OKC Council. The final work in advance of the formal submission will be completed by the City Attorneys and City Managers. The Staff report made a strong case for de-annexation. It will take several weeks to complete, but making progress.

Mr. Bottom thanked Bill, John and Chris for their work on refunding. It was quite remarkable. Forward thinking of citizens making General Fund Reserve has paid dividends. It has been a great tool and created sound finances for our City. This has been evident per our last audit reports and being able to obtain low rates.

Council Member McEachern stated it is also important to recognize Grayson and the staff for the work they do. It has been a win-win.

8. New Business - None**9. Council Discussion**

Council Member Yanda thanked all those who worked on the bond efforts.

Council Member Alberts echoed the sentiments. It was a great decision. It is nice to see our community improve. It's a great place and the community benefits. We are

in an excellent position. He also thanked Ken and Earline for running. What a great place to live.

Council Member Russell thanked all involved in bonds.

Council McEachern also thanked everyone. He stated the Senior Games is a special event. Yukon is a special place.

10. Adjournment

Ken Smith, Mayor

Doug Shivers, City Clerk



RECAP OF CLAIMS

FUND #			
01	General Fund Claims	\$	165,618.40
36	Sales Tax Claims		122,298.94
64	Special Revenue Fund		13,489.98
70	Water & Sewer Enterprise		120,099.97
71	Sanitation Enterprise		7,739.69
73	Storm Water Enterprise		1,297.24
			<u>1,297.24</u>
		\$	<u><u>430,544.22</u></u>

The above foregoing claims have been passed and approved
this 17th day of March 2015 by the Yukon City Council.

Doug Shivers, City Clerk

Ken Smith, Mayor

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 101 LEGISLATIVE						
15-61290	01-00102	City of Yukon (BankOne)FIN	Study Session dinner	2/2015	Logans 02/03/15	241.82
15-61291	01-00102	City of Yukon (BankOne)FIN	copy paper	2/2015	Staples 7131828022	148.47
15-61273	01-05350	Canadian Cty Election Brd	3/3/15 Election-bal due	3/2015	03/03/15	3,730.94
15-61058	01-32690	Moisant & Company, Inc.	Yukon Bags	2/2015	21575012	897.65
15-61276	01-44300	RSMeacham CPAs & Advisors	Professional Srvcs	2/2015	9700	2,000.00
15-61281	01-50700	Triad Design Group	A/E Srvcs-02/25/15	3/2015	9197	1,641.17
15-61282	01-50700	Triad Design Group	A/E Srvcs-02/25/15	3/2015	9204	1,134.04
15-61286	01-62200	Yukon Chamber of Commerce	Contract Srvcs-MR15	3/2015	9833 A	1,500.00
15-61287	01-62900	Yukon Review Inc.	display ad-Don'tTextDrive	2/2015	YR84957	1,512.00
DEPARTMENT TOTAL:						12,806.09
DEPARTMENT: 102 ADMINISTRATION						
15-60775	01-41440	ProStar Service-Oklahoma	Coffee Service-City Hall	3/2015	137669	19.03
DEPARTMENT TOTAL:						19.03
DEPARTMENT: 103 INSURANCE						
15-61284	01-57600	Wesco, Inc.	Auto Pkg renewal-4Q	4/2015	190990	61,662.00
			Prop Pkg renewal 4Q	4/2015	190989	29,279.00
DEPARTMENT TOTAL:						90,941.00
DEPARTMENT: 104 FINANCE						
15-61291	01-00102	City of Yukon (BankOne)FIN	office supplies	2/2015	Staples 7131828022	14.49
DEPARTMENT TOTAL:						14.49
DEPARTMENT: 105 CITY CLERK						
			office supplie	2/2015	Staples 7131828022	14.48
DEPARTMENT TOTAL:						14.48
DEPARTMENT: 106 FIRE DEPARTMENT						
15-59892	01-00105	City of Yukon (BankOne)FD	Southard - belt,fleece	1/2015	SpecialOps 226181	19.99
15-60596	01-00105	City of Yukon (BankOne)FD	Lodging, meals, fuel	2/2015	AppleBin 2-25-15	12.20
			Lodging, meals, fuel	2/2015	CattleRust 2-25-15	27.74
			Lodging, meals, fuel	2/2015	AppleBin 02-26-15	11.80
			Lodging, meals, fuel	2/2015	LakeMurray 2-26-15	120.00
15-60765	01-00105	City of Yukon (BankOne)FD	Jones-clothing allowance	8/2014	SpecialOps 228041	379.91
			Jones-clothing allowance	2/2015	Oakley 138136590	109.92
			Jones-clothing allowance	2/2015	Oakley 138136590	90.00
15-60782	01-00105	City of Yukon (BankOne)FD	meal for Blue Card	2/2015	Homeland 02-19-15	13.46
			meal for Blue Card	2/2015	Homeland 02-20-15	52.99
			meal for Blue Card	2/2015	Walmart 05996	92.76
			meal for Blue Card	2/2015	Walmart 05992	8.92
			meal for Blue Card	2/2015	Braums 02-19-15	13.06
15-60914	01-00105	City of Yukon (BankOne)FD	Ellington-boot,flashlight	2/2015	Casco 152642	182.00

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 106 FIRE DEPARTMENT						
15-60916	01-00105	City of Yukon (BankOne)FD	Gallegos-polo, tshirts	2/2015	S&STextiles 39460	135.56
15-60936	01-00105	City of Yukon (BankOne)FD	Provence-polo,tshirts	2/2015	S&STextiles 39459	231.00
15-60937	01-00105	City of Yukon (BankOne)FD	Provence-socks,flashlight	2/2015	Amazon 02-19-15	89.98
15-61063	01-00105	City of Yukon (BankOne)FD	St 2 garage door broke	2/2015	Garage 6881	605.00
15-61065	01-00105	City of Yukon (BankOne)FD	Andrews-flashlight	2/2015	Galls 3735120-1	113.94
15-61097	01-00105	City of Yukon (BankOne)FD	Mayhew-bag	3/2015	Oakley 138257614	112.82
15-61148	01-00105	City of Yukon (BankOne)FD	Provence - socks,rescue	3/2015	Galls 3758105-1	109.94
15-61150	01-00105	City of Yukon (BankOne)FD	donuts for Fire Instructo	3/2015	MillerDon 3-3-15	13.87
15-60504	01-05395	Casco Industries, Inc.	Trumbly - nomex pants	1/2015	151522	282.00
15-61171	01-41440	ProStar Service-Oklahoma	coffee service	3/2015	137672	114.97
15-60856	01-46940	Sam's Club Direct-G.E.Capit	Storage rack	3/2015	3558208128	423.30
15-61081	01-47660	Shred-it USA LLC	Document Destruction	2/2015	9405005346	9.10
15-61066	01-48410	Special Ops Uniforms, Inc	Ellington-boots	8/2014	219528	104.99
			Ellington-boots	9/2014	221536	295.94
			Ellington-boots	10/2014	222712	129.99
			return boots	10/2014	221747	94.99-
			Ellington-boots	2/2015	228337	39.96
15-60935	01-90503	EOC Technology Center	EMT CPR Cards	2/2015	20150114	60.00
DEPARTMENT TOTAL:						3,912.12
DEPARTMENT: 107 POLICE DEPARTMENT						
15-61085	01-00111	City of Yukon (BankOne)PD	lunch for investigators	2/2015	McDonalds 02-25-15	35.14
15-61241	01-36720	OK Dept of Public Safety	OLETS user fee-Feb15	3/2015	04-1506522	350.00
15-60649	01-44400	Red Earth Environmental, Inc	Inbio box removal	2/2015	6713	98.00
15-60346	01-48410	Special Ops Uniforms, Inc	Rushing baton	2/2015	228662	137.99
15-60935	01-90503	EOC Technology Center	EMT CPR Cards	2/2015	20150114	100.00
15-61243	01-91401	NATW	annual renewal	3/2015	OK222A	35.00
15-61165	01-92303	Walgreen Company	prisoner medication	2/2015	100193813	17.99
DEPARTMENT TOTAL:						774.12
DEPARTMENT: 108 STREET DEPARTMENT						
15-57903	01-00180	City of Yukon (BankOne)PW	emulsion for patcher	3/2015	VanceBros 075524	586.50
15-60439	01-00180	City of Yukon (BankOne)PW	led bulbs	2/2015	Gades 0065695-IN	535.50
			single brackets	2/2015	Gades 0065695-IN	137.00
15-60849	01-00180	City of Yukon (BankOne)PW	6" - 8" rock	3/2015	ZumMallen 1949	3,025.00
15-60954	01-00180	City of Yukon (BankOne)PW	tool box	2/2015	MrPickup 421234	330.00
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	2/2015	Clean 50697872	65.92
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	3/2015	Clean 50699019	65.99
15-59464	01-09525	Dolese Bros. Company	concrete, rock	2/2015	RM15007841	349.00
15-60953	01-30600	Lowe's Companies, Inc.	trowel, edger, screw	2/2015	01064	44.08
			circular saw, access	2/2015	01064	334.34
			reciprocating saw	2/2015	01064	113.05
15-60881	01-30680	Luther Sign Company	black sign posts	2/2015	10144	764.00
15-61212	01-47115	Schwarz Paving Co., Inc.	snow and ice control	2/2015	3027	2,625.00
15-60880	01-63050	Yukon Trophy & Awards, Inc.	engrave counters	2/2015	215273	85.00
DEPARTMENT TOTAL:						9,060.38

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 109		MUNICIPAL COURT				
15-60982	01-00106	City of Yukon (BankOne)	CRT Copy Paper	2/2015	Staples 7132270237	590.57
15-60984	01-00106	City of Yukon (BankOne)	CRT Record Supplies	2/2015	Staples 7132268996	50.57
15-60986	01-00106	City of Yukon (BankOne)	CRT Staff Shirts	3/2015	EmbroidMe E5972	179.99
15-60538	01-06860	Consolidated Business Solut	Citation Forms	3/2015	17931	982.16
15-60741	01-06860	Consolidated Business Solut	Pros./Arrest Bond Forms	1/2015	17865A	160.00
15-61216	01-19105	W. Mark Hixson	Juv Def 07-16-2014	3/2015	03-06-15	112.50
			Juv Def 09-09-2014	3/2015	03-06-15	150.00
			Juv Def 09-23-2014	3/2015	03-06-15	37.50
			Juv Def 10-14-2014	3/2015	03-06-15	100.00
			Juv Def 10-28-2014	3/2015	03-06-15	150.00
			Juv Def 11-25-2014	3/2015	03-06-15	162.50
			Juv Def 12-09-2014	3/2015	03-06-15	150.00
			Juv Def 01-13-2015	3/2015	03-06-15	225.00
			Juv Def 01-27-2015	3/2015	03-06-15	62.50
			Juv Def 02-10-2015	3/2015	03-06-15	50.00
15-61285	01-58115	Wheatley Segler Osby & Mill	MunProsecution-Feb15	3/2015	15343	1,514.16
DEPARTMENT TOTAL:						4,677.45
DEPARTMENT: 110		EMERGENCY MANAGEMENT				
15-61043	01-00125	City of Yukon (BankOne)	EM Prsntr Pointer,water Kleenex	2/2015	Staples 7132604619	47.78
				2/2015	Staples 7132604619	6.49
15-61074	01-00125	City of Yukon (BankOne)	EM Donuts EM Day	2/2015	DaylightDo 2-24-15	65.00
DEPARTMENT TOTAL:						119.27
DEPARTMENT: 111		TECHNOLOGY				
15-61059	01-00123	City of Yukon (BankOne)	TEC Internet/Cable Srvc	2/2015	Cox 02-17-15	2,476.77
15-61060	01-00123	City of Yukon (BankOne)	TEC APL App	2/2015	iTunes 02-03-15	14.99
			APL App	2/2015	iTunes 02-03-15	14.99
			APL App	2/2015	iTunes 02-03-15	14.99
			APL App	2/2015	iTunes 02-03-15	14.99
15-61120	01-00123	City of Yukon (BankOne)	TEC Heater	2/2015	Amazon 02-25-15	60.37
15-61144	01-00123	City of Yukon (BankOne)	TEC Service Plan Renewal	3/2015	Brickhouse 831043	74.85
			Service Plan Renewal	3/2015	Brickhouse 844772	74.85
15-61163	01-00123	City of Yukon (BankOne)	TEC Plexar Service-FE'15	2/2015	ATT 02-21-15	563.56
15-61209	01-00123	City of Yukon (BankOne)	TEC Auction Fees FE'14	2/2015	PublicSurp 617954	732.82
15-61061	01-06710	Coast To Coast Computer	ProHP Ink	2/2015	A1285606	318.00
			HP Ink	2/2015	A1285607	207.00
15-61190	01-06710	Coast To Coast Computer	ProHP Ink	3/2015	1295056	768.00
15-61219	01-06710	Coast To Coast Computer	ProHP Ink	3/2015	1298171	861.00
15-61220	01-06710	Coast To Coast Computer	ProHP Ink	3/2015	1298169	732.00
15-61227	01-40840	Presidio Networked	credit-network module support hours	11/2014	CM50402415	560.00-
				2/2015	55511317	625.00
15-61164	01-41440	ProStar Service-Oklahoma	Coffee Service	3/2015	137673	42.87
15-61208	01-46940	Sam's Club Direct-G.E.Capit	Coffee Supplies	3/2015	8105	89.40
15-61191	01-48885	Superior Office Systems	Copier Rental Charge	3/2015	7832	2,075.00
			Per Page Copy Charge	3/2015	7832	1,170.01

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 111 TECHNOLOGY						
15-61073	01-70330	Gary D. Cooper	Auction Purchase Refund	2/2015	543	88.05
15-61117	01-71270	Josh Gotcher	Auction Purchase Refund	2/2015	556	40.55
15-61118	01-72890	Rhonda Massey	MileageReimbursement	2/2015	02-27-15	37.95
15-61119	01-90305	Computer Projects of Illino	Renewal Maint License	2/2015	15-02-110ME	288.00
15-60957	01-90317	ComLink	P7100 Radio Batteries	2/2015	23185	778.79
DEPARTMENT TOTAL:						11,604.80
DEPARTMENT: 112 DEVELOPMENT SERVICES						
15-60823	01-00107	City of Yukon (BankOne)CMD	Paper for Printing	3/2015	Staples 7132905542	494.16
15-61080	01-00107	City of Yukon (BankOne)CMD	FMAO Registration	3/2015	FMAO 03-06-15	75.00
15-61170	01-41440	ProStar Service-Oklahoma	Coffee	2/2015	136558	1.25
			Coffee	3/2015	137670	66.26
15-61079	01-47660	Shred-it USA LLC	document destruction	2/2015	9404990656	9.10
DEPARTMENT TOTAL:						645.77
DEPARTMENT: 113 LIBRARY						
15-58590	01-00108	City of Yukon (BankOne)LIB	Parts to repair faucet, d	3/2015	Locke 25256816-00	3.30
			Parts to repair faucet, d	3/2015	Ace 03-10-15	8.94
15-58805	01-00108	City of Yukon (BankOne)LIB	Office Supplies	2/2015	Staples 7132383202	64.02
15-61123	01-00108	City of Yukon (BankOne)LIB	Postage for ILL & Overdue	3/2015	USPS 987	56.26
15-60967	01-01329	American Library Associat	Annual Dues-Schieman	1/2015	1041916B	195.00
15-60976	01-74800	Sara Schieman	Employee mileage 2/15	3/2015	03-10-15	42.55
DEPARTMENT TOTAL:						370.07
DEPARTMENT: 114 PROPERTY MAINTENANCE						
15-61093	01-00112	City of Yukon (BankOne)PROP	Flow Easy Drain Opener	2/2015	Locke 25235804-00	195.46
15-61096	01-00112	City of Yukon (BankOne)PROP	weld cabinet,saw,wheels	2/2015	HarborFre 02-26-15	408.94
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	2/2015	Clean 50697872	34.40
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	3/2015	Clean 50699019	34.40
15-61095	01-30600	Lowe's Companies, Inc.	welder,cutting wheel,etc	2/2015	02833	747.95
15-60536	01-31280	Massco Maintenance Compan	Cleaning Supplies	2/2015	2307627	290.00
15-60180	01-32790	Mother Nature's Exterminati	Pest Control Services	3/2015	Mar '15	590.00
15-61277	01-37600	OK Natural Gas Co	Srvc-CombinedBilling	3/2015	03/03/15	6,141.80
15-61278	01-37600	OK Natural Gas Co	Service-10 S 5th	3/2015	03/06/15 10 S 5th	131.46
15-61279	01-37600	OK Natural Gas Co	Service-334 Elm	3/2015	03/06/15 334 Elm	420.19
DEPARTMENT TOTAL:						8,994.60

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 115		HUMAN RESOURCES				
15-61167	01-00117	City of Yukon (BankOne)HR	Safety Council Conference	3/2015	OKSafety 914	299.00
15-61168	01-05360	Canadian Cty Health Dept	Hep Shots	2/2015	02-03-15	60.00
15-61203	01-31420	McBride Orthopedic	Drug Screen DOT	3/2015	8317	30.00
			Drug Screen Non DOT	3/2015	8317	81.00
			DOT Physical	3/2015	8317	45.00
			TB Test	3/2015	8317	28.00
15-61157	01-32690	Moisant & Company, Inc.	Safety Award Shirts	2/2015	21575007	4,583.25
15-61310	01-48245	Snider's Catering	catering-Safety Lunch	3/2015	3372	4,357.00
DEPARTMENT TOTAL:						9,483.25
DEPARTMENT: 116		PARK ADMINISTRATION				
15-59549	01-00110	City of Yukon (BankOne)REC	event supplies	2/2015	Walmart 07366	57.92
15-60820	01-46940	Sam's Club Direct-G.E.Capite	event supplies/candy	3/2015	1698	50.91
15-61050	01-46940	Sam's Club Direct-G.E.Capit	Salad for FOC Lunch	3/2015	1637A	20.88
15-60998	01-62900	Yukon Review Inc.	ads for trout fish out	2/2015	YR85046	189.00
			ads for trout fish out	3/2015	YR85075	189.00
15-61000	01-90300	Crystal Lake Fisheries	trout fish out	3/2015	15296	1,500.00
DEPARTMENT TOTAL:						2,007.71
DEPARTMENT: 117		PARK MAINTENANCE				
15-60794	01-00110	City of Yukon (BankOne)REC	items for chainsaws	2/2015	Ace 873743	43.70
			items for chainsaws	2/2015	OReily 0343-471049	9.99
			items for chainsaws	2/2015	GillesBros. 9450	75.21
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	2/2015	Clean 50697872	32.54
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	3/2015	Clean 50699019	32.54
15-61001	01-01015	A Weldors Supply	welding supplies	2/2015	7049974	638.03
15-60993	01-01352	Anderson Safety Products	safety equipment PM	3/2015	2186	1,056.28
15-61075	01-30600	Lowe's Companies, Inc.	bolts for display	2/2015	01290	54.78
			bolts for display	3/2015	01659	33.18
15-61129	01-30600	Lowe's Companies, Inc.	angle grinder	2/2015	02770	94.77
			angle grinder	3/2015	02596A	14.76
15-61125	01-50445	Tom's Speedy Lock & Key	keys	3/2015	61783	98.08
15-60002	01-91407	Noah's Park & Playgrounds	playground border, safety	2/2015	5623	2,839.65
			install swing set	2/2015	5623	550.00
DEPARTMENT TOTAL:						5,573.51

FUND: 01 - General Fund

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 118 RECREATION FACILITIES						
15-61028	01-30600	Lowe's Companies, Inc.	Janitorial Supplies	2/2015	15803	249.47
15-61002	01-46940	Sam's Club Direct-G.E.Capit	DRC food	2/2015	8886A	411.49
15-61206	01-46940	Sam's Club Direct-G.E.Capit	chairs for office	3/2015	9412	465.72
15-61159	01-48910	Sysco Oklahoma	DRC food for lunches	3/2015	607289629	2,055.57
15-61024	01-50445	Tom's Speedy Lock & Key	keys for facilities	3/2015	61784	12.00
15-61146	01-53450	United Linen - Uniform Re	rugs- table cloths	2/2015	S1801431	40.48
			rugs- table cloths	2/2015	1803839	105.31
			rugs- table cloths	3/2015	1807928	65.39
15-60282	01-92007	Transcript Press	brochure printing	12/2014	43173	1,194.83
					DEPARTMENT TOTAL:	4,600.26
					FUND TOTAL:	165,618.40

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 501		SALES TAX CAPITAL IMPROV				
15-60582	01-00110	City of Yukon (BankOne)REC	replace banners	2/2015	Signs2Go 16090	609.00
			replace banners	2/2015	Signs2Go 16119	108.00
			replace banners	2/2015	Signs2Go 16148	144.00
15-60873	01-00110	City of Yukon (BankOne)REC		2/2015	Voss 30137807-00	520.84
15-61012	01-00112	City of Yukon (BankOne)PROP	Supplies for new sign	2/2015	Locke 25173414-00	1,436.67
			Supplies for new sign	2/2015	Locke 25216092-00	83.47
15-61015	01-00123	City of Yukon (BankOne)TEC	Plantronics Headset	2/2015	CDW-G SR03141	187.13
			Plantronics Headset	2/2015	CDW-G SN29462	531.46
			DA40-sound card	2/2015	CDW-G SQ35954	31.84
15-61217	01-00123	City of Yukon (BankOne)TEC	Canon DRC130 Scanner	3/2015	Staples 9249307440	490.61
			Canon DRC130 Scanner	3/2015	Staples 9249302484	490.61
			Canon DRC130 Scanner	3/2015	Staples 00181	490.61
			Canon DRC130 Scanner	3/2015	Staples 00176	490.61
15-61218	01-00123	City of Yukon (BankOne)TEC	Canon DR130C Scanner	3/2015	Staples 9249304461	490.61
15-60939	01-00180	City of Yukon (BankOne)PW	3" semi trash pump	2/2015	ICM OK803536PW	1,895.00
			3" hose w strainer	2/2015	ICM OK803536PW	314.00
			3" diaphragm pump	2/2015	ICM OK803536PW	2,198.00
			3" discharge hose	2/2015	ICM OK803536PW	170.00
			3" Quick cplngs	2/2015	ICM OK803536PW	22.00
15-59604	01-04450	Brodart	Young Adult Fiction/non f	2/2015	B3803481	228.32
15-60167	01-04450	Brodart	Adult Standing Order	1/2015	B3786124	27.19
			Adult Standing Order	2/2015	B3799162	15.80
			Adult Standing Order	2/2015	B3808419	14.69
			Adult Standing Order	2/2015	B3811153	31.54
			Adult Standing Order	2/2015	B3811152	15.77
			Adult Standing Order	2/2015	B3811151	14.70
15-60224	01-04450	Brodart	Children's Fiction/non fi	2/2015	B3804717	123.91
15-60297	01-04450	Brodart	Children's Standing Order	2/2015	B3803483	13.40
			Children's Standing Order	2/2015	B3804552	9.19
			Children's Standing Order	2/2015	B3804718	10.34
			Children's Standing Order	2/2015	B3808420	13.40
			Children's Standing Order	2/2015	B3811154	12.63
			Children's Standing Order	2/2015	B3811155	8.09
15-61288	01-05642	The Center for Economic	Consult-PotentialFriscoPr	3/2015	11312	5,157.00
15-60806	01-1	Custom Trailer	custom trailers	2/2015	C 64612	5,190.00
15-61135	01-1	FleetSoft	Vehicle Maint Software	3/2015	F 102406	10,243.65
15-60225	01-16230	Gale Group Inc	Large Print Standing Orde	2/2015	54599668	27.96
			Large Print Standing Orde	2/2015	54632109	72.72
			Large Print Standing Orde	2/2015	54632505	149.92
15-61275	01-22440	Integris Canadian Valley	final Qtrly payment	3/2015	1024 A	50,000.00
15-60927	01-28925	Lee Engineering	Main St. Lighting Project	3/2015	33534	2,800.00
15-57902	01-30680	Luther Sign Company	street signs/markers	2/2015	10160	50.74
15-60826	01-30680	Luther Sign Company	street sign/markers	2/2015	10138	382.19
15-61030	01-30680	Luther Sign Company	new street signs	2/2015	10149	7,152.77
15-61289	01-37640	Olsson Associates	ProfSrvcs-YukonAthleticCo	2/2015	225554	21,157.96
15-61280	01-41410	Professional Service	testing-Prairie West	2/2015	00351886	580.86
15-60394	01-48373	Southwestern Stationery and	Banners - Branding	2/2015	RC0074672	5,300.00
DEPARTMENT TOTAL:						119,509.20

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 502		ECONOMIC DEVELOPMENT				
15-58850	01-00136	City of Yukon (BankOne)ED	lunch meeting expenses	3/2015	MuseumCafe 3-3-15	57.14
			lunch meeting expenses	3/2015	YCC 496	12.00
15-60496	01-00136	City of Yukon (BankOne)ED	Office Supplies	3/2015	Staples 7132742041	22.07
15-61140	01-00136	City of Yukon (BankOne)ED	Copy paper for YEDA	3/2015	Staples 7132742041	43.53
15-61141	01-04570	Butzer Gardner Architects	Prof. Services to 03/01	3/2015	13.21-7	2,655.00
DEPARTMENT TOTAL:						2,789.74
FUND TOTAL:						122,298.94

FUND: 64 - Special Revenue

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 128						
PARK & EVENTS SPEC REVENU						
15-60807	01-1	ACS Playground Adventures	Benches-Bob Schwaninger	3/2015	A 1509	2,939.43
15-59611	01-36620	OK Correction Industries	benches for Parks	2/2015	64081	869.58
15-61000	01-90300	Crystal Lake Fisheries	trout fish out	3/2015	15296	700.00
DEPARTMENT TOTAL:						4,509.01
DEPARTMENT: 142						
INSURANCE REIMBURSEMENTS						
15-61157	01-32690	Moisant & Company, Inc.	OMAG Portion Shirts	2/2015	21575007	2,000.00
DEPARTMENT TOTAL:						2,000.00
DEPARTMENT: 143						
MABEL FRY						
15-59945	01-04450	Brodart	Books-CCCJC	2/2015	B3808418	51.95
15-60911	01-08550	Demco, Inc.	Storytime Supplies	2/2015	5537712	456.21
15-61121	01-44395	Recorded Books, LLC	Audio Book Standing Order	2/2015	75076629	107.98
			Audio Book Standing Order	2/2015	75081045	118.24
			Audio Book Standing Order	2/2015	75082442	105.00
			Audio Book Standing Order	2/2015	75082946	75.60
			Audio Book Standing Order	2/2015	75084687	56.90
15-61122	01-44395	Recorded Books, LLC	Annual Renewal-Top 200 Au	2/2015	75083623	1,000.00
DEPARTMENT TOTAL:						1,971.88
DEPARTMENT: 144						
LIBRARY STATE AID						
15-60966	01-32830	Movie Licensing USA	Annual Movie License Rene	2/2015	2020920	415.00
15-61133	01-91301	Magazine Subscripton	Annual Magazine Subscript	3/2015	0311-40	1,471.61
15-60968	01-91508	Oklahoma Museum Network	YA Summer Reading Program	3/2015	O-0073015MF	350.00
15-60969	01-91508	Oklahoma Museum Network	YA Summer Reading Program	3/2015	O-0061115MF	350.00
15-60972	01-91508	Oklahoma Museum Network	Children's Summer Reading	3/2015	O-0061615MF	350.00
15-60974	01-91508	Oklahoma Museum Network	Children's Summer Reading	3/2015	O-0071415MF	350.00
15-60975	01-91710	Jeremy Philo	Children's Summer Reading	3/2015	03-03-15	377.00
DEPARTMENT TOTAL:						3,663.61

FUND: 64 - Special Revenue

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 146 LIBRARY GRANT REVENUE						
15-60909	01-00108	City of Yukon (BankOne)LIB	Supplies for Kits	2/2015	EmbroidMe E5992	126.90
			Supplies for Kits	2/2015	USToy 02-26-15	210.68
					DEPARTMENT TOTAL:	337.58
DEPARTMENT: 167 POLICE DEPT SPECIAL REVEN						
15-60502	01-91708	P. F. Pettibone & Co.	Wall plaques	2/2015	32640	1,007.90
					DEPARTMENT TOTAL:	1,007.90
					FUND TOTAL:	13,489.98

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 201 WATER DISTRIBUTION						
15-60187	01-00180	City of Yukon (BankOne)PW	cng for vehicles	3/2015	OnCue 0637	27.60
15-60494	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	3/2015	Napa 593220	14.38
15-61069	01-00180	City of Yukon (BankOne)PW	copy paper	2/2015	OffDepot 02-25-15	174.95
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	2/2015	Clean 50697872	46.09
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	3/2015	Clean 50699019	46.09
15-57906	01-09525	Dolase Bros. Company	concrete, gravel	2/2015	RM15010402	188.00
15-61033	01-39550	Paul Penley Oil Company,	Inunleaded fuel	2/2015	0107764-IN	315.98
			diesel fuel	2/2015	0107764-IN	66.22
15-61281	01-50700	Triad Design Group	Eng Srvcs-02/25/15	3/2015	9197	72.11
DEPARTMENT TOTAL:						951.42
DEPARTMENT: 202 UTILITY BILLING						
15-61071	01-00170	City of Yukon (BankOne)UB	Wearing Apparel	3/2015	Academy 03-07-15	100.00
			Protective Clothing	3/2015	Academy 03-07-15	32.94
			Protective Clothing	3/2015	BassPro 746665	59.90
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning, rental	2/2015	Clean 50697872	21.51
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning, rental	3/2015	Clean 50699019	21.51
15-61215	01-08350	DataProse LLC	Monthly Bill production	2/2015	DP1500631	5,635.50
15-58979	01-36835	Oklahoma Envelope &	9,500 Envelopes	10/2014	90712	429.97
15-61033	01-39550	Paul Penley Oil Company,	Inunleaded fuel	2/2015	0107764-IN	195.30
15-60785	01-48373	Southwestern Stationery and	2,000 envelopes	2/2015	37178	160.00
DEPARTMENT TOTAL:						6,656.63
DEPARTMENT: 203 TREATMENT AND SUPPLY						
15-61283	01-55800	Veolia Water North America	Service for Mar '15	3/2015	00046197	92,291.81
15-61154	01-57420	Waste Connections of Oklaho	landfill fees for Feb 15	2/2015	20558	3,091.58
15-61151	01-57425	Waste Connections of Oklaho	hauling fees for Feb 2015	3/2015	1484875	2,475.00
DEPARTMENT TOTAL:						97,858.39
DEPARTMENT: 204 FLEET MAINTENANCE						
15-59982	01-00180	City of Yukon (BankOne)PW	oils, lubricants etc	2/2015	Napa 593099	52.25
			oils, lubricants etc	2/2015	Napa 592934	56.28
15-60187	01-00180	City of Yukon (BankOne)PW	cng for vehicles	2/2015	Loves 83915	19.17
			cng for vehicles	2/2015	OnCue 0556	30.54
			cng for vehicles	3/2015	Loves 89902	19.23
15-60492	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	3/2015	OReily 0343-471942	107.48
			parts to repair vehicles	3/2015	OReily 0343-79976	99.27
15-60493	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	2/2015	SmithF&G 524710	31.94
			parts to repair vehicles	2/2015	Conrad 497482	589.03
			parts to repair vehicles	2/2015	G&R 292294	650.00
			parts to repair vehicles	2/2015	YAG 20097	39.95
			parts to repair vehicles	2/2015	BobHoward 3717644	53.50
			parts to repair vehicles	2/2015	BobHoward 3718656	53.50
			parts to repair vehicles	2/2015	P&K 1796671	238.97
			credit center links	2/2015	P&K 1797041	11.28-

FUND: 70 - Water & Sewer Enterprise

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 204		FLEET MAINTENANCE				
			parts to repair vehicles	3/2015	JoeCooper 552714	250.00
			parts to repair vehicles	3/2015	Bakers 26966	125.00
15-60494	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	2/2015	Napa 592794	193.32
			parts to repair vehicles	3/2015	Napa 593220	148.59
15-60495	01-00180	City of Yukon (BankOne)PW	tires for vehicles	2/2015	Hercules 330562	265.40
15-60952	01-00180	City of Yukon (BankOne)PW	parts to repair sweeper	2/2015	Fronti 150226YUKON	20.00
			parts to repair sweeper	3/2015	Frontier 1532YUKON	4,440.49
15-61130	01-00180	City of Yukon (BankOne)PW	red oil rag rental	2/2015	Clean 50697872	19.78
			uniform cleaning,ren	2/2015	Clean 50697872	17.61
15-61183	01-00180	City of Yukon (BankOne)PW	red oil rag rental	3/2015	Clean 50699019	29.54
			uniform cleaning,ren	3/2015	Clean 50699019	17.61
15-61086	01-01049	A.M.P.	supplies for car wash	2/2015	70694	44.00
15-60920	01-29525	Locke Welding	argon, oxy, acetylen	2/2015	15593	268.00
15-61152	01-29525	Locke Welding	demurrage rental	2/2015	R4168	104.00
15-61131	01-30600	Lowe's Companies, Inc.	anti fatigue mat	2/2015	02727	23.73
15-61033	01-39550	Paul Penley Oil Company, Inc.	unleaded fuel	2/2015	0107764-IN	4,119.33
			diesel fuel	2/2015	0107764-IN	957.30
15-60989	01-63050	Yukon Trophy & Awards, Inc.	decals	2/2015	215272	1,560.00
DEPARTMENT TOTAL:						14,633.53
FUND TOTAL:						120,099.97

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 301		SANITATION				
15-60692	01-00171	City of Yukon (BankOne)SAN	elec.parts-air compressor	2/2015	Locke 24892043-00	342.35
15-60872	01-00171	City of Yukon (BankOne)SAN	truck Cleaning Supplies	2/2015	Walmart 01445	38.44
15-59982	01-00180	City of Yukon (BankOne)PW	oils, lubricants etc	2/2015	Fentress 703151	1,314.75
15-60493	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	2/2015	ATC 120154428	7.94
			parts to repair vehicles	2/2015	Goodye 255-1004214	77.69
			parts to repair vehicles	2/2015	Goodye 255-1004233	39.67
			parts to repair vehicles	2/2015	Goodye 255-1004228	48.64
			parts to repair vehicles	2/2015	LTR 31219	10.12
			parts to repair vehicles	3/2015	J&REquip 27741	101.02
15-60494	01-00180	City of Yukon (BankOne)PW	parts to repair vehicles	3/2015	Napa 593220	44.96
15-61130	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	2/2015	Clean 50697872	42.84
15-61183	01-00180	City of Yukon (BankOne)PW	uniform cleaning,ren	3/2015	Clean 50699019	42.84
15-58365	01-16565	Goodyear	tires w/ Duraseal	1/2015	255-1003942	487.00
15-61008	01-16565	Goodyear	Tires for Front Loader	2/2015	255-1004217	1,135.62
15-61132	01-16565	Goodyear	Rear Tire for Backhoe	3/2015	255-1004237	627.00
15-61033	01-39550	Paul Penley Oil Company,	Inunleaded fuel	2/2015	0107764-IN	2,418.81
15-61214	01-57425	Waste Connections of Oklaho	Wood Chip Rolloff	3/2015	1484952	200.00
			Metal Box Rolloff	3/2015	1484952	330.00
15-61221	01-57425	Waste Connections of Oklaho	Wood Chip Rolloff	2/2015	1473972	100.00
			Metal Box Rolloff	2/2015	1473972	330.00
DEPARTMENT TOTAL:						7,739.69
FUND TOTAL:						7,739.69

FUND: 73 - Storm Water Enterprise

P.O.#	VENDOR #	NAME	DESCRIPTION	DATE	INVOICE	AMOUNT
DEPARTMENT: 401		STORMWATER				
15-60812	01-00173	City of Yukon (BankOne)SW	Office supplies	2/2015	Staples 09368	11.21
			Office supplies	3/2015	Staples 00109	17.49
15-60959	01-00173	City of Yukon (BankOne)SW	OKR05 SW Indus Permit wor	2/2015	Eventbri 400149721	64.29
15-61158	01-00173	City of Yukon (BankOne)SW	SCAUG conf reg-AW/AG	3/2015	Scaug 04853	400.00
			SCAUG conf reg-AW/AG	3/2015	Scaug 04850	400.00
15-61274	01-06377	City of Oklahoma City	Kimble-2404ZionPark	3/2015	170215	316.00
			max units billed	3/2015	170215	158.00-
15-61153	01-30680	Luther Sign Company	TurnAroundDon'tDrownSigns	2/2015	10159	142.92
15-60810	01-48373	Southwestern Stationery and	Business card-Andrew G	2/2015	37179	103.33
DEPARTMENT TOTAL:						1,297.24
FUND TOTAL:						1,297.24
GRAND TOTAL:						430,544.22

Technology Item Listing - March 17, 2015

Item #	Description	Model Number	Serial Number	Department
100629	Dell Optiplex 755	755	GMRDHH1	Tech
100464	HP Z400 computer	Z400	2UA0140YN	Tech
101164	HP Compaq 6200 Pro	6200	2UA1181BKR	Tech
101194	HP Compaq 6200 Pro	6200	MXL1401JSD	Tech
100070	PowerEdge 600sc Server	600SC	85MDB31	Tech
101003	HP Compaq 6000 Pro	6000	2UA0450S19	Tech
101224	Cisco CP-7942-G IP Phone	7942	FCH1530EQ63	Tech
101007	HP Compaq 6000 Pro	6000	2UA0450SIJ	Tech
	(10) DVI Cables	N/A	N/A	Tech
	(10) DVI Cables	N/A	N/A	Tech
	(10) DVI Cables	N/A	N/A	Tech
	(10) DVI Cables	N/A	N/A	Tech
	(10) VGA Cables	N/A	N/A	Tech
	(9) DVI/VGA Cables	N/A	N/A	Tech
	(14) Coaxial Cables	N/A	N/A	Tech
100599	HP LaserJet P2035 Printer	BOISB-0801-00	VNB3L12446	Tech
	VHS/DVD Combo Player	EWD2004	U47433481	Tech
	Sanyo 27inch direct View TV	DS27930	V5090287286123	Tech



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

March 4, 2015

Grayson Bottom, City Manager
City of Yukon
500 W. Main Street
Yukon, Oklahoma 73099

Re: Permit No.: SL000009150146
Bounce Academy Gymnasium
Sewer Line Extension Project
Facility No.: S-20533

Dear Mr. Bottom:

Enclosed is Permit No.: SL000009150146 for the construction of approximately 590 L. F. of eight (8) inch sewer line and appurtenances to serve the City of Yukon Bounce Academy Gymnasium Sewer Line Extension Project, Canadian County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on March 4, 2015. Any deviations from the approved plans and specifications affecting capacity, flow, or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Yukon, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you and retaining one (1) set for our files.

Respectfully,

A handwritten signature in black ink, appearing to read 'Robert B. Walker', is written over a white background.

Robert B. Walker
Construction Permit Section
Water Quality Division

RBW/RC/bg

Enclosure

c: Bruce Vande Lune, R. S., Regional Manager, DEQ
George Marquez, P. E., Crafton Tull
Wheatland DEQ Office





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT NO.: SL000009150146

SEWER LINES

FACILITY NO.: S-20533

PERMIT TO CONSTRUCT

March 4, 2015

Pursuant to O.S. 27A 2-6-304, the City of Yukon is hereby granted this Tier I Permit to construct approximately 590 L. F. of eight (8) inch sewer line and appurtenances to serve the City of Yukon Bounce Academy Gymnasium Sewer Line Extension Project, located in part of SW-1/4, Section 19, T-12-N, R-5-W, I. M., Canadian County, Oklahoma, in accordance with the plans approved on March 4, 2015.

By acceptance of this permit, the permittee agrees to operate and maintain the facilities in accordance with the "Oklahoma Pollutant Discharge Elimination System Standards - OPDES" (OAC 252:606) rules and to comply with the state certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted, or invalid information has been presented in applying for the permit.
- 4) That tests will be conducted as necessary to insure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 5) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- 6) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 7) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.





SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT NO.: SL000009150146

SEWER LINES

FACILITY NO.: S-20533

PERMIT TO CONSTRUCT

- 8) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 9) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- 10) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 *et. seq.* For information or a copy of the GENERAL PERMIT (GP-005) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 11) That all manholes shall be constructed in accordance with the standards for Water Pollution Control Facility Construction (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.
- 12) That when it is impossible to obtain proper 10-foot horizontal and 2-foot vertical separation between water mains and sewer lines as stipulated in Water Pollution Control Facility Construction OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested with no detectable leakage prior to backfilling, in accordance OAC 252:656-5-4(c)(3).
- 13) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

Rocky Chen, P.E., Engineering Manager, Construction Permit Section
Water Quality Division





DATE: March 4, 2015
FROM: Arnold Adams / Public Works Director
TO: Grayson Bottom / City Manager
CC: Doug Shivers / City Clerk
RE: Agenda Item – Hydro Excavator

MEMORANDUM

Grayson, I am requesting your approval to purchase a Hydro Excavator. This is budgeted in the Capital Improvement Fund (Water/Wastewater). We have demoed 3 units and found that the Hydro Excavator from Vermeer was the best machine to suit our needs. The price of this, off the State Contract, is \$57,973.00. This piece of equipment will be used to clean meter cans, valve boxes and exposing our lines. This will prevent fewer damaged utilities and less labor to complete our jobs.

Upon your approval, I would respectfully request it be placed on the next available agenda.



Vermeer®

Great Plains

8300 N. I-35 Service Road
 Oklahoma City, OK 73131
 405-478-2900 Fax 405-507-1115
 800-201-4778
 www.vermeergreatplains.com

Sales Quote

Customer Name: city of Yukon	Date: January 28, 2015
Address:	Purchase Order #:
Ship to:	Terms:
Contact: Nick	Phone:
	Fax:
	Sales Rep.: Mark Householter
	Date needed:

Description:	TOTAL
Equipment I have available right now:	
Vactron LP533SDTH features the following: 49HP Yanmar Diesel, 1000CFM vacuum pump, 500 gallon debris tank, 4000psi@4gpm water system, (2) 150 gallon water tanks, 14K gvwr trailer, reverse flow option, hydraulically operated open and locked rear door, 30'x3" hose, water knife and clean-up wand, 2 yr warranty	
State Bid Price:	\$ 57,973.00
Vactron LP835SDTH features the following: 49HP Yanmar diesel, 1000CFM vacuum pump, 800 gallon debris tank, 4000psi@4gpm water system, (2) 150 gallon water tanks, 20Kgvwr dually trailer, reverse flow, hydraulically operated open and locked rear door, 30'x3" hose, water knife and clean-up wand, strong arm, hydraulic jack 2 yr warranty	
State Bid Price:	\$ 70,400.00
Mclaughlin VX50 features the following: 49HP Perkins diesel, 1025CFM vacuum pump, 500 gallon debris tank, 3000psi@5.6gpm water system, (2) 125 gallon water tanks, 12Kgvwr trailer, reverse flow, full open hydraulic door, 30'x4" hose, rotary digging lance, clean-up wand, in tank clean out system,	
State Bid Price:	\$ 59,450.00
<u>This unit would have to be ordered</u>	
Mclaughlin VX50-800 features same features as above Mclaughlin unit. This unit has 800 gallon debris tank and (2) 205 gallon water tanks GVWR 18K trailer	
State Bid Price:	\$ 66,400.00

Sub Total	
Freight & Prep	inc
Less Trade-in	
Taxes	
okc	
Total Net	

Vermeer Great Plains	Customer: _____
By: _____	By: _____

Quotation valid for 30 days. To order, please sign, date and return to Vermeer Great Plains or your Sales Representative.



DATE: March 5, 2015
FROM: Arnold Adams / Public Works Director
TO: Grayson Bottom / City Manager
CC: Doug Shivers / City Clerk
RE: Agenda Item – Road Rehabilitation – Cornwell & Dianna

MEMORANDUM

Grayson, I am requesting your approval to repair 380 S.Y. of road at the intersection of Cornwell and Dianna. The intersection is holding water causing base failure, so curbs and streets are settling. Putting concrete in the intersection will help with traffic. The starting, stopping and turning causes the asphalt to roll up and breakup that's why it needs concrete. This is budgeted in the Capital Improvement Fund (Streets). Brewer Construction will be the contractor for this project and the price not to exceed \$43,101.15.

Upon your approval, I would respectfully request it be placed on the next available agenda.

Brewer Construction Oklahoma, LLC

8301 SW 8th

P.O. Box 82457 Oklahoma City, OK 73148-0457

405-787-4962

Fax: 405-495-8972

March 5th, 2015

City Of Yukon
c/o Triad Design Group
Attn. Robbie Williams P.E.
3020 N.W. 149 th Street
Oklahoma City Okla, 73134

RE: 2014 Yukon Concrete, Asphalt Paving
W/ Drainage, Water And Sewer Contract
Paving Repair at Comwell & Dianna Drive

QUOTE

Description	Quantity	Unit Bid Price	Unit Bid Total
Concrete Pavement Removal	380 S.Y.	\$ 7.50	\$ 2,850.00
Curb Removal	218 L.F.	\$ 8.80	\$ 1,918.40
6" Integral Concrete Curb	218 L.F.	\$ 8.00	\$ 1,744.00
Base Repair over 50sy	380 S.Y.	\$ 31.00	\$ 11,780.00
6" HES Concrete Paving	380 S.Y.	\$ 62.00	\$ 23,560.00
Saw Cutting	85 L.F.	\$ 6.75	\$ 573.75
Traffic Control	1 L.S.	\$ 675.00	\$ 675.00
		Total Quote	\$ 43,101.15

Thank You
Brewer Construction Oklahoma LLC


Kevin Brewer

AA
Approved
3/5/15

ORDINANCE NO. 1311

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING SECTION 1-7 TO PROVIDE FOR COURT COST IN THE AMOUNT OF THIRTY DOLLARS (\$30.00) AND A FINE NOT TO EXCEED THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00) FOR A TRAFFIC OFFENSE UNLESS OTHERWISE ALLOWED BY STATE LAW; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF YUKON, OKLAHOMA that the Code of Ordinances, City of Yukon, is hereby amended to provide for court cost in the amount of Thirty Dollars (\$30.00) and a fine not to exceed the amount of Two Hundred Dollars (\$200.00) for a traffic offense unless otherwise allowed by state law and Sec. 1-7 now reads as follows:

SECTION 1:

Sec. 1-7. General penalty for violations of Code and ordinances; continuing violations.

Except in cases where different punishment is prescribed by this Code, every offense under this Code, whether declared to be a misdemeanor, an offense or a prohibited act, is punishable by imprisonment and/or a fine up to \$750.00. Except that the maximum fine for traffic-related offenses relating to speeding or parking shall not exceed \$200.00 unless otherwise allowed by state law. Court cost in each case filed in the municipal court shall be \$30.00 plus fees for mileage of jurors and witnesses, and the costs of incarceration, both before and after conviction (costs of incarceration shall include housing, food, clothing, medical care, dental care and psychiatric services), in addition to state-mandated fees. Each day a violation continues to exist shall be deemed a separate offense, provided however, if the violation involved the sale of goods or products, each sale shall constitute a separate offense. In addition to the fines and costs prescribed by this section the city may revoke the license or permit of any person or entity who violates the terms, conditions or ordinances pertaining to such license or permit issued by the city.

SECTION 2: EMERGENCY:

WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City of Yukon and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after its passage, as provided by law.

PASSED AND APPROVED this _____ day of _____ 2015, with the Emergency Clause passed separately.

ATTEST:

MAYOR

CITY CLERK
(SEAL)

ORDINANCE NO. 1312

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING CERTAIN SECTIONS BY ADDING NEW DEFINITIONS, CLARIFYING AND PROVIDING FOR PROCEDURES FOR MUNICIPAL COURT, AND PROVIDING APPLICABLE FINES AND PUNISHMENT FOR VIOLATIONS OF THE CODE OF ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF YUKON, OKLAHOMA that the Code of Ordinances, City of Yukon, is hereby amended by amending certain sections by adding new definitions, clarifying and providing for procedures for municipal court, and providing applicable fines and punishments for violations of the Code of Ordinances and those sections now read as follows:

SECTION 1:

Sec. 34-27. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjudication means a judicial sentence or formal judgment.

Alcoholic beverages includes alcohol, spirits, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances. This term includes intoxicating beverages and low point beer.

At school means on school grounds, in school vehicles, at school-sponsored activities, or at school-sanctioned events.

Bullying means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed towards a student that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted student and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

Chief of Police means the peace officer in charge of the police force of this city.

Citation means a style of summons issued to a person who is in violation of an ordinance of this city and is an official summons to appear in municipal court.

Citizen's Complaint means a style of case in which a citizen charges another with an offense.

CLEET means Council on Law Enforcement Education and Training.

Clerk or city clerk means the clerk of the city, including any deputy or member of the office staff of the clerk while performing duties of the clerk's office.

Complaining Party means a citizen that pursues an offense against another.

Controlled dangerous substance means a drug, substance, or immediate precursor in Schedules I through V of the Uniform Controlled Dangerous Substance Act or any drug, substance or immediate precursor listed either temporarily or permanently as a federally controlled substance. Any conflict between state and federal law with regard to the particular schedule in which a substance is listed shall be resolved in favor of state law.

Conviction means the final adjudication of guilt, either by plea or judgment of the municipal judge, including but not limited to a bond forfeiture.

Court Administrator, also known as, Court Clerk, means the clerk of the municipal court.

Court means the municipal court of this city.

Deliver. The means or intent to transfer from one person to another.

Department of Public Safety, also known as DPS, is the state agency in which driving privileges are granted and records retained.

Distribute means to deliver or intend to deliver.

District court means the District Court of Canadian County, State of Oklahoma.

Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use, or fashioned specifically for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act.

Disorderly Conduct means actions that disturb others or the peace, recklessly creating a risk to self or others, engaging in fighting or in violent, tumultuous or threatening behavior.

Electronic Communication means the communication of any written, verbal, pictorial information or video content by means of an electronic device, including but not limited to, a telephone, cellular device, or computer and includes all forms of social media.

Imitation controlled substance means a substance that is not a controlled dangerous substance, which by dosage unit appearance, color, shape, size, markings or by representations made, would lead a reasonable person to believe that the substance is a controlled dangerous substance. In the event the appearance of the dosage unit is not reasonably sufficient to establish that the substance is an “imitation controlled substance”, the court or authority concerned should consider, in addition to all other factors, the following factors as related to “representations made” in determining whether the substance is an “imitation controlled substance”:

- 1) Statements made by an owner or by any other person in control of the substance concerning the nature of the substance, or its use or effect;
- 2) Statements made to the recipient that the substance may be resold for inordinate profit;
- 3) Whether the substance is packaged in a manner normally used for illicit controlled substances;
- 4) Evasive tactics or actions utilized by the owner or person in control of the substance to avoid detection by law enforcement authorities;
- 5) Prior convictions, if any, of an owner, or any other person in control of the object, under state or federal law related to controlled substances or fraud, and;
- 6) The proximity of the substances to controlled dangerous substances.

Judge means the judge of the municipal court, including any acting judge thereof as provided for by the statutes of this state and this article.

Juvenile means any person under eighteen (18) years of age.

Legal guardian means (1) a person who, by court order, is the guardian of the person of a minor; or (2) a public or private agency with whom a minor has been placed by the court.

Minor means any person under twenty-one (21) years of age, and including, but not limited to, all forms of alcoholic beverages.

Municipal Court, also known as *Yukon Municipal Court*, means the City of Yukon Municipal Court.

OBN means the Oklahoma Bureau of Narcotics.

OSBI means the Oklahoma State Bureau of Investigation.

Parent means a person who is a natural parent, adoptive parent, foster parent, or stepparent of another person.

Premises means any residence or other private property, place, or premises, including any

commercial or business premises.

Prosecutor, also known as *City Prosecutor*, means the prosecuting attorney for the municipal court.

Police Department, also known as *Yukon Police Department*, means the police that control and keep lawful order of this city.

Threatening behavior means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm.

Trespass means entry upon the premises of an owner or other person in lawful possession of the premises without the express or the implied consent of the owner or other person in lawful possession.

Vapor product means a noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism to produce a vapor in a solution or other form. The definition includes ‘any vapor cartridge or other container with or without nicotine’ that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Sec. 34-33. Removal of judge.

The judge shall be subject to removal from office, by the city council, for the causes prescribed by the Constitution and laws of this state for the removal of public officers. Proceedings for removal shall be instituted by the filing of a verified written petition, setting forth facts sufficient to constitute one or more legal grounds for removal. Petitions may be signed and filed by the mayor or by 58 or more qualified electors of the city. In the latter event, verification may be executed by one or more of the petitioners. The city council shall set a date for hearing the matter, and shall cause notice thereof, together with a copy of the petition, to be served personally upon the judge at least ten (10) days before the hearing. At the hearing, the judge shall be entitled to representation by counsel, to present testimony and to cross-examine the witnesses against him and to have all evidence against him presented in open hearing. Judgment of removal shall be entered only upon individual votes, by a majority of all members of the city council, in favor of such removal.

Sec. 34-36. Court Clerk designated; general duties and bond.

- (a) The city manager shall designate a court clerk who shall be the clerk of the court. The clerk shall assist the judge in recording the proceedings of the court and in preparing writs, processes and other papers. The clerk shall administer oaths required in proceedings before

the court, shall enter all pleadings, processes and proceedings on the dockets of the court, perform such other clerical duties relating to the proceedings of the court as the judge shall direct, and receipt and disburse to the municipal treasurer all fines, forfeitures, fees, deposits, and sums of money properly payable to the City of Yukon. All funds, while in the custody of the clerk, shall be deposited and disbursed upon vouchers as directed by the municipal governing body.

- (b) The clerk of the court shall post a bond in the amount of \$10,000.00 the cost of which shall be paid by the city.

Sec. 34-41. Issuance, form and execution of warrant of arrest.

- (a) Except as otherwise provided in this Code, upon the filing of a complaint approved, by endorsement, by the city attorney or by the judge, there shall be issued a warrant of arrest, in substantially the following form:

The City of Yukon, Oklahoma, to the Chief of Police of the City of Yukon, Oklahoma.

Complaint upon oath having this day been made by (naming complainant) that the offense of (naming the offense in particular by general terms) has been committed and accusing (name of defendant[s]) thereof, you are commanded therefore forthwith to arrest the above named (defendant[s]) and bring (insert them), before me, at the police department of said City.

Witness my hand this _____ day of _____, (year) _____.

	Judge of the Municipal Court of the City of Yukon, Oklahoma.
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- (b) It shall be the duty of the chief of police, personally or through a duly constituted member of the police force, or through any other persons lawfully authorized so to act, to execute the warrant of arrest as promptly as possible.

Sec. 34-42. Arrest; bond; forfeiture of bond for failure to appear.

- (a) Upon arrest, or upon appearance without arrest in response to a citation or summons, or at any other time before trial, before or after jail arraignment, the defendant shall be eligible to be released upon giving bail for his appearance in an amount and upon conditions fixed by the judge, who shall prescribe appropriate rules of court for the receipt of bail and surety

bonding as persons who receive bail. In case of arrests made at night or under other conditions of emergency or when the judge is not available, the rules shall authorize the Chief of Police, or his designated representative, to accept a cash bond or surety bond; provided, the defendant may also be released for routine traffic violations upon acknowledgment of receipt of citation, as authorized by state law.

- (b) If a defendant fails to appear according to the terms or conditions of his bond, either for hearing, arraignment, trial or judgment, or upon any other occasions when his presence in court or before the magistrate may be lawfully required, the judge may direct that fact to be entered upon the court minutes, thereby declaring the bond to be forfeited.

Sec. 34-43. Arraignment; general procedure after plea.

Upon making an appearance in court, the defendant shall be arraigned. The judge or the city attorney shall read the complaint to the defendant, inform him or her of his or her legal rights, and ask him or her to plead guilty, nolo contendere, otherwise known as no contest, or not guilty. If the defendant enters a plea of guilty, the court may proceed to judgment and sentence or may continue the matter for subsequent disposition. If the plea is not guilty, the court may proceed to try the case, or may set it for hearing at a later date.

Sec. 34-46. Defendant to be present at trial.

The defendant must be present in court and in person at their trial. If the defendant fails to appear, this shall cause a Fail to Appear Warrant to be issued and the established fine and costs assessed.

Sec. 34-48. Witness fees.

Witnesses in any proceeding in the court, other than police officers or peace officers, shall be entitled to \$20.00 for each day of attendance, plus current mileage reimbursement as allowed by the Internal Revenue Service, for each mile actually and necessarily traveled in going to and returning from the place of attendance, if their residence is outside the limits of the city. No witness shall receive fees or mileage in more than one case for the same period of time or the same travel. A defendant seeking to subpoena witnesses must deposit with the clerk a sum sufficient to cover fees and mileage for one day of attendance for each witness to be summoned. Such deposit shall not be required from an indigent defendant who files an affidavit setting out:

- (1) The names of no more than three witnesses;
- (2) That the defendant, by reason of his poverty, is unable to provide the fees and mileage allowed by law;

- (3) That the testimony of the witnesses is material; and
- (4) That the attendance of the witnesses at the trial is necessary for his or her proper defense.

The fees for such witnesses shall be paid by the city.

Sec. 34-51. Judgment; amount of penalty.

- (a) If the defendant pleads guilty or is convicted after trial, the court must render judgment thereon, fixing the penalty within the limits prescribed by the applicable ordinances and imposing sentence accordingly, which penalty shall not exceed \$750.00, exclusive of court costs of \$30.00. In addition, the court may order the convicted defendant imprisoned in the city jail.
- (b) The municipal attorney may ask the court to require a person confined in a city or county jail for any offense, to pay the jail facility the costs of incarceration, before and after conviction, upon conviction or receiving a deferred sentence. The costs shall not be assessed if, in the judgment of the court, such costs would impose a manifest hardship on the person, or if in the opinion of the court, the property of the person is needed for the maintenance and support of the immediate family.
- (c) The costs of incarceration may include booking, receiving and processing out, housing, food, clothing, medical care, dental care, and psychiatric services. The cost for incarceration may be an amount equal to the actual cost of the services and shall be determined by the chief of police for city jails. The cost of incarceration may be paid to all jail facilities where the person is held before and after conviction.

Sec. 34-52. Fines and costs; imprisonment for nonpayment.

The court clerk shall collect the following fees:

- (1) The municipal court, not a court of record, shall not impose a penalty, including fine or deferral fee in lieu of a fine and costs, which is greater than that established by state statute for the same offense. The maximum fine or deferral fee in lieu of a fine for traffic-related offenses relating to speeding or parking shall not exceed \$200.00, unless otherwise allowed by state statute. The maximum fine or deferral fee in lieu of a fine for alcohol-related or drug-related offenses shall not exceed \$800.00. For all other offenses, the maximum fine or deferral fee in lieu of a fine shall not exceed \$750.00. This section shall be amended in accordance with state statute and shall not require additional

modification.

- (2) The court clerk shall collect a Drug & Alcohol Training Fee in the amount of \$50.00 in accordance with state prescribing legislation. The fee shall be collected from any person convicted of a drug or alcohol related offense, or from any person forfeiting a bond when charged with said offense. Said fee shall be distributed timely to the Yukon Police Department, in accordance with state statute and used for the purpose of defraying costs for enforcement of laws relating to juveniles access to alcohol, other laws relating to other intoxicating substances, and traffic related offenses involving alcohol, or other intoxicating substances.
- (3) If judgment of conviction is entered, the judge may assess court costs in the sum of \$30.00 to the defendant and may impose an additional fine and hold the defendant imprisoned for the nonpayment of fine or costs and such sums shall be satisfied at the rate of \$25.00 per day if the defendant works on city projects.
- (4) For the purpose of providing for the record-keeping and personnel expenses of the municipal court, it is hereby provided that in every case there may be assessed the sum of \$30.00 to pay for the expenses of handling such case, and that these costs may be assessed against the losing party, whether the defendant or complaining party.
- (5) The court clerk shall collect a fingerprinting (AFIS) fee in the amount of \$5.00 and a penalty (Forensic) assessment fee in the amount of \$5.00 in accordance with state statute. The fees shall be collected from any person convicted of an offense punishable by a fine of \$10.00 or more excluding seatbelt, parking and standing violations, or from any person forfeiting a bond when charged with an offense. Said fees shall be distributed timely to the Oklahoma State Bureau of Investigation, also known as OSBI, in accordance with state statute.
- (6) The court clerk shall collect an officer training fee in the amount of \$2.00 for the purpose of providing funds for police officer training. The fees shall be collected from any person convicted of an offense punishable by a fine of \$10.00 or more, excluding seatbelt, parking and standing violations, or from any person forfeiting a bond when charged with the offense. Said fees shall be distributed timely to the police department in accordance with said city ordinance.
- (7) The court clerk shall collect a Penalty Assessment Fee in the amount of \$9.00 in accordance with state prescribing legislation. The fee shall be collected from any person convicted of an offense punishable by a fine of \$10.00 or more excluding seatbelt, parking and standing violations, or from any person forfeiting a bond when charged with an offense. Said fee shall be distributed timely to the Council on Law Enforcement Education and Training, also known as CLEET, in accordance with state statute.

- (8) The court clerk shall collect a Drug Education Fee in the amount of \$5.00 in accordance with state statute regarding any case of possession of marijuana or drug paraphernalia. The fee shall be collected from any person convicted of said offenses. Said fee shall be distributed timely to the Oklahoma Bureau of Narcotics, also known as OBN, in accordance with state statute.
- (9) The court clerk shall collect a Surety Bond Fee in the amount of \$35.00 in accordance with state statute. The fee shall be collected on each offense when a defendant posts a Surety Bond after arrest. The court clerk shall remit \$25.00 to the police department and shall be used to defray the cost of housing municipal prisoners. The court clerk shall retain \$10.00 as court cost. Said fees shall be distributed timely and in accordance with state statute.
- (10) The court clerk shall collect an OSBI Lab Fee in the amount of \$150.00 in accordance with state prescribing legislation. The fee shall be collected if blood is withdrawn by a medical facility and analysis laboratory services are rendered by the Oklahoma State Bureau of Investigation Lab. It shall be the responsibility of the police department to notify the court clerk if lab services are utilized. Said fees shall be distributed timely to the Oklahoma State Bureau of Investigation, also known as OSBI, in accordance with state statute.
- (11) The Court Clerk shall collect all state-mandated fees and costs in addition to all other fines, fees, costs, or assessments.

Sec. 34-55. Contempt of court.

Obedience to the orders, rules and judgments made by the judge or by the court may be enforced by the judge, who may fine, not more than \$250.00, for contempt committed as to him while holding court, or committed against process issued by him.

Sec. 34-57. Receipt and disposition of funds.

The clerk of the court shall receive and receipt for forfeitures, fees, deposits, and sums of money payable to this city, and shall pay to the city treasurer all funds deposited and disbursed upon vouchers as directed by the municipal governing body. All money so paid to the treasurer shall be placed in the general fund of the city, or in such other fund in accordance with state statute, and it shall be used in the operation of the city government in accordance with budgetary arrangements governing the fund in which it is placed.

Sec. 34-59. Schedule of fines and bond.

Any person released upon personal recognizance may elect to enter a plea of guilty or nolo

contendere to the violation charged at any time before the defendant is required to appear for arraignment by pleading guilty or nolo contendere in the court clerk's office and paying the fine according to the following schedule, in addition to court costs, and state mandated fees. Upon arrest, the defendant shall be eligible for release upon the giving of bail according to the following bond schedule, in addition to court costs, and state mandated fees.

Advertising:

Place sign on public property....\$200.00

Place sign on private property....\$200.00

Alarm:

Fail to register alarm....\$200.00

No alarm permit...\$25.00

False alarm....\$50.00

Pulled fire alarm....\$200.00

Illegal use of 911....\$500.00

Alcoholic beverages:

Carry a weapon under the influence of alcohol....\$750.00

Consume, possess, purchase alcohol and/or low point beer and under twenty-one (21) years of age...\$300.00 (First offense), \$600.00 (Second offense), \$900.00 (Third offense)

Contribute to the delinquency of a minor with alcoholic beverage....\$200.00

Drunk or drink in public place....\$100.00

Enter, attempt to enter restricted area of those under 21 years of age....\$300.00

Hire motor vehicle for transport of persons under twenty-one (21) years of age to consume alcoholic beverages....\$500.00

Loiter on premises where alcohol is sold....\$100.00

Minor in possession of alcoholic beverage....\$300.00 (First offense), \$600.00 (Second offense), \$900.00 (Third offense)

Misrepresent age to purchase alcoholic beverage....\$300.00

Possession of intoxicating beverage, under twenty-one (21) years of age, and without a vehicle....\$300.00

Possession of alcohol and/or low point beer, under twenty-one (21) years of age, and without a vehicle....\$300.00

Public intoxication....\$100.00

Social Host with alcohol and/or drugs....\$500.00

Transporting an open container of alcohol....\$500.00

Unlawful sale or furnish alcoholic beverage to minor....\$500.00

Animals:

Bark/howl/creating noise....\$90.00

Cruelty to animals....\$450.00

Fail to restrain/animal run at large....\$50.00

Harboring vicious animal....\$350.00

Keeping of swine....\$50.00

Neglect care or abandonment....\$400.00

No kennel license....\$50.00

No license tag....\$35.00

Nuisance animal....\$90.00

Unsanitary maintenance of premises....\$50.00

Arrest:

Attempting to elude an officer....\$500.00

Escape from arrest....\$750.00

Obstructing an officer....\$500.00

Refusing to assist officer....\$200.00

Resisting arrest....\$750.00

Assault and Battery:

Assault and battery....\$750.00

Battery....\$500.00

Simple assault....\$500.00

Burglary/burglary implements:

Breaking and entering without intention to commit crime....\$200.00

Breaking and entering with intention to commit crime....\$750.00

Possession of burglary implements.....\$750.00

Burn:

Burning substance during a state burn ban....\$750.00

Deposit of harmful or burning substance....\$200.00

Illegal burning....\$750.00

Throw a burning substance from a motor vehicle not during a state burn ban....\$200.00

Development Services:

Application required prior to excavation or opening ground....\$750.00

Disorderly house....\$200.00

Disorderly placement of structure....\$200.00

No contractor's license....\$200.00

No contractor's permit....\$200.00

No development without flood plain permit....\$750.00

No journeyman on job site....\$200.00

No journeyman's license....\$200.00

Violating builders code....\$200.00

Curfew:

Juvenile fifteen (15) years of age or younger....\$200.00

Juvenile sixteen (16) years of age or older....\$100.00

Defrauding/fraudulent activities:

Defrauding innkeeper....\$200.00

Obtain money or property by false pretenses....\$200.00

Harmful deception....\$200.00

Delinquency:

Continuous delinquency of minor....\$200.00

Child neglect/abandonment....\$750.00

Contributing to delinquency of minor....\$350.00

Destruction of property:

Destruction of city or private property....\$750.00

Disorderly conduct:

Disorderly conduct....\$200.00

Disturbing the peace:

Disturbing the peace....\$200.00

Loud or amplified noise in a motor vehicle....\$100.00

Loud or amplified noise not in a motor vehicle....\$200.00

Drug:

Misdemeanor drug possession with a vehicle....\$750.00

Misdemeanor drug possession without a vehicle....\$750.00

Possession of a chemically synthesized substance to emulate marijuana/fake marijuana....\$750.00

Possession of controlled dangerous substance with a vehicle....\$750.00

Possession of controlled dangerous substance without a vehicle....\$750.00

Possession of marijuana with a vehicle....\$750.00

Possession of marijuana without a vehicle...\$750.00

Possession of drug paraphernalia with a vehicle....\$750.00

Possession of drug paraphernalia without a vehicle....\$750.00

Public intoxication from a drug(s)....\$100.00

Social host of controlled dangerous substance and allow possession or consumption....\$500.00

Embezzlement:

Embezzlement under \$500.00....\$750.00

False representation:

Impersonating an officer....\$500.00

Warrant/contempt of court:

Failure to pay fine warrant....\$280.00

Contempt of court....\$250.00

Failure to appear warrant....\$200.00

Firearms and weapons:

Carry concealed weapon without a permit in area designated no weapons....\$200.00

Unlawful discharge of firearm/air rifle/bb gun....\$350.00

Point weapon at another....\$350.00

Fireworks:

Fireworks....\$200.00

Graffiti:

Graffiti or tagging....\$750.00

Insurance:

Fail to maintain valid insurance verification in motor vehicle....\$250.00

Possession of fraudulent insurance verification/fictitious insurance form....\$500.00

Juvenile:

Possession of alcoholic beverage, seventeen (17) years of age or under, and in a vehicle....\$300.00

Possession of alcoholic beverage, seventeen (17) years of age or under, and without a vehicle....\$300.00

Littering:

Littering by throwing a burning substance from a motor vehicle not during a state burn

ban....\$200.00

Littering from a motor vehicle...\$100.00

Littering where prohibited....\$100.00

Loitering:

Loiter on or in public place/property or curfew of another after midnight....\$200.00

Loiter on public or private property....\$200.00

Loiter on school property....\$200.00

Malicious mischief:

Malicious mischief....\$200.00

Molesting, injuring, or loitering at a motor vehicle....\$750.00

Obscene gesture or the use of profane language....\$100.00

Obtain money or property by trick, deception, or false pretenses....\$750.00

Outraging public decency....\$500.00

Slander or false rumors....\$300.00

Theft or utility service after locked by this city....\$750.00

Throw or shoot stones or other objects....\$200.00

Throwing or dropping an object at a moving vehicle....\$750.00

Vandalism....\$200.00

Miscellaneous:

Aiding in the commission of a misdemeanor....\$500.00

Bullying....\$750.00

Conspiracy to commit a misdemeanor....\$500.00

Operate golf cart on city street....\$50.00

Stalking/harassment....\$750.00

Threatening or planning serious bodily harm to another....\$750.00

Transporting hazardous substances without proper safety devices....\$200.00

Use of language calculated to arouse anger....\$100.00

Nuisances:

Create nuisance....\$200.00

Disorderly placement of structure....\$200.00

Grass/weeds/etc....\$200.00

Loud/unusual noises....\$100.00

Sound system....\$100.00

Permitting water to flow....\$200.00

Water restriction....\$200.00

Disorderly house...\$200.00

Petty larceny:

Petty larceny under \$500.00....\$500.00

Shoplifting from a retailer under \$500.00....\$500.00

Skateboards:

Skateboarding on roadway....\$50.00

Solicitors:

Soliciting without a permit....\$200.00

Solicitor trespass after posting of “no solicitor” sign....\$200.00

Trash:

Illegal dumping on private property without permission....\$750.00

Tobacco:

Juvenile in possession - 1st offense....\$75.00

Juvenile in possession - 2nd offense....\$125.00

Juvenile in possession - 3rd offense....\$250.00

Purchase tobacco for underage person - 1st offense....\$100.00

Purchase tobacco for underage person - 2nd offense....\$200.00

Trespassing:

Trespassing....\$250.00

Truancy:

Truancy from school - 1st offense....\$75.00

Truancy from school - 2nd offense....\$125.00

Truancy from school - 3rd offense....\$250.00

Weapon:

Minor in possession of firearm....\$750.00

Point weapon at another....\$350.00

Possession of firearm while under the influence of alcohol or drug....\$500.00

Possession of knife, bowie, switchblade, metal knuckles - 1st offense....\$300.00

Possession of knife, bowie, switchblade, metal knuckles - 2nd offense....\$500.00

Reckless conduct or create unreasonable risk with weapon....\$500.00

Transporting a firearm without a permit in a vehicle....\$70.00 (amount set specifically by state law)

Unlawful discharge of a firearm....\$350.00

Unlawful discharge of a firearm/air rifle/BB gun....\$350.00

Sec. 34-60. Effect of payment.

If the defendant has entered a plea of guilty or nolo contendere such plea shall be accepted by the court and the full payment of the fine, court costs, and state mandated fees shall constitute a final determination of the cause against the defendant. If the defendant has posted and fails to appear for court, the bond posted shall be forfeited. Failure of the defendant to make a full payment shall result in prosecution under the provisions of chapter 34.

SECTION 2: EMERGENCY:

WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City of Yukon and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after its passage, as provided by law.

PASSED AND APPROVED this _____ day of _____ 2015, with the Emergency Clause passed separately.

MAYOR

ATTEST:

CITY CLERK
(SEAL)

ORDINANCE NO. 1313

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING CERTAIN SECTIONS TO PROVIDE FOR CLARIFICATION OF VIOLATIONS AND ASSESSMENT OF FINES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF YUKON, OKLAHOMA that the Code of Ordinances, City of Yukon, is hereby amended by amending certain sections to provide for clarification of violations and assessment of fines and those sections now read as follows:

SECTION 1:

Sec. 74-1. Adoption by reference.

All non-felony provisions of the state Penal Code are adopted by reference in this section as if fully set out and a violation of any of such provisions in the city shall constitute a violation of this Code and be punished as provided in Section 1-7 or as established by city ordinance.

Sec. 74-4. Resisting, obstructing, etc., city employees.

It shall be unlawful for any person to knowingly or willfully resist, oppose or obstruct the municipal judge or any employee of the city in the discharge of his or her official duties; or, by threats to intimidate or attempt to intimidate any such employee from the discharge of his or her official duties; or to assault or beat such employee in the discharge of his or her official duties.

Sec. 74-10. False alarm; complaint or information; non-emergency call; penalty.

- (a) No person shall call the number of Nine-One-One (9-1-1) for the purpose of making a knowingly false alarm or complaint or reporting, knowingly, false information, or making a non-emergency call which could result in a dispatch of emergency services from any public agency. Any person violating the provision of this section upon conviction, shall be guilty of a misdemeanor punishable by a fine of \$500.00 and by an assessment for the resulting costs of any dispatching of emergency personnel and equipment for such offense.
- (b) As used above, public agency means any city, town, county, municipal corporation, public district, public trust, or public authority located within this state which provides or has the authority to provide firefighting, law enforcement, ambulance, emergency medical or other emergency services.

Sec. 74-11. Truancy.

- (a) It shall be unlawful for any child who is over twelve (12) years of age and under eighteen (18) years of age and who has not finished four years of high school work to neglect or

refuse to attend and comply with the rules of some public, private, or other school, or receive an education by other means for the full term the schools of the district are in session, unless the child is excused from attendance by the provisions of 70 O.S., § 10-105, et seq.;

- (b) It shall be unlawful for any parent, guardian or other person having custody of a child who is over five (5) years of age and under of eighteen (18) years of age, to neglect or refuse to cause or compel such child to attend and comply with the rules of some public, private, or other school, unless other means of education are provided for the full term that the schools of the district are in session, or the child is excused as provided in Title 70 O.S., § 10-105, et seq.;
- (c) Any person, guardian, custodian, child or other person violating any of the provisions of this section, upon conviction, shall be guilty of a misdemeanor, and shall be punished by a fine of \$75.00 for the first offense, \$125.00 for the second offense, and \$250.00 for each subsequent offense.

Sec. 74-57. Damaging, defacing, and/or destroying property.

It shall be unlawful for any person to destroy, injure, deface, besmear or molest any structure, building, outbuilding, fence or any other property, real or personal, public or private, belonging to another; or to use any such property wrongfully to the detriment of the owner or other person entitled to its use; or to interfere wrongfully with the use of any such property by its owner and any other person entitled to its use.

Sec. 74-59. Placing signs on property of another.

It shall be unlawful for any person to place, stick, tack, paste, post, paint, mark, write, or print any sign, poster, picture, announcement, advertisement, bill, placard, device or inscription upon any building, fence, sidewalk, bridge, viaduct, post, automobile, other vehicle or other property of another, without the consent of the owner or person in charge thereof.

Sec. 74-63. Trespassing.

- (a) “Trespass” shall mean entry upon the premises of an owner or other person in lawful possession of the premises without the express or the implied consent of the owner or other person in lawful possession. “Trespass” shall also mean:

Sec. 74-90. Same - Destroying or damaging property or injuring another person.

- (a) During a state of emergency, any person who maliciously destroys or damages any real or personal property or maliciously injures another person shall be guilty of an offense.

- (b) A person is guilty of an offense under this section committed by another person when:
- (1) Acting with the state of mind that is sufficient for commission of the offense, he causes an innocent or irresponsible person to engage in conduct constituting the offense; or
 - (2) Intending to promote or facilitate the commission of the offense he:
 - a. Solicits, requests, commands, importunes or otherwise attempts to cause the other person to commit it;
 - b. Aids, counsels or agrees or attempts to aid the other person in planning or committing it; or
 - c. Having a legal duty to prevent the commission of the offense, fails to make a proper effort to do so.
- (c) In any prosecution for an offense under this section in which the criminal liability of the accused is based upon conduct of another person pursuant to this section, it is no defense that:
- (1) The other person is not guilty of the offense in question because of unawareness of the criminal nature of the conduct in question or of the accused's criminal purpose, or because of other factors precluding the mental state required for the commission of the offense; or
 - (2) The other person has not be prosecuted for or convicted of any offense based on the conduct in question, or has previously been acquitted thereof, or has been convicted of a different offense or in a different degree, or has legal immunity from prosecution for the conduct in question.

Sec. 74-117. Penalty for violation.

A person who violates this article is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable as provided in this Code. The court may prescribe community service work in lieu of a fine and costs.

Sec. 74-118. Statutory punishment.

The municipal court's jurisdiction over a minor who violates this article shall be expressly subject to Title 10A Children and Juvenile Code of the Oklahoma State Statutes.

Sec. 74-141. Definitions.

Deliver. The means or intent to transfer from one person to another.

Distribute. The means to deliver.

Person means any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed.

Proof of age means a driver license, license for identification only, or other generally accepted means of identification that describes the individual as eighteen (18) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.

Sample means a tobacco product distributed to members of the public at no cost for the purpose of promoting the product.

Sampling means the distribution of samples to members of the public place.

Tobacco product means any type of product that contains tobacco.

Vapor product means a noncombustible product, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism to produce a vapor in a solution or other form. The definition includes 'any vapor cartridge or other container with or without nicotine' that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Sec. 74-142. Unlawful to sell or furnish.

- (a) It is unlawful for any person to sell or furnish in any manner any tobacco product to another person who is under eighteen (18) years of age, or to purchase in any manner a tobacco product on behalf of any such person. It shall not be unlawful for an employee under eighteen (18) years of age to handle tobacco products when required in the performance of the employee's duties.
- (b) A person engaged in the sale or distribution of tobacco products shall demand proof of age from a prospective purchases or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under eighteen (18) years of age.
- (c) If an individual engaged in the sale or distribution of tobacco products has demanded proof of age from a prospective purchases or recipient who is not under eighteen (18) years of age, the failure to subsequently require proof of age shall not constitute a violation of subsection (b) of this section.
- (d) Any person who shall violate subsection (a) or (b) of this section, shall be guilty of an offense and assessed the fine of \$100.00 for the first offense and assessed the fine of

\$200.00 for each subsequent offense.

- (e) If the sale is made by an employee of a store at which tobacco products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine and costs. If the sale is made by an employee that has previously been twice found to be in violation of the section, the owner of the store, if the owner knew of the employee's previous violations, shall also be found to be in violation and shall be subject to an identical fine.
- (f) Upon failure of any individual to pay the fine and costs authorized by this section within ninety (90) days of the day of the assessment of such fine, the city shall notify the Oklahoma Department of Public Safety, as such department is authorized to suspend or not issue a driver license to the individual until proof of payment has been provided.
- (g) For purposes of determining the liability, of a person controlling franchises or business operations in multiple locations for any violation of subsection (a) or (b) of this section, each individual franchise or business location shall be deemed a separate entity.

Sec. 74-143. Unlawful to purchase, accept or possess.

- (a) It is unlawful for a person who is under eighteen (18) years of age to purchase, receive, or have in their possession a tobacco product, or to present or offer to any person any purported proof of age which is false or fraudulent for the purpose of purchasing or receiving any tobacco product. It shall not be unlawful for an employee under eighteen (18) years of age to handle tobacco products when required in the performance of the employee's duties.
- (b) When a person violates subsection (a) of this section, the city shall assess such person a fine of \$100.00 for a first offense, and shall assess a fine of \$200.00 for each subsequent offense within a one-year period following the first offense. Upon failure of an individual to pay such fine within ninety (90) days of the day of such fine, The city shall notify the Oklahoma Department of Public Safety, as such department is authorized to suspend or not issue a driver license to the individual until proof of payment has been provided.

Sec. 74-144. Distribution of tobacco samples.

- (a) It shall be unlawful for any person to distribute tobacco products to any person under eighteen (18) years of age.
- (b) Notwithstanding subsection (a) of this section, no person shall distribute tobacco product samples in or on any public street, sidewalk, or park that is within 300 feet of any playground, school, or other facility when the facility is being used primarily by persons under eighteen (18) years of age.
- (c) When a person violates subsection (a) or (b) of this section, the city shall assess such person a fine of \$100.00 for the first offense and shall assess a fine of \$200.00 for each subsequent offense.

- (d) Upon failure of any individual to pay any fine authorized by this section within ninety (90) days of the assessment of such fine, the city shall notify the Oklahoma Department of Public Safety, as such department is authorized to suspend or not issue a driver license to the individual until proof of payment has been provided.

Sec. 74-145. Sale of cigarettes in original package.

- (a) It is unlawful for any person to sell cigarettes except in the original, sealed package in which they were placed by the manufacturer.
- (b) When a person violates subsection (a) of this section, the city shall assess such person a fine in accordance with Section 1-7 or as established by city ordinance.

Sec. 74-150. Permitting or allowing gatherings where minors are consuming alcoholic beverages.

- (a) *Definitions.* For purposes of this Section 74-150, the following definitions shall apply:

- (d) *Penalty.* Any person who shall violate the provisions of this section shall be deemed guilty of an offense against the city and upon conviction thereof shall be assessed a fine as provided in Section 1-7 or as established by city ordinance.

SECTION 2: EMERGENCY:

WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City of Yukon and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after its passage, as provided by law.

PASSED AND APPROVED this _____ day of _____ 2015, with the Emergency Clause passed separately.

MAYOR

ATTEST:

CITY CLERK
(SEAL)

ORDINANCE NO. 1314

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY REMOVING AND/OR AMENDING CERTAIN SECTIONS TO PROVIDE FOR CLARIFICATION OF VIOLATIONS AND ASSESSMENT OF FINES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF YUKON, OKLAHOMA that the Code of Ordinances, City of Yukon, is hereby amended by removing and/or amending certain sections to provide for clarification of violations and assessment of fines and those sections now read as follows:

SECTION 1:

The following section 110-71 is hereby deleted and removed from the Code of Ordinances, City of Yukon:

Sec. 110-71. Inspection required, stickers.

- (a) No person shall drive or move on any highway any motor vehicle, including motorcycles, trailers, semitrailers or pole trailers, or ancient vehicles which are not used primarily incidental to historical or exhibition purposes only or which have been modified from their original state of manufacture by changes or modifications to the engine and/or chassis, which are licensed by the state tax commission and operated on the streets or highways of this city, unless the equipment upon any and every such vehicle is in good working order and adjustment as required by law and is in such safe mechanical condition as not to endanger the driver or other occupant of any vehicle upon the highway. Each such motor vehicle, except any commercial truck or truck-tractor which is engaged in interstate commerce, or any trailer or semitrailer registered pursuant to law which is engaged in interstate commerce, shall bear an official inspection sticker.
- (b) The provisions of this section shall not apply to any manufactured home which requires a permit to be moved upon the highways of this state.

Sec. 110-72. Citations and arrest for traffic violations.

- (a) If a police officer observes facts which he believes constitute a violation of the traffic ordinances of the city, committed by a person with a valid driver's license, in lieu of arresting such person, they may take their name, address, driver's license number, the registered license number of the motor vehicle involved and any other pertinent and necessary information, and may issue to them, in writing in form prescribed by the city manager, a traffic citation embracing the above information, and further stating the traffic violation alleged to have occurred, and notifying them to answer to the charge against them

in the municipal court at a date and time specified in the citation. The officer, upon receiving the written promise of the alleged violator, endorsed on the citation, to answer as specified, shall release such person from custody. If the person to whom a citation is issued fails to answer as prescribed in the citation, a complaint shall be filed and the case shall be prosecuted as provided in chapter 34 of this Code.

- (b) If the alleged offense is a violation of an ordinance restricting or regulating the parking of vehicles, including any regulations issued under such an ordinance, and the operator is not present, the police officer shall place on the vehicle, at a place reasonably likely to come to the notice of the operator, a citation conforming substantially to that prescribed in subsection (a) of this section, with such variation as the circumstances require. The operator of the vehicle shall be under the same obligation to respond to the citation as if it had been issued to him personally under subsection (a) of this section.

Sec. 110-102. Schedule of fines.

Any person released upon personal recognizance may elect to enter a plea of guilty or nolo contendere to the violation charged at any time before the defendant is required to appear for arraignment by pleading guilty or nolo contendere in the traffic violations bureau and paying the fine according to the following schedule, in addition to court costs, penalty assessments and state mandated fees. Upon arrest, the defendant shall be eligible for release upon the giving of bail according to the following bond schedule, in addition to court costs, penalty assessments and state mandated fees.

<i>Accidents:</i>	
Driving too fast in unsafe road conditions with accident.	\$200.00
Duty to give information and/or render aid with accident.	\$200.00
Elude officer in a motor vehicle with accident.	\$500.00
Failure to obey traffic control device with accident.	\$200.00
Failure to report accident/leave the scene of accident.	\$450.00
Failure to stop/yield at signal light with accident (personal injury or property damage)	\$200.00
Failure to stop/yield from private drive (personal injury or property damage)	\$200.00
Failure to stop/yield from stop sign (personal injury or property damage)	\$200.00
Failure to stop/yield from yield sign (personal injury or property damage)	\$200.00
Failure to yield right-of-way (personal injury or property damage)	\$200.00
Failure to yield to emergency vehicle (personal injury or property damage)	\$200.00
Failure to yield to pedestrian (personal injury or property damage)	\$200.00
Following too close with accident	\$200.00

Hit and run accident resulting in bodily injury	\$450.00
Improper back with accident	\$200.00
Improper lane change with accident	\$200.00
Improper turn with accident	\$200.00
Improper use of lane with accident	\$200.00
Inattentive driving with accident	\$200.00
Leaving scene of accident	\$450.00
Operate motor vehicle at unreasonable or excessive speeds with accident	\$200.00
<i>Alcohol and/or drug:</i>	
Actual physical control of motor vehicle under the influence of drug	\$750.00
Actual physical control/APC	\$750.00
Drive, operate or be in actual physical control of alcohol and under age of 21	\$750.00
Drive, operate or be in actual physical control of motor vehicle, under age of 21, alcohol & drug (combined)	\$750.00
Drive, operate, or be in actual physical control of motor vehicle, by drug	\$750.00
Drive, operate, or be in actual physical control of motor vehicle with blood alcohol content of .08 or more	\$750.00
Driving while impaired (DWI)	\$750.00
Driving while under the influence of alcohol	\$750.00
Driving while under the influence of drug	\$750.00
Personal injury accident while under the influence of alcohol or drug	\$750.00
Possession of intoxicating beverage, under age of 21, without a vehicle/First Offense	\$300.00
Possession of intoxicating beverage, under age of 21, without a vehicle/Second Offense	\$600.00
Possession of intoxicating beverage, under age of 21, without a vehicle/Third Offense	\$900.00
Possession of alcohol and/or low point beer, under age of 21, without a vehicle/First Offense	\$300.00
Possession of alcohol and/or low point beer, under age of 21, without a vehicle/Second Offense	\$600.00
Possession of alcohol and/or low point beer, under age of 21, without a vehicle/Third Offense	\$900.00

Possession of marijuana not in a vehicle	\$750.00
Possession of marijuana in a vehicle	\$750.00
Possession of drug paraphernalia not in a vehicle	\$650.00
Possession of drug paraphernalia in a vehicle	\$650.00
Possession of fake marijuana/chemically synthesized substance to emulate marijuana	\$750.00
Public intoxication from alcohol or drug	\$100.00
Social host	\$500.00
Transporting an open container of alcohol beverage	\$500.00
Using motor vehicle during a misdemeanor and possession of controlled dangerous substance	\$750.00
<i>Backing:</i>	
Improper backing	\$50.00
<i>Barricade:</i>	
Drive around and/or move barricade to pass	\$200.00
<i>Careless/Negligent/Reckless Driving:</i>	
Allowing passenger to ride outside passenger compartment	\$50.00
Attempting to elude officer in motor vehicle	\$500.00
Attempting to elude officer in motor vehicle endangering another person	\$500.00
Careless driving	\$200.00
Fail to reduce speed when lawfully required	\$500.00
Negligent driving	\$150.00
Operating motor vehicle at speed greater than reasonable and proper	\$70.00
Operating motor vehicle improperly due to disability or medical condition	\$200.00
Reckless driving without regard to safety of person	\$500.00
Reckless driving without regard to property	\$400.00
<i>Construction Zone or Area:</i>	

A violation in construction area excluding speeding and unless otherwise stated	\$200.00
Endangerment of worker in construction zone	\$400.00
Failure to observe safety zone	\$200.00
Speeding/01-05 mph over limit	\$160.00
Speeding/06-10 mph over limit	\$180.00
Speeding/11-15 mph over limit	\$200.00
Speeding/16-20 mph over limit	\$220.00
Speeding/21-25 mph over limit	\$240.00
Speeding/26-30 mph over limit	\$260.00
Speeding/31-35 mph over limit	\$280.00
Speeding/36+ mph over limit	\$340.00
<i>Defective Equipment:</i>	
Driving at night with improper lights	\$50.00
Driving at night without lights	\$50.00
Illegal front windshield/window tint	\$50.00
Operate motor vehicle with unsafe equipment or condition	\$50.00
Operating with defective brakes	\$50.00
Operating with defective headlight(s)	\$50.00
Operating with defective muffler/exhaust	\$50.00
Operating without required equipment	\$50.00
Using equipment prohibited by law	\$50.00
<i>Driver's License Violations:</i>	
Allowing unlawful operator to drive a motor vehicle	\$150.00
Display driver's license, not own, to mislead another	\$750.00
Driving subject to restriction	\$50.00
Driving while license revoked	\$300.00
Driving while license suspended	\$300.00

Fail to notify Department of Public Safety of address change	\$50.00
False I.D.	\$200.00
Loan driver's license to another for criminal intent	\$750.00
No driver's license in possession while driving	\$50.00
Operate motor vehicle contrary to conditions on driver's license	\$50.00
Operating motor vehicle without valid driver's license	\$300.00
Possession of altered driver's license	\$750.00
<i>Emergency:</i>	
Follow emergency vehicle closer than 500 feet	\$200.00
Illegal use of 911	\$500.00
Improper passing of stationary emergency vehicle	\$200.00
Improper use of emergency/hazard lights	\$200.00
Improper use of horn and warning devices	\$200.00
<i>Following Improperly:</i>	
Following too closely	\$100.00
<i>Improper Lane Change/Center Line:</i>	
Driving left of center	\$100.00
Driving off of roadway when overtaking on right	\$200.00
Driving on shoulder, sidewalk or in ditch	\$90.00
Driving on wrong side of the road	\$90.00
Driving wrong way on one-way street	\$90.00
Impeding flow of traffic	\$90.00
Improper lane change	\$90.00
Improper turn	\$90.00
Improper use of lane	\$90.00

<i>Littering:</i>	
Deposit of injurious/harmful substance(s)	\$200.00
Littering from motor vehicle	\$100.00
Littering where prohibited	\$100.00
Throwing burning substance(s) during state burn ban	\$750.00
Throwing burning substance(s) from vehicle	\$250.00
<i>License Plate:</i>	
Fail to pay taxes due to the state for registration plate	\$80.00
Improper tag display	\$50.00
Operate motor vehicle while displaying another state's plate and possess Oklahoma driver's license	\$300.00
Operate motor vehicle with altered or changed registration plate	\$80.00
Operate motor vehicle with missing registration plate	\$80.00
Operate new motor vehicle with expired dealer tag	\$80.00
Operating motor vehicle without current tag	\$80.00
<i>Miscellaneous:</i>	
Creating unlawful noise with a motor vehicle or accessory	\$100.00
Creating unlawful/excessive noise with a muffler	\$100.00
Crossing fire hose with vehicle	\$70.00
Disobey lawful order	\$200.00
Fail to mark load extension	\$200.00
Failure to dim lights while driving at night	\$50.00
Failure to display required headlamps at night	\$50.00
Failure to obey instructions	\$70.00
Illegal use of private drive	\$50.00
Leave child or vulnerable adult unattended in motor vehicle	\$50.00
Misuse towing trailer/using vehicle improperly	\$200.00

No insurance verification	\$250.00
Opening vehicle door into traffic	\$50.00
Operating golf cart on city streets	\$50.00
Operating/loading vehicle to create obstructed view	\$50.00
<i>Motorcycles:</i>	
Adequate brakes required for a motorcycle	\$70.00
Carrying passengers unlawfully	\$70.00
Fenders required for a motorcycle	\$70.00
Lighted head lamp required for a motorcycle	\$70.00
No endorsement	\$70.00
No headgear for operator/rider	\$70.00
No helmet and under age 18/driver or rider	\$70.00
No windshield/face shield	\$70.00
Off road motorcycle, go cart or ATV within 1000' of residential area	\$70.00
Operate motorcycle after 9 p.m. and under age of sixteen (16)	\$70.00
Operating dirt bike and/or ATV on city streets	\$70.00
Overloading motorcycle with passengers and/or cargo	\$70.00
Passing vehicles between lanes	\$70.00
Rearview mirrors required for a motorcycle	\$70.00
Speed limit, under age of sixteen (16) and under thirty-five (35) mph	\$70.00
Speedometer required for a motorcycle	\$70.00
Stop lamp required for a motorcycle	\$70.00
<i>Parking:</i>	
30' flashing beacon/traffic control device on side of road	\$30.00
Abandoned vehicle - over twenty-four (24) hours	\$55.00
Allow 10 feet of roadway for traffic	\$30.00
Allow 20 feet of crosswalk at an intersection	\$30.00

Allow 50 feet of the nearest trail of a railroad crossing	\$30.00
Blocking public/private driveway	\$35.00
Careless parking/engine running	\$35.00
Double parking	\$35.00
Failure to set parking brake	\$35.00
Improper parking/any place where official sign prohibits stopping	\$30.00
Improper parking/no parking zone	\$35.00
Inoperable vehicle in front yard	\$55.00
Must park within eighteen (18) inches of curb	\$30.00
No parking but to repair vehicle in an emergency	\$30.00
No parking for the purpose of selling a motor vehicle	\$30.00
No parking in front of public or private drive	\$30.00
No parking on a crosswalk	\$30.00
No parking on a sidewalk	\$30.00
No parking on or over marked line	\$30.00
No parking on private property without permission of property owner	\$35.00
Overtime parking	\$35.00
Parking 14,500 pounds or more on street	\$100.00
Parking in fire lane/zone	\$35.00
Parking in handicapped zone	\$100.00
Parking on wrong side of the road	\$35.00
Parking within fifteen (15) feet of fire hydrant	\$35.00
Parking within thirty (30) feet of intersection	\$35.00
Starting unsafely from a parked position	\$200.00
<i>Passing:</i>	
Failure to signal intention to pass	\$50.00
Improper passing	\$90.00
Passing in a no passing zone	\$90.00

Passing where prohibited	\$90.00
Passing with insufficient distance allowed for other motor vehicles	\$100.00
Passing with obscured view at intersection or railroad crossing	\$200.00
<i>Right-of-Way: (no accident with personal injury or property damage)</i>	
Failure to yield right-of-way	\$100.00
Failure to yield for emergency vehicle	\$200.00
Failure to yield from stop sign	\$100.00
Failure to yield from yield sign	\$100.00
Failure to yield for pedestrian	\$100.00
Failure to yield from private drive	\$100.00
Failure to yield at signal light	\$100.00
<i>Railroad crossing:</i>	
Crossing violation not specifically covered	\$200.00
Drive through, around, or under crossing gate	\$200.00
Fail to check for train traffic	\$200.00
Fail to stop at railroad crossing/tracks not clear	\$200.00
Fail to stop at railroad crossing/drive onto crossing	\$200.00
Improper stop on railroad crossing	\$200.00
<i>Seatbelts/seats:</i>	
Failure of passenger to wear seat belt/not properly adjusted safety belt	\$20.00
Failure to secure child	\$50.00
Failure to wear seat belt/not properly adjusted safety belt	\$20.00
More than three passengers in front seat	\$50.00
<i>School Zone or Area:</i>	
Fail to stop for school bus	\$200.00

Operate motor vehicle not reasonable or proper	\$140.00
Pass in a school zone or area	\$200.00
Speeding/01-05 mph over limit	\$160.00
Speeding/06-10 mph over limit	\$180.00
Speeding/11-15 mph over limit	\$200.00
Speeding/16-20 mph over limit	\$220.00
Speeding/21-25 mph over limit	\$240.00
Speeding/26-30 mph over limit	\$260.00
Speeding/31-35 mph over limit	\$280.00
Speeding/36+ mph over limit	\$340.00
<i>Signal:</i>	
Failure to signal intention	\$50.00
Giving improper signal	\$50.00
<i>Stopping:</i>	
Failure to obey traffic control device	\$200.00
Failure to signal stop or reduce speed suddenly	\$50.00
Failure to stop at railroad crossing	\$250.00
Failure to stop for school bus loading/unloading	\$200.00
Failure to stop for signal light/red light	\$100.00
Failure to stop for stop sign	\$100.00
Failure to stop with explosives	\$100.00
Improper stopping on road	\$50.00
Obstructing the roadway	\$150.00
Opening motor vehicle door into traffic	\$70.00
<i>Speeding - Business:</i>	
Operate a motor vehicle in manner not reasonable and proper	\$70.00

Speeding/01-05 mph over limit	\$80.00
Speeding/06-10 mph over limit	\$90.00
Speeding/11-15 mph over limit	\$100.00
Speeding/16-20 mph over limit	\$110.00
Speeding/21-25 mph over limit	\$120.00
Speeding/26-30 mph over limit	\$130.00
Speeding/31-35 mph over limit	\$140.00
Speeding/36-40 mph over limit	\$170.00
Speeding/41+ mph over limit	\$200.00
<i>Speeding - Residential Zone or Area:</i>	
Speeding/01-05 mph over limit	\$100.00
Speeding/06-10 mph over limit	\$110.00
Speeding/11-15 mph over limit	\$120.00
Speeding/16-20 mph over limit	\$130.00
Speeding/21-25 mph over limit	\$140.00
Speeding/26-30 mph over limit	\$150.00
Speeding/31-35 mph over limit	\$160.00
Speeding/36+ mph over limit	\$190.00
<i>Turning:</i>	
Improper left turn	\$90.00
Improper turn	\$90.00
Improper turn from wrong lane	\$90.00
Improper U-turn	\$90.00
Turning in front of oncoming traffic	\$90.00
Use of private drive to avoid light	\$90.00
<i>Wrong Way or Direction:</i>	

Driving on wrong side of road	\$90.00
Driving wrong way on one-way street	\$90.00

Sec. 110-103. Effect of payment.

If the defendant has entered a plea of guilty or nolo contendere, such plea shall be accepted by the court and the full payment of the fine, court costs, and state-mandated fees shall constitute a final determination of the cause against the defendant. If the defendant has posted bond and fails to appear for court, the bond shall be forfeited. Failure of the defendant to make a full payment shall result in prosecution under the provisions of chapter 34.

Sec. 110-127. Duty to give information and render aid.

The driver of any vehicle involved in an accident resulting in injury to and/or death of any person and/or damage to any vehicle which is driven or attended by any person shall give his correct name, address and registration number of the vehicle he is driving, and shall upon request exhibit his operator's or chauffeur's license and his security verification form, to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. Any driver who provides information required by this section which is intentionally inaccurate shall be subject to the provisions of section 1-7 or as established by city ordinance.

Sec. 110-151. State driver's license.

It shall be unlawful for any person who does not have a valid driver's license, including never issued a license, expired license, revoked license, suspended license or cancelled license, as required by state law for operation of a motor vehicle upon the state highways, city road, or any other streets governed by this city to operate a motor vehicle.

Sec. 110-152. Current security verification of liability insurance.

- (a) *Required.* Any operator of any motor vehicle on the streets of the city shall carry a current security verification of liability insurance or an equivalent form. Such form shall reflect liability insurance as follows:

- (c) *Possible dismissal of charge.* Any person producing proof that a current security verification form or equivalent form was in force for such person at the time of the alleged offense shall be entitled to a dismissal with a \$60.00 administrative assessment fee if verification is presented to the Court Clerk's office no later than the business day preceding the first scheduled court appearance. If current security

verification form or equivalent form was in force for such person at the time of the alleged offense but does not present the verification to the court clerk's office preceding the assigned court date or before, said person may appear in court or pay the fine of \$250.00 plus costs.

- (d) *Abstract of court action to be forwarded to department of public safety.* Upon conviction or a bond forfeiture, the court shall forward an abstract to the department of public safety within five (5) days reflecting the action taken by the court.

Sec. 110-153. Child passenger restraint system.

- (a) Every driver, when transporting a child under six (6) years of age in a motor vehicle operated on the roadways, streets, or highways of this city, shall provide for the protection of said child by properly using a child passenger restraint system. For purposes of this section, "child passenger restraint system" means an infant or child passenger restraint system which meets the federal standards as set by 49 C.F.R., Section 571.213.
- (b) Children at least six (6) years of age but younger than thirteen (13) years of age shall be protected by the use of a child passenger restraint system or a seat belt.
- (c) The provisions of this section shall not apply to:
 - (1) The driver of a school bus, taxicab, moped, motorcycle, or other motor vehicle not required to be equipped with safety belts pursuant to state or federal laws;
 - (2) The driver of an ambulance or emergency vehicle.
 - (3) The transportation of children who for medical reasons are unable to be placed in such devices; or
 - (4) The transportation of a child who weighs more than forty (40) pounds and who is being transported in the back seat of a vehicle while wearing only a lap safety belt when the back of the vehicle is not equipped with combination lap and shoulder safety belts, or when the combination lap and shoulder safety belts in the back seat are being used by other children who weigh more than forty (40) pounds. Provided, however, for purposes of this paragraph, back seat shall include all seat located behind the front seat of a vehicle operated by a licensed child care facility or church. Provided further, there shall be rebuttable presumption that a child has met the weight requirements of this subsection if at the request of any law enforcement officer, the licensed child care facility or church provides the officer with a written statement verified by the parent or legal guardian that the child weighs more than forty (40) pounds.

- (d) A law enforcement officer is hereby authorized to stop a vehicle if it appears that the driver of the vehicle violated the provisions of this section and to give an oral warning to said driver. The warning shall advise the driver of the possible danger to children resulting from the failure to install or use a child passenger restraint system or seat belts in the motor vehicle.
- (e) Any person convicted of violating subsection (a) or (b) of this section shall be punished by a fine of Fifty Dollars (\$50.00) and shall pay all court costs thereof. This fine shall be suspended and the court costs limited to a maximum of Fifteen Dollars (\$15.00) in the case of the first offense upon proof of purchase or acquisition by loan of a child passenger restraint system. Provided, the department of public safety shall not assess points to the driving record of any person convicted of a violation of the section.

Sec. 110-155. Reckless driving.

Any person who drives any vehicle in a reckless or wanton manner without regard for the safety of a person(s) or property is guilty of reckless driving.

Sec. 110-156. Careless or negligent driving, stopping or parking.

It shall be unlawful for any person to drive, use, operate, park, cause to be parked or stop any vehicle in a careless or negligent manner, or in such a manner as to endanger life, limb, person, or property, or as to interfere with the lawful movement of traffic or use of the streets.

Sec. 110-164. Following too closely.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the road.

Sec. 110-187. Overtaking and passing school bus; unlawful use of school bus signal.

- (a) The driver of a vehicle upon any street, roadway, or highway, upon meeting or overtaking from either direction any school bus which has stopped on or adjacent to the street, roadway or highway for the purpose of receiving or discharging any school children and other occupants, shall stop the vehicle immediately before passing the school bus when there is a visual signal and/or flashing lights in operation on the school bus as specified in this section. The driver shall not proceed until the loading signals are deactivated and then he or she shall proceed past such school bus at a speed which is reasonable and with due caution for the safety of such school children and other occupants.
- (b) The driver of a vehicle upon a highway with separate roadways need not stop upon

meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

- (c) The provisions of subsection (a) of this section shall be applicable only if the school bus is painted yellow and bears upon the front and rear thereon a plainly visible sign containing the words "SCHOOL BUS".
- (d) It shall be unlawful to operate any red flashing warning signal light on any school bus except where the bus is stopped on a highway or roadway for the purpose of permitting school children to board or alight from the bus.

Sec. 110-237. Maximum speed generally.

Except when a special hazard exists that requires lower speed for compliance with this division, the limits specified in this division or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a street at a speed in excess of such maximum limits, as follows:

- (1) Twenty-five miles per hour on any street adjacent to any school between the hours of 7:15 a.m. to 8:50 a.m., 10:30 a.m. to 12:30 p.m., and 2:30 p.m. to 3:50 p.m. when school is in session. Said times shall apply differently to the various levels of school. When school zone lights are flashing or other signs posted warning drivers of the reduced speed, may or may not include the presence of children or juveniles, violation of the posted speed limit in a school zone shall result in the doubling of appropriate fine as allowed by state statute. This shall not apply if schools are closed for a holiday or summer break.
- (2) Twenty-five miles per hour on other streets.

provided that the council, by motion or resolution, may reduce or increase this speed limit, and when it does so, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit.

Sec. 110-238. Fines for traffic violations in construction or maintenance areas.

Where any street shall be under construction or repair or a detour shall have been designated by reason of construction or repairs in progress and a speed limit has been posted, no person shall drive any vehicle upon that portion of the road or upon the detour at a speed in excess of the speed so determined and posted. Violation of the posted speed limit in the maintenance or construction zone shall result in the doubling of the appropriate fine as allowed by state statute. For the purposes of this section, maintenance or construction zone means any location where maintenance or construction work is actually in progress.

Sec. 110-278. Impoundment of vehicles.

(a) Members of the police department are hereby authorized to remove a vehicle from a street, highway, private property or public property to a garage, storage facility or other place of safety under any of the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic;

(10) When a police officer effects the arrest of the operator of the vehicle, out of said vehicle, and the operator is found to have operated the vehicle under any of the following violations:

Reckless driving,

Careless driving,

Actual Physical Control,

Driving under the influence of alcohol or drugs,

Driving while impaired,

Driving while intoxicated,

Driving under a suspended, revoked or denied license,

Driving with no state driver's license or only a set-up number,

Driving under suspension, revocation, cancellation or denial,

Eluding or attempting to elude a police officer,

Failure to give information or render aid, or

Involved in a hit-and-run accident.

Sec. 110-281. Derelict vehicles.

(a) For purposes of this section, and section 110-278, "derelict vehicle" means:

(1) A vehicle which is in a state of dilapidation;

- (2) A vehicle upon which a current license plate is not displayed;
 - (3) A vehicle from which tires or wheels have been removed or deflated;
 - (4) A vehicle which has obviously been abandoned and left on any street by the owner of the vehicle.
- (b) No person shall park, or cause to be parked, any derelict vehicle upon any street or municipally owned property.

Sec. 110-302. Obedience to devices.

The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this chapter or state statute, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

SECTION 2: EMERGENCY:

WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City of Yukon and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after its passage, as provided by law.

PASSED AND APPROVED this _____ day of _____ 2015, with the Emergency Clause passed separately.

MAYOR

ATTEST:

CITY CLERK
(SEAL)

ORDINANCE NO. 1315

AN ORDINANCE ADOPTING THE SMARTCODE; ESTABLISHING THE SMARTCODE (SC) DISTRICT REGULATIONS FOR LAND USE; SMARTCODE REGULATIONS TO BE MANDATORY WITHIN THE URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT UNLESS SPECIFICALLY EXEMPTED OR UNLESS CONTIGUOUS DEVELOPABLE LAND AREA, BY OWNERSHIP, DOES NOT MEET MINIMUM SIZE REQUIREMENTS FOR COMMUNITY SCALE PLANS; SMARTCODE REGULATIONS TO BE OPTIONAL FOR ALL REMAINING DEVELOPMENT AREAS WITHIN THE CITY OF YUKON; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Yukon, Oklahoma adopts the SmartCode described in **Exhibit “A”** being attached hereto and incorporated herein; and

WHEREAS, the City of Yukon Planning Commission and the Yukon Economic Development Authority have both provided their recommendations that the SmartCode be adopted, subject to any changes or recommendations listed in **Exhibit “B”**; and

WHEREAS, all required notices have been given and all required hearings have been held in connection with the proposed change in zoning, as prescribed by the Oklahoma Municipal Code, Title 11, Oklahoma Statutes, the Oklahoma Open Meetings Act, Title 25, Oklahoma Statutes, Section 302, *et seq.*, and other applicable law; and

WHEREAS, the City Council determines that the regulations provided for herein are desirable and appropriate; promote the health, safety, and morals of the community; and protects and preserves the general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Yukon:

SECTION 1. The SmartCode establishing the SmartCode (SC) District regulations described in **Exhibit “A,”** attached hereto and incorporated herein, is hereby adopted and approved, as recommended by the Planning Commission and Yukon Economic Development Authority, and subject to the revisions listed on **Exhibit “B.”**

SECTION 2. Pursuant to Section 607 and 608 of the City of Yukon Zoning Ordinance, the SmartCode (SC) District Regulations are to be mandatory within the Urban Gateway Overlay Supplemental District, unless specifically exempted or unless the contiguous developable land area, by ownership, is incapable of meeting the minimum size requirements for community scale plans as outlined in the SmartCode; and the SmartCode (SC) District Regulations are to be optional for all remaining development areas within the City of Yukon.

SECTION 3. All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION 4. The City Clerk of the City of Yukon is hereby authorized and directed to publish this ordinance in the manner and for the length of time prescribed by law.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EMERGENCY. **WHEREAS,** it being necessary for the preservation of the peace, health, safety, and public good of the City of Yukon and the inhabitants thereof, an emergency is hereby declared to exist, and by reason whereof, this ordinance shall take full force from and after its passage, as provided by law.

INTRODUCED and CONSIDERED in open meeting of the City Council of the City of Yukon on the ____ day of _____ 2015.

PASSED by the City Council of the City of Yukon on the ____ day of _____ 2015.

SIGNED by the Mayor of Yukon on the ____ day of _____ 2015.

KEN SMITH, MAYOR

ATTEST:

CITY CLERK

APPROVED as for form and legality this ____ day of _____ 2015.

CITY ATTORNEY



YUKON ECONOMIC
DEVELOPMENT AUTHORITY

DATE: March 12, 2015

FROM: Larry Mitchell/ Executive Director of the Yukon Economic Development Authority

TO: Yukon City Council

RE: Urban Gateway SmartCode Ordinance and Supplemental Overlay District

MEMORANDUM

The proposed Urban Gateway SmartCode Ordinance is a form-based code standard that fosters predictable building environments and high-quality public spaces by using the physical form of buildings versus the traditional zoning and land use regulation principle. For the past six months, the Yukon Economic Development Authority worked to revise the universal SmartCode model to fit community preferences that supports mixed use residential and commercial development and incorporates high-quality design and new-urban lifestyle environments. On January 15, the Authority unanimously passed a resolution approving the SmartCode Ordinance and Overlay District for the Frisco Road Economic Development Project Area. The resolution included a recommendation that the Yukon Planning Commission and City Council consider and approve the proposed amendments to the Yukon Zoning Ordinance.

The Planning Commission, City staff, representatives from Butzer-Gardner Architects, and members from the Center for Economic Development Law met in two lengthy study sessions reviewing the principle elements of the SmartCode model and how the proposed overlay district would improve the future development planned along Frisco Road. In addition, the Planning Commission

held two public hearings to provide community residents with an opportunity to discuss, comment, and question the merit/benefits of the SmartCode Ordinance. A part of this public comment period included the mailing of over seventy (70) property owner notice letters, posting of the notice in the Frisco Road TIF District, and placing a legal ad in the Yukon Review.

During the entire review process, neither the Economic Development Authority nor the Yukon Development Services Department received a single protest letter from a property owner or resident. The two ordinances placed on the City Council agenda for Tuesday, March 17, 2015 were unanimously adopted and approved by the Yukon Planning Commission on Monday, March 09, 2015.

RESOLUTION NO. 2014-26

RESOLUTION RECOMMENDING THE APPROVAL OF PROPOSED AMENDMENTS TO THE CITY OF YUKON ZONING ORDINANCE THAT WILL ALLOW FOR THE CREATION OF A FORM-BASED CODE OVERLAYING THE FRISCO ROAD ECONOMIC DEVELOPMENT PROJECT PLAN PROJECT AREA

WHEREAS, the Yukon Economic Development Authority (“Authority”) is a public trust created by a Trust Indenture dated August 2, 2013, adopted pursuant to the Oklahoma Public Trust Law, 60 O.S. § 176, *et seq.*, for the purposes of financing, operating, developing, constructing, maintaining, managing, marketing, and administering projects for investments and reinvestments within or near the City of Yukon; and

WHEREAS, the City of Yukon (“City”) has adopted the Frisco Road Economic Development Project Plan (“Project Plan”), which seeks to improve the quality of life for Yukon citizens, stimulate private investment, and enhance the tax base by promoting the development of property located just south of Interstate 40 and east of Frisco Road that is to be anchored by a limited service hotel and various commercial outlets; and

WHEREAS, the City has authorized and designated the Authority as a public entity to assist in carrying out provisions of the Project Plan, including incurring Project Costs pursuant to Section VIII of the Project plan; and

WHEREAS, one of the principal actions under the Project Plan is the planning and design approval of the Project; and

WHEREAS, to assist with this action the Authority has retained the services of Butzer Gardner Architects (“Consultants”) to conduct the Authority’s planning and design review services pursuant to the Project Plan; and

WHEREAS, the Consultants have conducted a community design survey, which revealed that there is a strong public preference for mixed-use, new-urban-style development for the Frisco Road Project Area; and

WHEREAS, existing City zoning ordinances and development regulations do not allow the type of mixed-use development desired by City residents, as evidenced by the community design survey; and

WHEREAS, changes to the City’s zoning ordinances and development regulations are necessary in order to implement the development outcomes desired by City residents; and

WHEREAS, the SmartCode is a nationally-known template development code that is easily calibrated to local conditions and will allow the type of development desired by City residents; and

WHEREAS, the Consultants, in coordination with the Executive Director and Legal Counsel, have begun preparing a draft SmartCode calibration for the Frisco Road Project Area and have proposed certain amendments to the current City zoning ordinance that allow the SmartCode to be adopted and implemented.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Yukon Economic Development Authority:

1. That the proposed amendments to the City of Yukon Zoning Ordinance shown in "Exhibit A" to this resolution are necessary to the adoption and implementation of a forthcoming SmartCode calibration which will provide the appropriate regulatory context to allow the creation of a mixed-use, new-urban development for the Frisco Road Project Area.
2. That the Board of Trustees of the Yukon Economic Development Authority recommends to the Planning Commission and the City Council of the City of Yukon that they consider and approve the proposed amendments to the City of Yukon Zoning Ordinance shown in "Exhibit A."

I, DOUG SHIVERS, Secretary of the Board of Trustees of the Yukon Economic Development Authority, certify the foregoing Resolution was duly adopted at a regular meeting of the Board of Trustees of the Yukon Economic Development Authority, held at offices at 12 South 5th Street, Yukon, Oklahoma, on the 15TH day of JANUARY, 2015; said meeting was held in accordance with the By-Laws of the Authority and the Oklahoma Open Meetings Act, that a quorum was present at all times during said meeting; and the Resolution was duly adopted by a majority of those Trustees present.

(SEAL)

Chairman


Secretary





**Planning Commission Minutes
MARCH 9, 2015**

The City of Yukon Planning Commission held a Meeting March 9, 2015 at 7:00 p.m. in the Centennial Building at 12 South 5th St.

Invocation was given by Commissioner Baker
Flag Salute was lead in unison by Commissioner Davis

ROLL CALL: (Present) Larry Taylor, Chairman
 Robert Davis, Commissioner
 Ed Hatley, Commissioner
 Bill Baker, Commissioner
 Earline Smaistrla, Commissioner

OTHERS PRESENT: Cindy Wright, City Planner
 Josh Gotcher, IT
 Mark Osby, City Attorney
 Mitchell Hort, Development Service Director
 Kathy Johnson, Secretary

PUBLIC HEARING

CONDUCT A HEARING TO RECEIVE COMMENTS FROM THE PUBLIC RELATING TO A RECOMMENDATION TO THE YUKON CITY COUNCIL REGARDING THE ADOPTION OF THE URBAN GATEWAY SMART CODE ORDINANCE-A FORM BASED ZONING CODE WHICH SIGNIFICANTLY DEPARTS FROM YUKON'S CURRENT ZONING SCHEME.

Chairman Taylor asked for comments from the public concerning Smart Code Ordinance, we have several members of the Economic Development Team here that will answer any questions.

Larry Mitchell, I represent the Economic Development Department Authority here in Yukon. We have 3 members here along with consultants representing the SmartCode. We are hoping to adopt two ordinances tonight; one would be a change in our current zoning and the second would be an overlay district of our TIF District; calling that Urban Gateway SmartCode. We have a short presentation by one of our consultants.

Sam Day with Butzer Gardner Architect, this is a quick overview on how we chose the SmartCode. We did the community survey back in August. From that survey 80% wanted a mix of office, retail and residential; there were 72% that said they would like to live above the shops, so we went through Yukon's current zoning ordinances and saw that there weren't any zones that allowed that mix to happen; so we drafted the Urban SmartCode; which regulates the outside, such as how big the building is, whether they have sidewalks, trees, kind of the public face of the building. Conventional zoning, we are all familiar with, is broke up by use and intensity and the number. SmartCode on the other hand is broken up by just intensity so it's flexible in terms of use; but has regulations on how big of a building, how many occupants on a tract. Then there are the three goals; 1) Ensure efficient land use 2) Improve the quality of the public realm 3) Create complete neighborhoods. To ensure efficient land use we would control block size, street size and setbacks. Improve the quality of the public realm, requires trees, sidewalks, ground floor retail with windows, so people can look as their walking by. Create complete neighborhoods; people can live above and walk down to stores below, to a park or their office without having to drive anywhere. That's pretty much the summary. Does anyone have any questions?

Chairman Taylor stated it's pretty exciting. Is there any place in Oklahoma that does this?

Mr. Day stated Tulsa is doing a small area that they've started. This would be the first significant in Oklahoma.

Chairman Taylor will it be like Brick Town?

Mr. Day stated may end up looking a little like Brick town, it will be similar to those kind of zoning codes.

Chairman Taylor asked is there over the entire 170 acres?

Mr. Mitchell stated the smaller tract of land the developer will have the option of going to the SmartCode or PUD.

Mr. Day stated it would be available to any developer in Yukon.

Chairman Taylor asked this code that we are possibly passing tonight would only apply to the TIF District?

Mr. Day stated yes, it put the SmartCode as a floating code, so anyone in the future could come and get rezoned.

Commissioner Baker asked the 1st ordinance is to apply it to all and the 2nd ordinance is to apply it to the 170 acres?

Jeff Sabin, I'm one of the consultants here. The 1st ordinance only adopts the SmartCode regulations themselves; the 2nd ordinance imposes those regulations on the Frisco Road TIF area.

Chairman Taylor asked so if someone wanted to rezone say from an R-2 they would have to come before us to get that rezoned to SmartCode?

Mr. Sabin stated that is correct and it would have to be on a parcel that is big enough to fit one of the community types.

Chairman Taylor asked so there are regulations built into the Code for that?

Mr. Sabin stated that is correct.

Chairman Taylor stated I know the Economic Development has been working hard on this. Mr. Wright, who is here, is the Chairman.

Michelle Seletto I live on 10200 NW 10th St., I have a question on sign regulations, are there going to be sizes, how high they can be; because that would affect the overall effect.

Mr. Day replied yes, there are regulations on signage and those vary depending on which district you are in. Here is a table that shows what signs are allowed in which district.

Ms. Seletto asked with all this new development will there be further infrastructure, like the water system?

Chairman Taylor replied yes, with all the new development there will be water, police and fire protection.

Ms. Seletto my 3rd and final question is the overlay with the map that I've seen, is it going to encroach anymore onto the 10th St side, where there is residential?

Chairman Taylor asked which side of 10th St do you live?

Ms. Seletto stated across from Target, by Aldi's

Chairman Taylor asked Mr. Wright, in the future that whole piece of property will be developed out there, am I correct?

Mr. Wright asked the 160 acres that is adjacent to Target? What applies tonight, only applies to Yukon.

Ms. Seletto stated when it went to 4-lane there, we lost approximately 50 feet of property, and I'm wondering if it's going to encroach anymore?

Mr. Wright stated no – the lots that are abutting you on the North side of you, have the exemption to either go with the traditional zoning or do the SmartCode; but it won't affect the other side at all. It will still go before the Planning Commission and Council.

Commissioner Baker asked, just so we didn't lose anything in the final draft – the mixed use is still part of the final draft, where people live on top with shops below?

Mr. Day stated yes that is absolutely allowed and encouraged.

Chairman Taylor stated I will now close the Public Hearing and proceed with our regular meeting.

1. ITEM: APPROVAL OF THE MINUTES OF THE FEBRUARY 9TH MEETING

Commissioner Baker made a motion to accept the minutes as written, Seconded by Commissioner Davis

A roll call vote was taken.

The Vote:

Ayes: Taylor, Baker, Davis, Hatley, Smaistrila

Nayes: None

Vote: 5-0

Motion Carried

2. ITEM: VISITORS

None

3. ITEM: TO HEAR A REQUEST FROM GROVE ASSOCIATES ON BEHALF OF ERS TELECOM PROPERTIES FOR A CONDITIONAL USE PERMIT FOR A WIRELESS TELECOMMUNICATION MONOPOLE TOWER TO BE LOCATED WEST OF WEST KALI AVE. AND NORTH 11TH ST., YUKON, OK. A TRACT OF LAND LYING IN AND BEING A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION EIGHTEEN (18), TOWNSHIP TWELVE (12) NORTH, RANGE FIVE (5) WEST OF THE INDIAN MERIDIAN CANADIAN COUNTY, OKLAHOMA, AND BEING FURTHER DESCRIBED IN BOOK 3386, PAGE 527, DEED RECORDS OF CANADIAN COUNTY, OKLAHOMA; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID SE/4; THENCE N00°03'00" E ON THE EAST LINE OF SAID SE/4, A DISTANCE OF 743.21 FEET TO A POINT ON SAID EAST LINE; THENCE N89°57'00"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 309.85 FEET TO A ½" IRON ROD WITH CAP SET FOR THE SOUTHEAST CORNER, SAID CORNER BEING THE POINT OF BEGINNING; THENCE N88°44'15" W A DISTANCE OF 60.00 FEET TO A ½" IRON ROD WITH CAP SET FOR THE SOUTHWEST CORNER; THENCE N01°15'45"E A DISTANCE OF 60.00 FEET TO A ½" IRON ROD WITH CAP SET FOR THE NORTHWEST CORNER; THENCE S88°44'15"E A DISTANCE OF 60.00 FEET TO A ½" IRON ROD WITH CAP SET FOR THE NORTHEAST CORNER; THENCE S01°15'45"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

Chairman Taylor stated this item has been requested by the applicant to be indefinitely postponed

4. ITEM: TO HEAR A REQUEST ESTABLISHING THE SMARTCODE DISTRICT REGULATIONS FOR LAND USE; SMARTCODE REGULATIONS TO BE MANDATORY WITHIN THE URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT UNLESS SPECIFICALLY EXEMPTED OR UNLESS CONTIGUOUS DEVELOPABLE LAND AREA, BY OWNERSHIP, DOES NOT MEET MINIMUM SIZE REQUIREMENTS FOR COMMUNITY SCALE PLANS; SMARTCODE REGULATIONS TO BE OPTIONAL FOR ALL REMAINING DEVELOPMENT AREAS WITHIN THE CITY OF YUKON.

Commissioner Hatley stated I make a motion to approve. Seconded by Commissioner Davis.

A roll call vote was taken.

The Vote:

Ayes: Smaistrila, Hatley, Baker, Davis, Taylor

Nayes: None

Vote: 5-0

Motion Carried

5. ITEM: TO HEAR A REQUEST TO AMEND APPENDIX A – ZONING ORDINANCE, SECTIONS 201.1, 401.3, 404.1, 406.1 TO PROVIDE FOR CONSISTENCY WITH THE CITY OF YUKON SMARTCODE; AND ENACTING NEW SECTION 607 AND NEW SECTION 608, PROVIDING FOR THE CREATION OF A NEW URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT AND PROVIDING FOR NEW ZONING DESIGNATIONS CORRESPONDING WITH THE CITY OF YUKON SMARTCODE TRANSECTS; ESTABLISHING BOUNDARIES FOR THE URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT.

Commissioner Hatley asked, is this the section that rezones a current area in Yukon to SmartCode?

Mr. Sabin replied the beginning of the sections 201.1, 401.3, 404.1 are the ones the City would like to remain. The language of the SmartCode currently supersedes any of the City codes where there is a conflict, but where there is not a conflict the City codes will remain in place. And the new sections 607 and 608 will create the new overlay. So yes, this is creating the overlay district over the existing area.

Commissioner Davis stated I would like to make a motion to approve. Seconded by Commissioner Baker.

A roll call vote was taken.

The Vote:

Ayes: Taylor, Baker, Davis, Hatley, Smaistrila

Nayes: None

Vote: 5-0

Motion Carried

~~6. NEW BUSINESS~~

~~NONE~~

7. ITEM: OPEN DISCUSSION

Chairman Taylor stated I would like to congratulate Commissioner Smaistrila from winning the City Council seat and we'll be sorry to see her leave this Commission

8. ADJOURNMENT –NEXT MEETING APRIL 13, 2015

Meeting adjourned at 7:15 pm



NOTICE OF PUBLIC HEARING

The City of Yukon strives to accommodate the needs of all citizens, including those who may be disabled. If you would like to attend this meeting but find it difficult to do so because of a disability or architectural barrier, please contact City Hall at 354-6676. We will make a sincere attempt to resolve the problem. If you require a sign-language interpreter at the meeting, please notify City Hall, 532 W Main, by 5 p.m., Friday, March 6, 2015

Notice is hereby given that the City of Yukon Planning Commission will hold a public hearing on March 9, 2015 at 7:00 p.m. in the Centennial Building at 12 South 5th Street, to receive public comments relating to a recommendation to the Yukon City Council regarding certain amendments to the City of Yukon Zoning Ordinance that will: (1) allow for the implementation of the proposed Urban Gateway SmartCode regulations; (2) create a new overlay supplemental district called the "Urban Gateway Overlay Supplemental District" which will mandate specific design principles and will establish the boundaries of the Urban Gateway Overlay Supplemental District, thereby amending the City's official zoning map accordingly; and (3) will create a new series of zoning designations for properties under the proposed Urban Gateway SmartCode.

Under the terms of said ordinance, the limits of and boundaries of the Urban Gateway Overlay Supplemental District would be established to include the following described property:

Beginning at the intersection of the west jurisdictional boundary the City of Yukon and the north boundary of the southwest quarter (SW ¼) of Section 19 of Township 12 North, Range 5 West, **Point of Beginning**; thence east along the north boundary line of the southwest quarter (SW ¼) of Section 19 of Township 12 North, Range 5 West a distance of six hundred feet, (600') to a point; thence south (S 0° 00' 00" E) to the north right-of-way of Interstate 40; thence easterly along the north right-of-way of Interstate 40 to the intersection of the east right-of-way of Garth Brooks Boulevard; thence southerly along the east right-of-way of Garth Brooks Boulevard to the intersection of the south jurisdictional boundary of the City of Yukon; thence westerly along the south jurisdictional boundary of the City of Yukon to the intersection of the west jurisdictional boundary of the City of Yukon; thence northerly along the west jurisdictional boundary of the City of Yukon to the intersection of the south jurisdictional boundary of the City of Yukon; thence westerly along the south jurisdictional boundary of the City of Yukon to the intersection of the west jurisdictional boundary of the City of Yukon; thence north along the west jurisdictional boundary of the City of Yukon to the **Point of Beginning**.

Less and Except, Lots 1, 2-A, 2-C, and 3 of Block 1 of the plat of Yukon Parkway West subdivision recorded among the land records maintained by the Office of the Canadian County Clerk in Plat Book 8, Page 228; and

Less and Except, Lots 1, 2-A2, 3, 5, and 6 of Block 1 of the plat of Yukon Village subdivision recorded among the land records maintained by the Office of the Canadian County Clerk in Plat Book 9, Pages 203 and 204; and

Less and Except, Lots 2, and 3 of Block 1 of the plat of Yukon Parkway West Phase IV subdivision recorded among the land records maintained by the Office of the Canadian County Clerk in Plat Book 8, Page 339; and

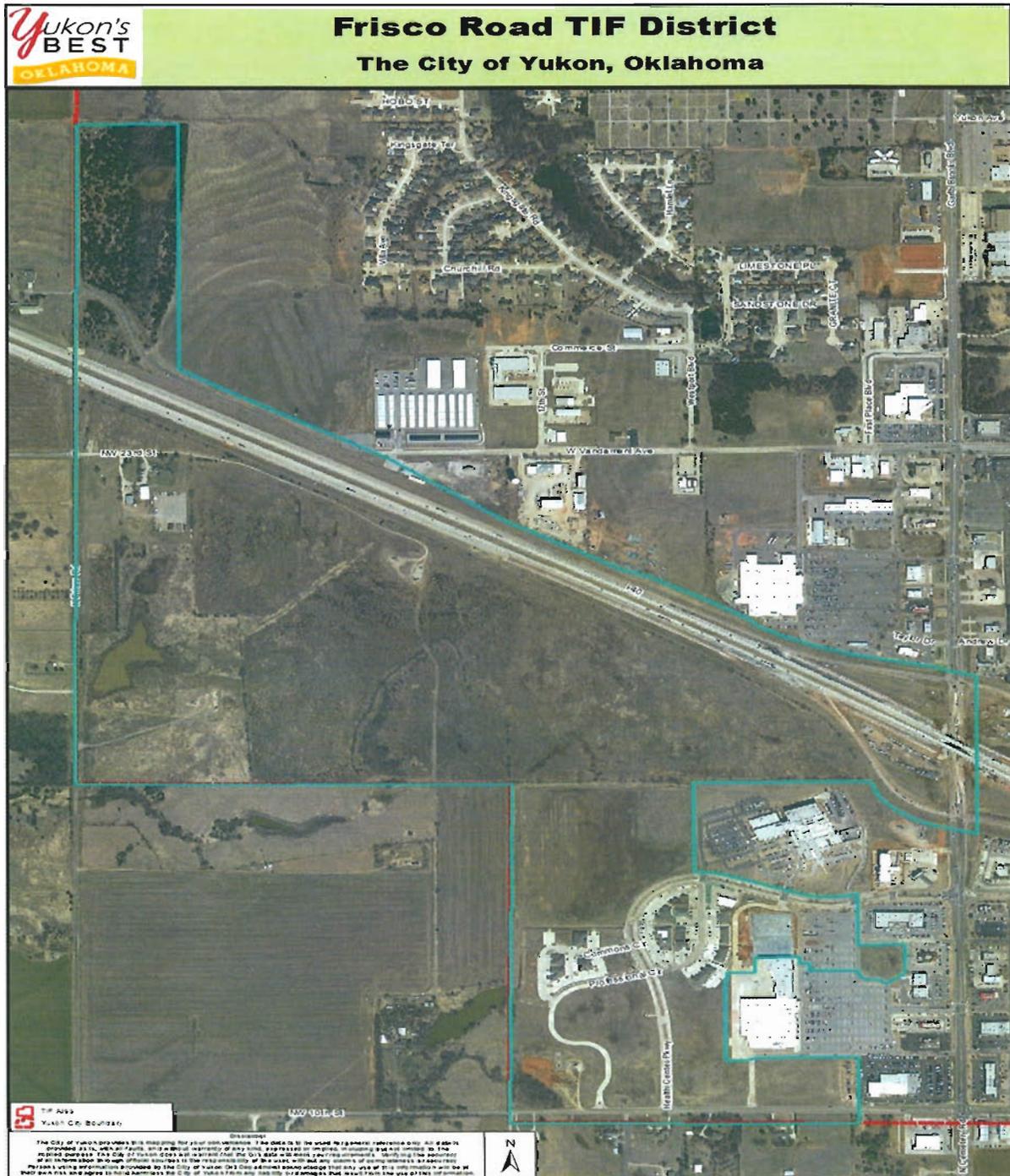
Less and Except, Lot 3 of the plat of Yukon Parkway West Phase III subdivision recorded among the land records maintained by the Office of the Canadian County Clerk in Plat Book 8, Page 316.

Proposed Use: A pedestrian-friendly urban lifestyle center development and conventional commercial development compatible with such uses and design.

Description of Proposed Zoning District: The Urban Gateway Overlay Supplemental District will require property within its boundaries to adhere to a specified set of design principles

through compliance with the City's proposed SmartCode regulations, when adopted, or through a Planned Unit Development rezoning when it develops.

Any person having any objections to the establishment of the proposed overlay district boundaries may appear before the Planning Commission on the above date set for hearing and show cause why the proposed overlay zoning should be established in accordance with said ordinance. At any time not later than three days prior to said hearing, any owner of property within the proposed overlay district boundaries, or any owner of property within a 300 foot radius of the exterior boundary of the subject property, may make legal written protest by filing the same with the Office of the City Clerk, 500 West Main, P.O. Box 850500, Yukon, Oklahoma 73085.



PROPERTY



YUKON ECONOMIC
DEVELOPMENT AUTHORITY

DATE: January 05, 2015
FROM: Larry Mitchell, YEDA Executive Director
TO: Yukon Planning Commission
RE: Introduction to Urban Gateway Smart Code Ordinance

MEMORANDUM

Planning Commission Memorandum re: SmartCode and Urban Gateway Overlay

BACKGROUND

On March 4, 2014, the City Council adopted the Frisco Road Economic Development Project Plan ("Project Plan"), which created a sales tax increment district to help finance infrastructure improvements and other public costs necessary to develop the Project Area. The Yukon Economic Development Authority ("YEDA") hired Butzer Gardner Architects ("Consultants") to assist with master planning for the site. The Consultants helped the City conduct a community survey that would show the type of development Yukon citizens believe would result in a greater quality of life. The results of the survey overwhelmingly showed a preference for high-quality, new-urban style mixed residential and commercial development. Unfortunately, the City's current Planned Unit Development ("PUD") zoning does not allow mixed uses, and the Master Development Plan required to be submitted with a PUD application requires a level of detail too great for the proposed primary developer's current planning stage. With the time it would take to be able to reach that level of the planning, the developers could

potentially construct something (or sell the property to someone who will construct something) under its current C-5 zoning. So, in order to ensure the public's development preferences will be implemented, the Consultants worked closely with YEDA's legal counsel to create a form-based code called the "SmartCode," along with a separate overlay district mandate its use.

FORM-BASED CODES

Form-based codes are land development regulations that try to foster predictable built environments and high-quality public spaces using the physical form of buildings and public spaces as the central organizing principle rather than the specific, categorized and segregated land uses seen in conventional zoning. The relationship between actual buildings and what some planners term "the public realm" – the part of a developed area the general public has a right to use for transportation, ingress/egress to private spaces, and congregation (streets, sidewalks, parks, open space, etc.) – is the central concern of form-based codes. Form-based standards are typically presented both textually and in clearly-drawn diagrams, with their implementation tied to a regulating plan that designates the appropriate standards for specific property to which the code applies.

THE SMARTCODE

The SmartCode is a model form-based code developed by prominent architects and urban planners, and was designed to be easily calibrated to local conditions and desired character of development. Because the SmartCode is easily calibrated and is based on well-known components of urban design, it is more streamlined and efficient than most conventional codes and has been adopted in some form by a large number of cities across the country (a complete list of adopted and pending SmartCodes can be found in The Codes Study, a compilation study maintained by the urban planning firm "Placemakers LLC"¹). The way the SmartCode typically regulates development is fairly straightforward: based on the land area available for the proposed development, the landowner (or the City) would select a particular type of development (called a

¹The Codes Study may be accessed online at <http://www.placemakers.com/how-we-teach/codes-study/>.

“community unit type”) and create an individualized regulating plan for that area that will meet the SmartCode’s specific public standards and regulations applicable to that community unit type. Those public standards and regulations differ between seven “transects” (building zones), and each community unit type has a percentage quota for the amount of the development area to be subject to each transect. A more detailed introduction of how the SmartCode operates may be found in the “Introduction” section in the first five pages of the SmartCode.

Community Unit Types

The community unit types available for a SmartCode development depend on whether the development is going to be a greenfield development in a currently undeveloped area or an infill development in a currently-developed area. For greenfield development, the Yukon SmartCode has three different community unit types available:

- (1) **Clustered Land Development**—Generally covers 30-80 acres and consists of a small-lot grouping of mostly residential development surrounded by rural and natural areas.
- (2) **Traditional Neighborhood Development**—Generally covers 80-160 acres and includes a strong, balanced mixture of suburban residential, urban residential, and town-center/Main Street-style commercial development patterns.
- (3) **Regional Center Development**—Generally covers 80-640 acres and leans heavily on urban development patterns and vertical mixed-use development patterns.

Available community unit types for infill development include Traditional Neighborhood Development and Regional Center Development, but instead of relying on land area availability to determine which type is available, the existing character of surrounding development is used to dictate the community unit type. Often the community type is assigned by the City, based on a specific area plan (for example, a

downtown master plan may serve as the regulating plan for Downtown Yukon and surrounding areas based on a Traditional Neighborhood Development community unit type). Infill regulating plans are usually the product of widespread public planning efforts, whereas new community scale plans are often the product of a developer's vision and design team, with the City reviewing the developer's submission for compliance with SmartCode regulations.

Transects

Each community unit type must contain certain percentages of its total land area as each transect zone. Assigned transect zones, in turn, will become the area's zoning designations. The basic idea of splitting building zones by transect is to attempt to mirror in the manmade environment the types of gradual transitions between ecosystems and landscapes seen in the natural environment. Natural, undeveloped areas (T1) gradually transition into rural development (T2), which then transitions into suburban patterns (T3) and then into varying scales of urban development (T4, T5 and T6). Each transect zone contains regulations and standards governing density, block size, allowable street cross-sections, required civic spaces, building disposition, building configuration, and building function. A good summary of the different transect zone standards can be found in SmartCode Table 14 (p. 52), with detailed summary of each transect immediately following in the various Tables 15. Some areas may not be able to fit into the standards of a transect zone, and for those areas the SmartCode has created a Special District, which has more conventional development standards. However, Special Districts may only be used at a small scale.

Applicability and Development Review Process

The SmartCode is intended to be a unified development ordinance that supplants conflicting development-related municipal regulations for areas where it is made applicable. If not in conflict, the existing municipal regulations will continue to apply. Proposed SmartCode projects are reviewed administratively by the "Consolidated Review Committee," a group of City staff with review authority over new development (planners, engineer, public works, parks, police and fire departments, economic development), for compliance with the SmartCode's prescribed standards

before going before the Planning Commission and City Council as a rezoning application. Once City Council approves the rezoning application and regulating plan, the Consolidated Review Committee may administratively approve other project applications within the area subject to the SmartCode so long as the applications meet the SmartCode's requirements for the appropriate transect zone(s) and no variances are sought. It is worth noting that the SmartCode has some administrative flexibility built into its standards through the warrant process. A warrant allows the Development Services Department to administratively approve deviations from the SmartCode's standards so long as those deviations are less than 10% of the specified standard and staff can show in its review report that the warrant request is consistent with the intent of the SmartCode (as explained in SmartCode Section 1.3). Any other deviation must be approved through the City's existing variance process.

URBAN GATEWAY OVERLAY

The SmartCode itself is not a zoning district; the transect zones that will be applied pursuant to an approved regulating plan are. Something else is needed to mandate the SmartCode immediately within the Project Area before a conventional development is built on the site. The Urban Gateway Overlay Supplemental District is what mandates the SmartCode in the Frisco Road Project Area. The SmartCode is applicable at the developer's option in other areas in the City, but the Urban Gateway Overlay mandates compliance with a set of urban design principles through SmartCode compliance, or, in the alternative for areas exempted or too small for a SmartCode development, a PUD application process that meets those urban design principles to the greatest degree possible.

Getting to Smart Growth II:

100 MORE POLICIES FOR IMPLEMENTATION

When we published the first volume of *Getting to Smart Growth: 100 Policies for Implementation*, we knew that there was an audience for the practical information it contained. We were surprised to learn just how big that audience was. Between January 2002, when the publication was released, and September 2003, roughly 20,000 hardcopies were distributed and over 68,000 copies were downloaded. Requests for *Getting to Smart Growth* came from developers, architects, planners and planning commissions, city and county managers, mayors and council members, citizens, and realtors, as well as people and groups less familiar with the movement toward smarter growth. The document has served as the organizing principle for conferences, has been required reading for academic coursework, has served as the basis of surveys, and has informed city councils, planning committees, and smart growth commissions across the country and around the world. It is even being translated into Spanish. Clearly, there is a demand for information that connects smart growth ideas with specific action.

Getting to Smart Growth II picks up where the first volume left off. Like its predecessor, this volume shows that a wide variety of smart growth tools, policies, and approaches are available to create more livable communities. Each community has its own unique set of challenges, and smart growth demands a flexible response. Volumes I and II offer a menu of options that can be mixed and matched to fit local circumstances, local visions, and local values.

There are some key differences between the two volumes. First and foremost, *Getting to Smart Growth II* presents all new policies. And, while it contains many actions for the public sector, it expands on our previous effort by also highlighting steps that the private sector can take to promote more livable communities. This volume is also more specific than the first. It discusses individual programs (occasionally specific applications of broader ideas presented in the previous work) and emphasizes case studies to show where the various policies, programs, and projects have been successfully implemented. In a few cases you will find policies that are totally new and await their first application. Finally, in addition to "Practice Tips," we have included "Finance Tips" that illustrate important financial aspects of getting smart growth projects on the ground. These tips address an important fact about development: what gets financed is what gets built.

Smart growth projects are now being financed in record numbers. Momentum for implementing smart growth continues to mount in both the public and private sectors. The Congress for the New Urbanism (CNU) estimates that between 2001 and 2002, the number of smart growth developments increased by 26 percent, and that by December 2002, 472 smart growth developments had been completed. In another study, the CNU estimated that up to one-third of the demand for new housing over the next couple of decades is likely to be for dense, walkable communities.

SMART GROWTH PRINCIPLES

1. Mix land uses
2. Take advantage of compact building design
3. Create a range of housing opportunities and choices
4. Create walkable communities
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Strengthen and direct development toward existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost-effective
10. Encourage community and stakeholder collaboration in development decisions

On the public side of the ledger, smart growth has received significant support. Seventeen governors issued 19 executive orders on planning, smart growth, and related topics between 1999 and 2001, as compared with 12 orders issued during the previous eight years combined. In the elections of November 2000, there were 553 state and local ballot measures related to some aspect of growth that went before voters: 78.2 percent of open-space measures passed, 71.4 percent of economic-development measures passed, and 74.7 percent of infrastructure measures were approved.

These positive trends reflect the belief that communities can do more to ensure that development improves their economy, community, and environment. They are questioning the wisdom of abandoning existing shopping centers only to have to later rebuild them on areas that used to be farmland. They are unhappy with development decisions that limit their choices and mobility by forcing them to drive long distances in heavy traffic. They are frustrated with current regulations that limit housing choices and drive up housing costs. They are increasingly aware of the tax and local budget impacts of neglecting existing infrastructure and rebuilding it on the community fringe. Typically, these issues have been debated in the form of growth-as-usual versus no-growth debates. The problem is that neither option solves the problems.

The popularity of smart growth stems in large part from its focus on a more pragmatic question: "How and where should we grow?" By asking this question, communities have been able to capture the benefits of growth and to avoid many of its pitfalls. Current budget problems and competitions between localities for tax revenue have only made the question of how and where to grow more important. Budget shortfalls mean communities must get the most from every dollar invested while maximizing their economic development potential. Many communities that identify opportunities to reduce traffic, preserve open space, and make

better use of their tax dollars also find that outdated regulations, perverse subsidies, and arduous approval processes prohibit the market from delivering. Fortunately, the same dynamics that make smart growth popular also provide the political will to remove barriers and let the market function.

Smart growth has been characterized in many ways, and some initiatives—such as directing growth away from certain areas without identifying parcels appropriate for development, high-density projects without a mix of uses, and large-scale revitalization without affordable housing—have been incorrectly characterized as smart growth in order to capitalize on the popularity of the term. Such initiatives lack the combination of the many smart growth principles (see box) that create synergies and generate benefits. The most successful communities take a multipronged approach that incorporates many of smart growth's principles, and by doing so, they achieve many of smart growth's goals. New development adds value to the existing community. Localities get the most from their investments. Residents have a variety of transportation choices—walking, biking, transit, and driving—to get to convenient amenities (e.g., schools, shops, restaurants, and libraries) and jobs located close to their homes. A mix of housing and neighborhood types meets the needs of couples, singles, families, and seniors, thus fulfilling the many American Dreams that exist in the market place.

One of the best indicators of the effectiveness of Volume I was the number of e-mails and letters we received in praise of how the book led to some meaningful action or policy change. We look forward to hearing more stories and feedback from users of Volume II. Please feel free to drop us an e-mail at smartgrowth@icma.org. We hope you enjoy this volume and that it helps to create a better future in your community and communities across America.

SMARTCODE

VERSION 9.2

INTRODUCTION

Summary: What the SmartCode Does

- It utilizes a type of zoning category that ranges systematically from the wilderness to the urban core.
- It enables and qualifies Smart Growth community patterns that include Clustered Land Development (CLD), Traditional Neighborhood Development (TND™), Regional Center Development (RCD), and Transit-Oriented Development (TOD).
- It integrates the scale of planning concern from the regional through the community scale, on down to the individual lot and, if desired, its architectural elements.
- It integrates the design process across professional disciplines.
- It integrates methods of environmental protection, open space conservation and water quality control.
- It integrates subdivision and public works standards.
- It provides a set of zoning categories common to new communities and to the infill of existing urbanized areas.
- It is compatible with architectural, environmental, signage, lighting, hazard mitigation, and visibility standards.
- It establishes parity of process for existing and new urban areas.
- It integrates protocols for the preparation and processing of plans.
- It encourages the efficiency of administrative approvals when appropriate, rather than decision by public hearing.
- It encourages specific outcomes through incentives, rather than through prohibitions.
- It specifies standards parametrically (by range) in order to minimize the need for variances.
- It generally increases the range of the options over those allowed by conventional zoning codes.

Outline of the SmartCode

ARTICLE 3 & ARTICLE 4 COMMUNITY SCALE PLANS		ARTICLE 5 BUILDING SCALE PLANS		
	B. Community Unit	C. Transect Zones		Standards
Open Lands	None	T1	Natural Zone	
	None	T2	Rural Zone	
New Development	CLD Clustered Land Development	T2	Rural Zone	Building Disposition
		T3	Sub-Urban Zone	
		T4	General Urban Zone	
	TND Traditional Neighborhood Development	T3	Sub-Urban Zone	Building Configuration
		T4	General Urban Zone	
		T5	Urban Center Zone	
RCD Regional Center Development	T4	General Urban Zone	Building Function	
	T5	Urban Center Zone		
	T6	Urban Core Zone		
Existing Development	TND IN FILL Traditional Neighborhood Development	T3	Sub-Urban Zone	Density Calculations
		T4	General Urban Zone	
		T5	Urban Center Zone	
	RCD IN FILL Regional Center Development	T4	General Urban Zone	Parking Standards
		T5	Urban Center Zone	
		T6	Urban Core Zone	
Other		CB	Civic Building	Landscape Standards
		CS	Civic Space	
	SD Special Districts	SD1 Special District 1		
				Supplementary Modules

INTRODUCTION

The Structure of the SmartCode

Article 1 contains the general instructions pertaining to all other Articles.

Article 2 [Reserved]

Article 3 prescribes the requirements for New Communities, including the Transect Zones that make up each type.

Article 4 prescribes the Infill requirements for areas already urbanized.

Article 5 prescribes lot and building standards within each Transect Zone.

Article 6 contains diagrams and tables supporting the other Articles.

Article 7 contains terms and definitions supporting the other Articles.

The SmartCode is a unified planning ordinance that applies to three scales of land use. The three patterns are in a nesting relationship.

A. Regional Sector - not used

B. Community Units contain designated ratios of Transect Zones (Articles 3 and 4).

C. Transect Zones contain the building elements appropriate to them (Articles 5 and 6).

A. Regional Scale - Not used

B. Community Scale:

The Regional Sectors each contain one or more of the three basic Community Unit types (CLD, TND, RCD).

- **CLD - Clustered Land Development** (Hamlet, settlement, cluster)
- **TND - Traditional Neighborhood Development** (Village, neighborhood) –
- **RCD - Regional Center Development** (Regional Center, town center, downtown)

C. Transect Zones:

The Transect, as a framework, identifies a range of habitats from the most natural to the most urban. Its continuum, when subdivided, lends itself to the creation of zoning categories. These categories include standards that encourage diversity similar to that of organically evolved settlements. The standards overlap (they are parametric), reflecting the successional ecotones of natural and human communities. The Transect thereby integrates environmental and zoning methodologies, enabling environmentalists to assess the design of social habitats and urbanists to support the viability of natural ones.

- **T-1 Natural Zone** consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.
- **T-2 Rural Zone** consists of sparsely settled lands in open or cultivated state. These include woodland, agricultural land, grassland, and irrigable desert. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.
- **T-3 Sub-Urban Zone** consists of low density residential areas, adjacent to higher zones that some mixed use. Home occupations and outbuildings are

allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and the roads irregular to accommodate natural conditions.

- **T-4 General Urban Zone** consists of a mixed-use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.
- **T-5 Urban Center Zone** consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, steady street tree planting and buildings set close to the sidewalks.
- **T-6 Urban Core Zone** consists of the highest density and height, with the greatest variety of uses, and civic buildings of regional importance. It may have larger blocks; streets have steady street tree planting and buildings set close to the wide sidewalks. Typically only large towns and cities have an Urban Core Zone.
- **Civic Zone** consists of Civic Buildings and/or Civic Spaces appropriate to their Transect Zones.
- **Special Districts** consist of areas with buildings that by their Function, Disposition, or Configuration cannot, or should not, conform to one or more of the six normative Transect Zones.

TABLE 10A. BUILDING FUNCTION

TABLE 10: Building Function. This table categorizes Building Functions within Transect Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Warrant, see Table 12.

	T2 T3	T4	T5 T6
a. RESIDENTIAL	Restricted Residential: The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building, with 2.0 parking places for each. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 440 sf, excluding the parking area.	Limited Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).	Open Residential: The number of dwellings on each Lot is limited by the requirement of 1.0 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).
b. LODGING	Restricted Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	Limited Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	Open Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function.
c. OFFICE	Restricted Office: The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Limited Office: The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Open Office: The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
d. RETAIL	Restricted Retail: The building area available for Retail use is restricted to one Block corner location at the first Story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.	Limited Retail: The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.	Open Retail: The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net Retail space. Retail spaces under 1500 square feet are exempt from parking requirements.
e. CIVIC	See Table 12	See Table 12	See Table 12
f. OTHER	See Table 12	See Table 12	See Table 12

TABLE 11: Parking Calculations. The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

	REQUIRED PARKING (See Table 10)		
	T2 T3	T4	T5 T6
RESIDENTIAL	2.0 / dwelling	1.5 / dwelling	1.0 / dwelling
LODGING	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
RETAIL	4.0 / 1000 sq. ft.	4.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
CIVIC	To be determined by Warrant		
OTHER	To be determined by Warrant		

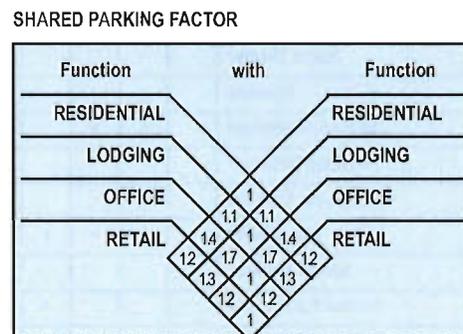


TABLE 12. SPECIFIC FUNCTION & USE

TABLE 12: Specific Function & Use. This table expands the categories of Table 10 to delegate specific Functions and uses within Transect Zones. Table 12 should be customized for local character and requirements.

	T1	T2	T3	T4	T5	T6	SD1
a. RESIDENTIAL							
Mixed Use Block					■	■	■
Flex Building				■	■	■	■
Apartment Building				■	■	■	■
Live/Work Unit			■	■	■	■	■
Row House				■	■		■
Duplex House				■	■		
Courtyard House				■	■		
Sideyard House			■	■	■		
Cottage			■	■			
House		■	■	■			
Villa		■					
Accessory Unit		■	■	■	■		
b. LODGING							
Hotel (no room limit)					■	■	■
Inn (up to 12 rooms)		□		■	■	■	■
Bed & Breakfast (up to 5 rooms)		□	■	■	■	■	
S.R.O. hostel			□	□	□	□	□
School Dormitory				■	■	■	■
c. office							
Office Building				■	■	■	□
Live-Work Unit			■	■	■	■	□
d. RETAIL							
Open-Market Building		■	■	■	■	■	■
Retail Building				■	■	■	■
Display Gallery				■	■	■	□
Restaurant				■	■	■	■
Kiosk				■	■	■	□
Push Cart					□	□	□
Liquor Selling Establishment					□	□	□
Adult Entertainment							
e. CIVIC							
Bus Shelter			■	■	■	■	■
Convention Center						□	■
Conference Center					□	■	■
Exhibition Center						□	■
Fountain or Public Art		■	■	■	■	■	■
Library				■	■	■	■
Live Theater					■	■	■
Movie Theater					■	■	■
Museum					□	■	■
Outdoor Auditorium		□	■		■	■	■
Parking Structure					■	■	■
Passenger Terminal						□	□
Playground		■	■	■	■	■	■
Sports Stadium						□	■
Surface Parking Lot				□	□	□	■
Religious Assembly		■	■	■	■	■	■
f. OTHER: AGRICULTURE							
Grain Storage		■	■				□
Livestock Pen		□	□				□
Greenhouse		■	■	□			□
Stable		■	■	□			□
Kennel		■	■	□	□	□	□
g. OTHER: AUTOMOTIVE							
Gasoline			□			□	□
Automobile Service					□	□	■
Truck Maintenance							■
Drive -Through Facility					□	□	■
Rest Stop		■	■				□
Roadside Stand		■	■				□
Billboard						□	□
Shopping Center							□
Shopping Mall							□
h. OTHER: CIVIL SUPPORT							
Fire Station				■	■	■	■
Police Station					■	■	■
Cemetery			■	□	□		■
Funeral Home					■	■	■
Hospital						□	□
Medical Clinic						□	■
i. OTHER: EDUCATION							
College						□	□
High School					□	□	□
Trade School						□	□
Elementary School				□	■	■	■
Other- Childcare Center			■	■	■	■	□
j. OTHER: INDUSTRIAL							
Heavy Industrial Facility							■
Light Industrial Facility					□	□	■
Truck Depot							■
Laboratory Facility						□	■
Water Supply Facility							■
Sewer and Waste Facility							■
Electric Substation	□	□	□	□	□	□	■
Wireless Transmitter	□	□					■
Cremation Facility							■
Warehouse						□	■
Produce Storage							■
Mini-Storage							■

■ BY RIGHT
□ BY WARRANT

TABLE 14. SMARTCODE SUMMARY



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE	T6 URBAN CORE ZONE	SD SPECIAL DISTRICT (see Table 16)
a. ALLOCATION OF ZONES per Pedestrian Share (applicable to Article 3 only)							
CLD requires	no minimum	50% min	10 - 30%	20 - 40%	not permitted	not permitted	
TND requires	no minimum	no minimum	10 - 30%	30 - 60 %	10 - 30%	not permitted	
RCD requires	no minimum	no minimum	not permitted	10 - 30%	40 - 80%	10 - 30 %	0%-10%
b. BASE RESIDENTIAL DENSITY (see Section 3.8)							
By Right	not applicable	1 unit / 20 ac. avg.	2 units / ac. gross	4 units / ac. gross	6 units / ac. gross	12 units / ac. gross	
By TDR	by Variance	by Variance	6 units / ac. gross	12 units / ac. gross	24 units / ac. gross	96 units / ac. gross	
Other Functions	by Variance	by Variance	10 - 20%	20 - 30%	30 - 70%	40 - 80%	
c. BLOCK SIZE							
Block Perimeter	no maximum	no maximum	3000 ft. max	2400 ft. max	2000 ft. max	2000 ft. max	* 3000 ft. max with parking structures
d. THOROUGHFARES (see Table 3 and Table 4)							
HW	permitted	permitted	permitted	not permitted	not permitted	not permitted	
BV	not permitted	not permitted	permitted	permitted	permitted	permitted	
AV	not permitted	not permitted	permitted	permitted	permitted	permitted	
CS	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
DR	not permitted	not permitted	permitted	permitted	permitted	permitted	
ST	not permitted	not permitted	permitted	permitted	permitted	not permitted	
RD	permitted	permitted	permitted	not permitted	not permitted	not permitted	
Rear Lane	permitted	permitted	permitted	permitted	not permitted	not permitted	
Rear Alley	not permitted	not permitted	permitted	required	required	required	
Path	permitted	permitted	permitted	permitted	not permitted	not permitted	
Passage	not permitted	not permitted	permitted	permitted	permitted	permitted	
Bicycle Trail	permitted	permitted	permitted	not permitted	not permitted	not permitted	
Bicycle Lane	permitted	permitted	permitted	permitted	not permitted	not permitted	
Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted	* permitted within Open Spaces
e. CIVIC SPACES (see Table 13)							
Park	permitted	permitted	permitted	by Warrant	by Warrant	by Warrant	
Green	not permitted	not permitted	permitted	permitted	permitted	not permitted	
Square	not permitted	not permitted	not permitted	permitted	permitted	permitted	
Plaza	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
Playground	permitted	permitted	permitted	permitted	permitted	permitted	
f. LOT OCCUPATION							
Lot Width	not applicable	by Warrant	72 ft. min 120 ft. max	18 ft. min 96 ft. max	18 ft. min 180 ft. max	18 ft. min 700 ft. max	
Lot Coverage	not applicable	by Warrant	60% max	70% max	80% max	90% max	
g. SETBACKS - PRINCIPAL BUILDING (see Table 15)							
(g.1) Front Setback (Principal)	not applicable	48 ft. min	24 ft. min	6 ft. min 18 ft. max	0 ft. min 8 ft. max	0 ft. min 8 ft. max	
(g.2) Front Setback (Secondary)	not applicable	48 ft. min	12 ft. min	6 ft. min 18 ft. max	0 ft. min 8 ft. max	0 ft. min 8 ft. max	
(g.3) Side Setback	not applicable	96 ft. min	12 ft. min	0 ft. min	0 ft. min 24 ft. max	0 ft. min 24 ft. max	
(g.4) Rear Setback	not applicable	96 ft. min	12 ft. min	3 ft. min	3 ft. min	0 ft. min	
Frontage Buildout	not applicable	not applicable	40% min	60% min	80% min	80% min	
h. SETBACKS - OUTBUILDING (see Table 15)							
(h.1) Front Setback	not applicable	20 ft. min + bldg setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop	not applicable	
(h.2) Side Setback	not applicable	3 ft. or 6 ft.	3 ft. or 6 ft.	0 ft. min or 3 ft.	0 ft. min	not applicable	
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft.	3 ft. max	not applicable	
i. BUILDING DISPOSITION (see Table 9)							
Edgeward	permitted	permitted	permitted	permitted	not permitted	not permitted	
Sideward	not permitted	not permitted	not permitted	permitted	permitted	not permitted	
Rearward	not permitted	not permitted	not permitted	permitted	permitted	permitted	
Courtyard	not permitted	not permitted	not permitted	not permitted	permitted	permitted	
j. PRIVATE FRONTAGES (see Table 7)							
Common Yard	not applicable	permitted	permitted	not permitted	not permitted	not permitted	
Porch & Fence	not applicable	not permitted	permitted	permitted	not permitted	not permitted	
Terrace or Dooryard	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Forecourt	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Stoop	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Shopfront & Awning	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Gallery	not applicable	not permitted	not permitted	permitted	permitted	permitted	
Arcade	not applicable	not permitted	not permitted	not permitted	permitted	permitted	
k. BUILDING CONFIGURATION (see Table 8)							
Principal Building	not applicable	2 Stories max	2 Stories max	3 Stories max	5 Stories max, 20 ft min	8 Stories max, 2 min	
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	2 Stories max	not applicable	
l. BUILDING FUNCTION (see Table 10 & Table 12)							
Residential	not applicable	restricted use	restricted use	limited use	open use	open use	
Lodging	not applicable	restricted use	restricted use	limited use	open use	open use	
Office	not applicable	restricted use	restricted use	limited use	open use	open use	
Retail	not applicable	restricted use	restricted use	limited use	open use	open use	

ARTICLE 5
ARTICLE 2, 3, 4

DISPOSITION

CONFIGURATION

FUNCTION

ORDINANCE NO. 1316

AN ORDINANCE PROVIDING AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING APPENDIX A – ZONING ORDINANCE, SECTIONS 201.1, 401.3, 404.1, 406.1 TO PROVIDE FOR CONSISTENCY WITH THE CITY OF YUKON SMARTCODE; AND ENACTING NEW SECTION 607 AND NEW SECTION 608, PROVIDING FOR THE CREATION OF A NEW URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT AND PROVIDING FOR NEW ZONING DESIGNATIONS CORRESPONDING WITH THE CITY OF YUKON SMARTCODE TRANSECTS; ESTABLISHING BOUNDARIES FOR THE URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT; PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

WHEREAS, the City of Yukon (“City”) has adopted the Frisco Road Economic Development Project Plan (“Project Plan”), which seeks to improve the quality of life for Yukon citizens, stimulate private investment, and enhance the tax base by promoting the development of property located in the general vicinity of Interstate 40 east of Frisco Road; and

WHEREAS, the City has authorized and designated the Yukon Economic Development Authority (“Authority”), a public trust, as a public entity to assist in carrying out provisions of the Project Plan, including incurring Project Costs pursuant to Section VIII of the Project Plan; and

WHEREAS, one of the principal actions under the Project Plan is the planning and design approval of the Project; and

WHEREAS, to assist with this action the Authority has conducted a community design survey, which revealed that there is a strong public preference for mixed-use, new-urban-style development for the Frisco Road Project Area; and

WHEREAS, existing City zoning ordinances and development regulations do not allow the type of mixed-use development desired by City residents, as evidenced by the community design survey; and

WHEREAS, changes to the City’s zoning ordinances and development regulations are necessary in order to implement the development outcomes desired by City residents; and

WHEREAS, the SmartCode is a nationally-known template development code that is easily calibrated to local conditions and will allow the type of development desired by City residents; and

WHEREAS, the Authority has been working to calibrate a SmartCode for the Frisco Road Project Area and have proposed certain amendments to the current City zoning ordinance and changes in zoning that allow the SmartCode to be adopted and implemented; and

WHEREAS, the Planning Commission and the Authority have both provided their recommendations that the amendments and changes in zoning provided for herein be adopted; and

WHEREAS, all required notices have been given and all required hearings have been held in connection with the proposed change in zoning, as prescribed by the Oklahoma Municipal Code, Title 11, Oklahoma Statutes, the Oklahoma Open Meetings Act, Title 25, Oklahoma Statutes, Section 302, *et seq.*, and other applicable law; and

WHEREAS, the City Council of the City of Yukon determines that the amendments and changes in zoning provided herein are desirable and appropriate; promote the health, safety, and morals of the community; and protects and preserves the general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Yukon:

SECTION 1. That Section 201.1 of the City of Yukon Zoning Ordinance be amended to read as follows:

201.1 – Zoning districts established.

For the purpose of this Ordinance and the promotion of public health, safety and general welfare of the community, the following districts are hereby established for the City of Yukon, Oklahoma:

A	Agricultural District
R-1	Single-Family Residential District
R-2	Combined Residential District
R-3	Low and Medium Density, Multi-Family Residential District
CB	Central Business District
C-1	Office District
C-2	Convenience Commercial District
C-3	Restricted Commercial District
C-4	Planned Shopping Center District
C-5	Automotive and Commercial Recreation District

C-6	General Commercial District
I-1	Light Industrial District
I-2	Heavy Industrial District
PUD	Planned Unit Development Supplemental District
FD	Flood Plan [Floodway] Supplemental District
UG	Urban Gateway Overlay Supplemental District
SC	Urban Gateway Smart Code

SECTION 2. That Section 401.3 of the City of Yukon Zoning Ordinance be amended to read as follows:

401.3 – Residential uses restricted to residential lots.

It is intended that these regulations be interpreted as not permitting a dwelling unit to be located on the same lot with or within a structure used or intended to be used primarily for nonresidential purposes, with exceptions for one accessory residential unit provided for a night watchman, motel manager, or similar purpose where essential to the main use of the lot, and for development under the Urban Gateway Smart Code or within the Urban Gateway Overlay Supplemental District.

SECTION 3. That Section 406.1 of the City of Yukon Zoning Ordinance be amended to read as follows:

406.1 – Purpose and application.

It is the intent of these requirements that adequate parking, loading and maneuvering facilities be provided on off-the-street areas for each use of land within the City of Yukon. Requirements are intended to be based on the demand created by each land use and will be satisfied by facilities which are functionally adequate and aesthetically pleasing. These requirements shall apply to all uses in all districts except for any property located within the Urban Gateway Overlay Supplemental District.

SECTION 4. That Section 607 of the City of Yukon Zoning Ordinance be amended to read as follows:

Section 607. – URBAN GATEWAY OVERLAY SUPPLEMENTAL DISTRICT

607.1 – Purpose.

The Urban Gateway Overlay Supplemental District does the following:

1. Coordinate with ongoing planning efforts for the City of Yukon Frisco Road Economic Development Project Plan and Tax Increment Finance District.
2. Further the goals, policies, and objectives outlined in the Comprehensive Plan and as supplemented by the Community Design Survey for the Frisco Road Development.
3. Ensure the integrity of the ongoing planning process so public discourse can take place involving affected property owners and city residents while still ensuring individual development proposals are consistent with the Comprehensive Plan goals, policies, and objectives and the Community Design Survey.
4. Ensure new development incorporates the following design principles to the greatest extent possible:
 - Pedestrian-friendly environment with wide sidewalks, tree-lined streets, active shopfronts, short blocks and variety of uses;
 - Variety of public gathering places such as squares and civic greens;
 - Naturally-calmed streets, shaded by rows of trees that allow for on-street parking;
 - Streets and sidewalks that form a connected network, providing a variety of pedestrian and vehicular routes to any single destination in and out of the development;
 - Variety of compatible uses, allowing people the opportunity to live, work and play near one another, including, specifically residential uses above ground floor commercial uses, as appropriate;
 - Opportunities for housing choice and variety, including attached and detached homes available for both rental and ownership;
 - Buildings placed close to the local or internal collector streets, oriented to the sidewalk and street front, providing easy access for pedestrian activity;

- Building facades that create visual interest through horizontal and vertical articulation with windows, multiple entrances facing streets and sidewalks, and no blank walls;
- Parking located to the rear or side of buildings;
- Central Oklahoma native landscaping and trees in parking areas and along bordering walkways;
- Protection and enhancement of the natural features of the site, using them as a framework in creation of any site plans;
- Internal principal (“main”) street as part of the organization of development on the site; and
- Development that does not turn its back on arterial streets, but instead focuses on taming the street edge with elements such as slip roads, landscaping, and pedestrian-oriented features.

607.2 – Applicability.

These standards apply to all applications for development approval within the boundaries of the Urban Gateway Supplemental District, as designated in Ordinance No. _____ (incorporated by reference), except as expressly exempted.

607.3 – Exemptions.

These standards do not apply to the following:

1. Change in use of an existing structure or expansion of an existing use that is lawfully permitted by the underlying zoning district.
2. Use or development for which only a single-family residential building permit or certificate of occupancy is required.
3. Single household dwelling on a lot recorded on or before the effective date of this overlay supplemental district.
4. Rehabilitation of an existing building or structure that does not change the use or enlarge the building or structure.
5. Permit or approval where a complete application was filed with the City before the effective date of this overlay supplemental district.

607.4 – Additional requirement.

1. All land developed in the Urban Gateway Overlay Supplemental District must explicitly incorporate the design principles stated in Section 607-1 through compliance to the standards and procedures described the Urban Gateway SmartCode, unless specifically exempted or unless the contiguous developable land area, by

ownership, is incapable of meeting the minimum size requirements for community scale plans as outlined in the Urban Gateway SmartCode. If exempted or of inappropriate size as indicated above, all development must incorporate the principles in Section 607-1 to the greatest extent possible through a Planned Unit Development zoning.

2. Sexually-oriented businesses, junk or salvage yards, and major automobile repair facilities are expressly prohibited within the Urban Gateway Overlay Supplemental District.

SECTION 5. That a new Section 608 be added to the City of Yukon Zoning Ordinance to read as follows:

Section 608. – URBAN GATEWAY SMARTCODE

608.1 – Purpose.

The Urban Gateway SmartCode districts are setting for development that conforms to the City’s SmartCode. The SmartCode is a form-based unified land development ordinance designed to create walkable neighborhoods across the full spectrum of human settlement, from the most rural to the most urban, incorporating a transect of character and intensity in each.

608.2 – Applicability.

The Smart Code is maintained as a parallel set of development regulations available by right for land owners as an alternative to the City’s conventional development regulations, that, when opted into, take precedence over other sections of the City of Yukon Code of Ordinances when in conflict.

608.3 – Zoning Districts.

Individual Smart Code transect zones will be identified on the zoning map alongside conventional zoning districts. Transect zones are generally described in Smart Code Table 1 and include:

T1 Natural Zone

T2 Rural Zone

T3 Sub-Urban Zone

T4 General Urban Zone

T5 Urban Center Zone

T6 Urban Core Zone

SD1 Special District

For specific standards for each Transect, please see the Urban Gateway SmartCode.

SECTION 6. That the boundaries of the Urban Gateway Overlay Supplemental District created in Section 4 herein are hereby established as described in “**Exhibit A.**”

SECTION 7. The City Clerk of the City of Yukon is hereby authorized and directed to publish this ordinance in the manner and for the length of time prescribed by law.

SECTION 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. EMERGENCY. **WHEREAS,** it being necessary for the preservation of the peace, health, safety, and public good of the City of Yukon and the inhabitants thereof, an emergency is hereby declared to exist, and by reason whereof, this ordinance shall take full force from and after its passage, as provided by law.

INTRODUCED and CONSIDERED in open meeting of the City Council of the City of Yukon on the ____ day of _____ 2015.

PASSED by the City Council of the City of Yukon on the ____ day of _____ 2015.

SIGNED by the Mayor of Yukon on the ____ day of _____ 2015.

KEN SMITH, MAYOR

ATTEST:

CITY CLERK

APPROVED as for form and legality this ____ day of _____ 2015.

CITY ATTORNEY



DATE: March 9, 2015

FROM: Mitchell Hort
Director Development Services

TO: City Manager, City Council & City Clerk

RE: Request on a Scrivener Error for correction on the Utility Easement that serve Frisco Ridge Phase II

MEMORANDUM

Attached please find the request for the correction to the recordation information numbers on the Utility Easements that serve Frisco Ridge Phase II.

CERTIFICATE OF REGISTERED LAND SURVEYOR

CORRECTION OF PLAT

STATE OF OKLAHOMA)
) §.
COUNTY OF CANADIAN)

1. The undersigned, Jennifer L. Whitey, the Registered Land Surveyor in responsible charge for the certification of the subdivision plat of Frisco Ridge Phase 2, an Addition to the City of Yukon Oklahoma, being in the Northwest Quarter of Section 19, Township 12 North, Range 5 West of the Indian Meridian, certify that said Plat was duly filed and recorded in Plat Book 9, on Pages 409 -410 of the records in the Office of the County Clerk of Canadian County, Oklahoma.

2. That said instrument contains errors in the Recordation Information numbers for the utility easements along the West line of Block 1 and Block 7, which is amended and corrected by this instrument pursuant to the provisions of Section 41-115 of Title 11 of the Oklahoma Statutes.

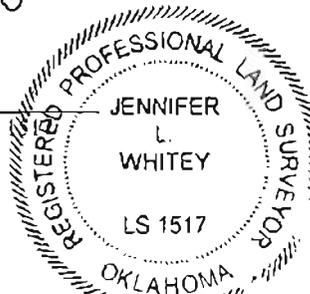
3. The Surveyor hereby certifies that the error in the information as shown on said plat reads, A utility easement which is 10' wide along the West line of Block 1 was shown being recorded in Book 4195, Pages 998-999, with a 20' wide portion along the North line of Block 1 where no Book or Page information was provided on the original plat, and that the same is an error of the scrivener and the information should read as; Book 4195, Pages 1000-1001.

A 10' and 20' utility easement that follows the west line of Block 7 was shown recorded in Book 4195, Pages 996-997, and that the same is an error of the scrivener and the information should read as; Book 4195, Pages 998-999. This error is hereby amended and corrected by this certificate pursuant to the provisions of Section 41-115 of Title 11 of the Oklahoma Statutes.

Dated this 25 day of February 2015

See Attached Exhibit

Jennifer L. Whitey, R.P.L.S. (with signature)



STATE OF OKLAHOMA)
) §:
COUNTY OF CLEVELAND)

Before me, the undersigned Notary Public, in and for said County and State, on this 25th day of Feb, 2015, personally appeared Jennifer L. Whitey, to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year last above written.

My Commission Expires:

June E. Young, Notary Public (with signature)



Be it resolved by the Council of the City of Yukon that the plat correction of Frisco Ridge Phase 2 shown hereon is approved by the City of Yukon, this ___ day of ___, 20__.

ATTEST

CITY OF YUKON

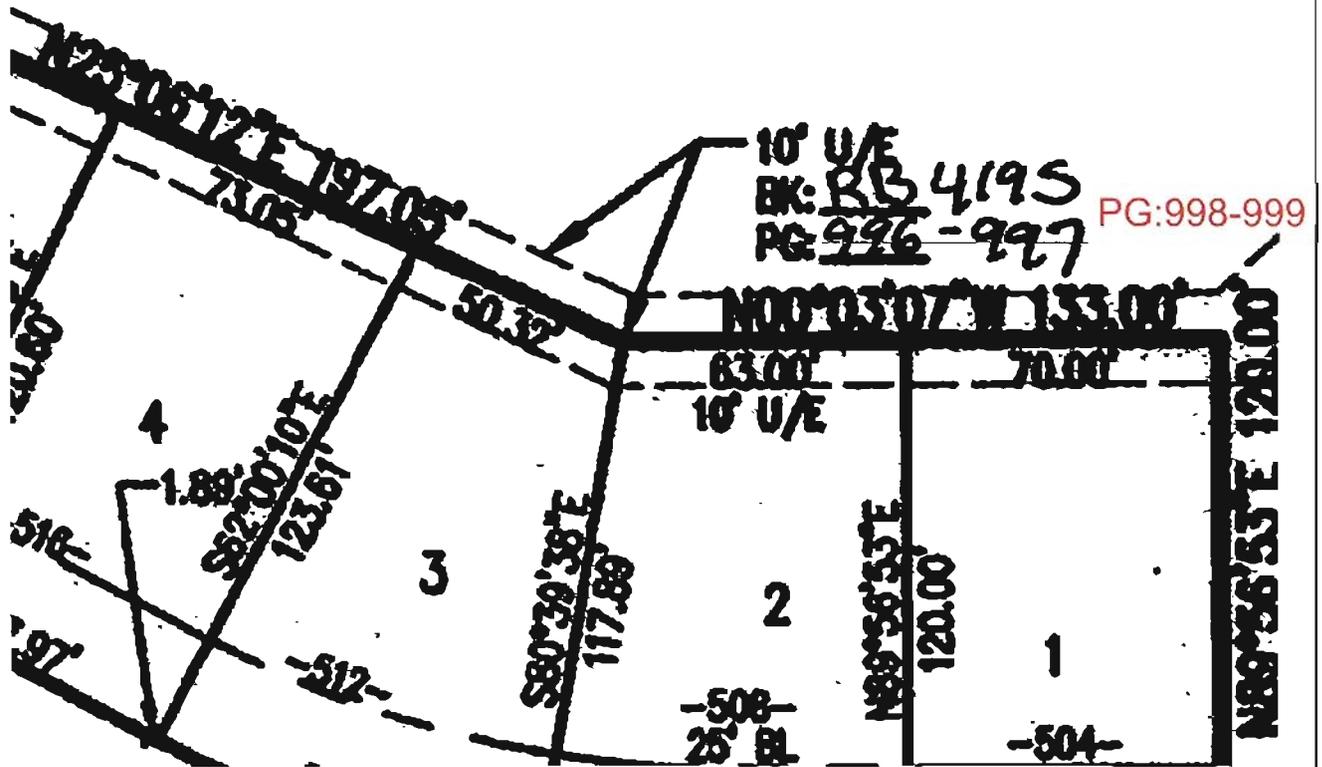
City Clerk

Mayor

APPROVED as to the form only this ___ day of ___, 20__.

ASSISTANT MUNICIPAL COUNSELOR

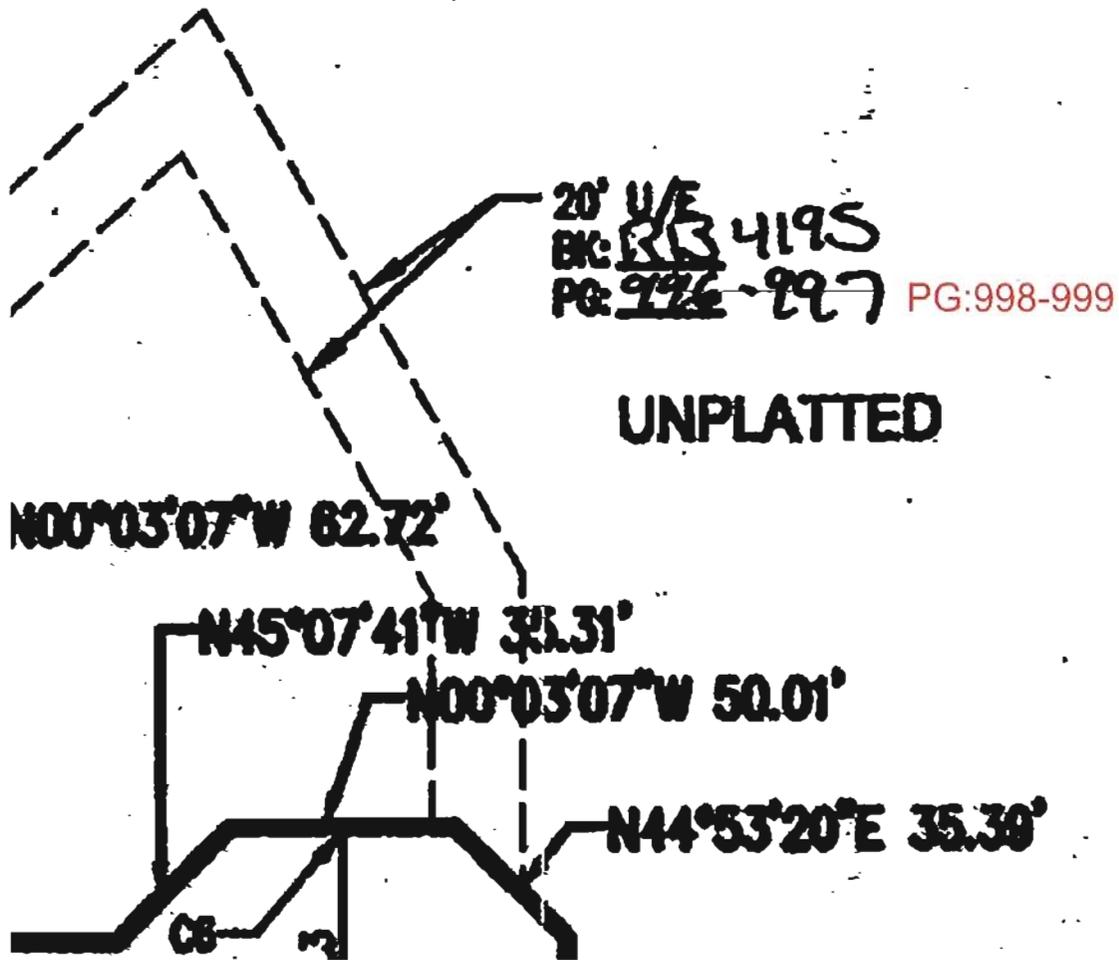
ATTACHMENT "B"



JENNIFER L. WHITEY, R.P.L.S. 1517

SURVEYOR'S ERROR TRISCO RIDGE PHASE 2	
PROJECT NO: 1404400 ISSUE DATE: 1/23/2014 DRAWING: A-1 DRAWN BY: SD	214 E. Main Street Oklahoma City, Oklahoma 73104  Crafton Tull architectural engineering CA 973 (PE/LS) Expires 06/30/2016 405.787.6270 405.787.6274 www.craftontull.com © 2015 Crafton Tull & Associates, Inc.
<small>This document, and the data and design incorporated herein, as an instrument of professional service, is the property of Crafton Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton Tull & Associates, Inc.</small>	

ATTACHMENT "C"



20' U/E
 BK: ~~RS~~ 4195
 PG: ~~996~~-997 PG:998-999

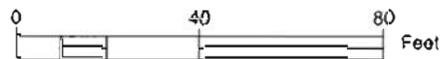
UNPLATTED

N00°03'07"W 62.72'

N45°07'41"W 35.31'

N00°03'07"W 50.01'

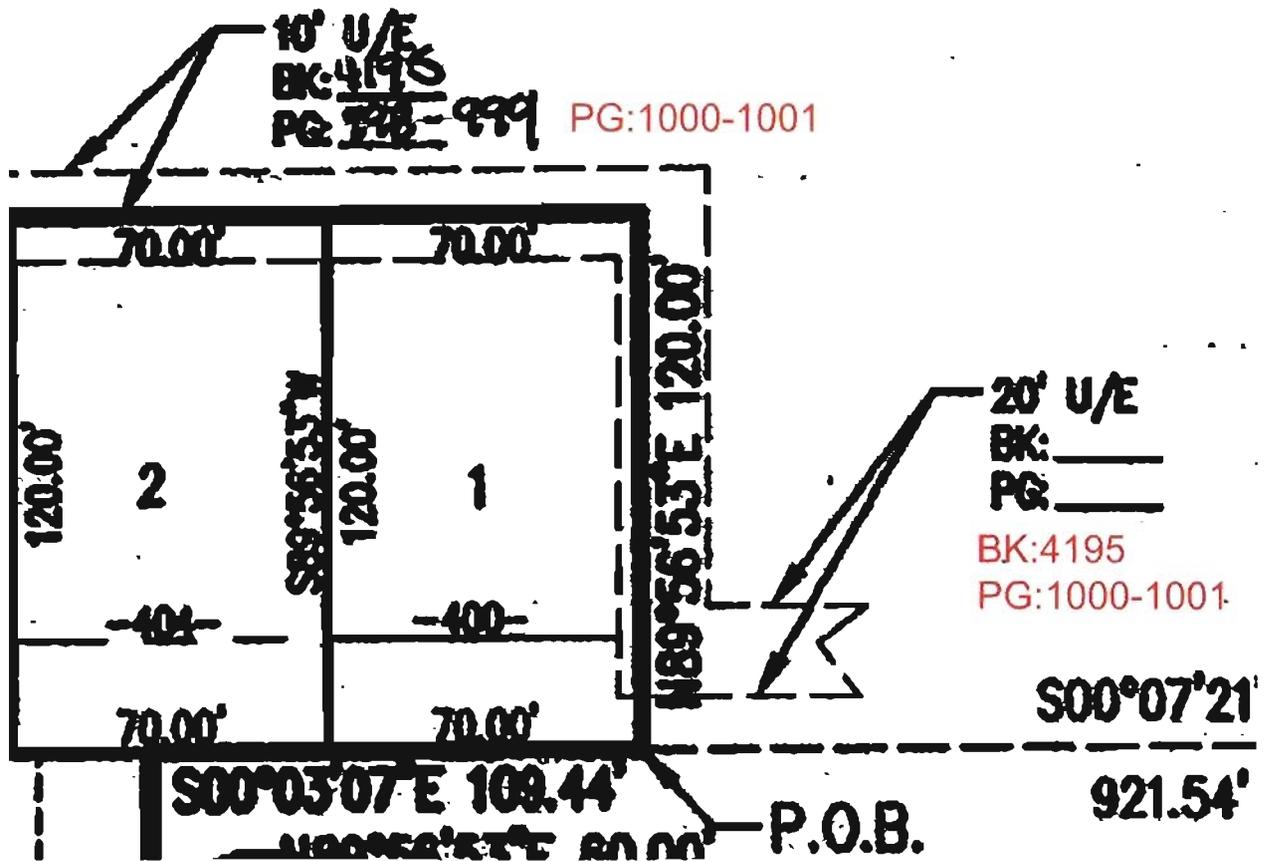
N44°53'20"E 35.30'



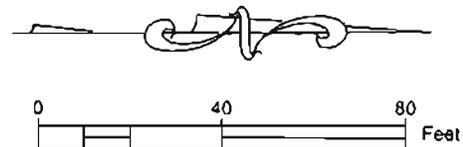
JENNIFER L. WHITEY, R.P.L.S. 1517

SURVEYOR'S ERROR FRISCO RIDGE PHASE 2	
PROJECT NO: 1480440 ISSUE DATE: 1/21/2015 DRAWN BY: SD	714 E Main Street Oklahoma City Oklahoma 73104 Crafton Tull architecture engineering CA 973 (PE/LS) Expires 06/30/2016 405.787.6326 405.787.6324 www.craftontull.com © 2015 Crafton Tull & Associates, Inc.
<small>The document, and the lines and angles hereon shown, as an instrument of professional service, is the property of Crafton Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton Tull & Associates, Inc.</small>	

ATTACHMENT "D"



JENNIFER L. WHITEY, R.P.L.S. 1517



SURVEYOR'S ERROR FRESCO RIDGE PHASE 2	
PROJECT NO: 1480440 ISSUE DATE: 2/23/2015 CONTACT: AJW DRAWN BY: SD	214 E. Main Street Oklahoma City, Oklahoma 73104 Crafton Tull architecture engineering CA 973 (PE/LS) Expires 06/30/2016 405.787.8270 405.787.8275 www.craftontn.com © 2015 Crafton, Tull & Associates, Inc.
<small>This document, and the lines and bearings incorporated herein, are an instrument of professional service, and the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.</small>	