

**Yukon City Council Minutes  
September 6, 2016**

The Yukon City Council met in regular session on September 6, 2016 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 Dave Dolphin, Trinity Baptist Church  
The flag salute was given in unison.

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

**OTHERS PRESENT:**

Jim Crosby, City Manager	Mike Segler, City Attorney
Tammy DeSpain, Asst. City Manager	Doug Shivers, City Clerk
Robbie Williams, Triad	John Corn, Police Chief
Gary Cooper, IT Director	Philip Merry, City Treasurer
Dana Deckard, Executive Admin. Assist.	Bill Stover, Sanitation Sup.
Mitchell Hort, Dev. Serv. Director	Arnold Adams, Public Works Director

**Public Hearing to Receive Input from the Public Regarding the  
Completed 2014 CDBG Program**

There was no public input regarding the 2014 CDBG Program.

**Presentations and Proclamations**

None

**Visitors**

Rick Cacini, 1140 Landmark, announced the Veteran's Museum will be showcased on Ch. 25 tomorrow and thanked the City for all the support.

Lynn Alexander, 1408 Greenway Drive, represents a group of concerned citizens for the ethical treatment of animals. Asked the City Council to vote in favor of inviting the national organization to come in and take care of the current situation at no cost to the City of Yukon. The organization would evaluate and find homes for the animals. Asked for the City's oversight in the future.

(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:**

**B) The minutes of the regular meeting of August 16, 2016**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of August 16, 2016, was made by Trustee McEachern and seconded by Trustee Yanda.

**The vote:**

**AYES: McEachern, Russell, Alberts, Smaistrila, Yanda**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**2A. Consider approving a budget amendment for the 2015-2016 Fiscal Year to balance Capital Improvement Fund 36 and Stormwater Enterprise Fund 73**

The motion to approve a budget amendment for the 2015-2016 Fiscal Year to balance Capital Improvement Fund 36 and Stormwater Enterprise Fund 73, was made by Trustee Russell and seconded by Trustee Smaistrila.

Mr. Crosby stated the amendment is from the auditor and is needed to complete the audit.

**The vote:**

**AYES: Alberts, McEachern, Russell, Yanda, Smaistrila**

**NAYS: None**

**VOTE: 5-0**

**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 August 16, 2016**
- B) Payment of material claims in the amount of \$854,696.31**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) Agreement for Services between the City of Yukon and Yukon Chamber of Commerce, for the term of July 1, 2016 through June 30, 2017 at a cost of \$2,500 per month**
- E) Renewal of the Cisco SmartNet Maintenance contract purchased from Presidio Networked Solutions at a cost of \$29,751.59 (State Contract SW1006C), as recommended by the Information Technology Director**
- F) The appointment of David Goodwin to the board of the Spanish Cove Housing Authority, for the remainder of term for Office #5 expiring May 31, 2018, as recommended by the Nominating Committee**
- G) The renewal of the existing Parks and Recreation Department Operation/Lease Agreement with Yukon Optimist Sports Club for use of the Community Center Football Field from August 17, 2016 through November 30, 2016**
- H) Setting the date for the next regular Council meeting for September 20, 2016, 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 August 16, 2016; payment of material claims in the amount of \$854,696.31; designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; the Agreement for Services between the City of Yukon and Yukon Chamber of Commerce, for the term of July 1, 2016 through June 30, 2017 at a cost of \$2,500 per month; the Renewal of the Cisco SmartNet Maintenance contract purchased from Presidio Networked Solutions at a cost of \$29,751.59 (State Contract SW1006C), as recommended by the Information Technology Director; the appointment of David Goodwin to the board of the Spanish Cove Housing Authority, for the remainder of term for Office #5 expiring May 31, 2018, as recommended by the Nominating Committee; the renewal of the existing Parks and Recreation Department Operation/Lease Agreement with Yukon Optimist Sports Club for use of the Community Center Football Field from August 17, 2016 through November 30, 2016; setting the date for the next regular Council meeting for September 20, 2016, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member McEachern and seconded by Council Member Russell.

**The vote:**

**AYES: Russell, Yanda, Smaistrila, McEachern, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**2. Reports of Boards, Commissions and City Officials**

Mr. Crosby stated the 2015-2016 audit should be completed within the week and the forensic audit should be completed within the end of the month. The audit will be discussed at a public meeting as well as in executive session tentatively planned for the first week of October. The forensic audit report is public information.

**3. Consider approving a budget amendment for the 2015-2016 Fiscal Year to balance Capital Improvement Fund 36 and Stormwater Enterprise Fund 73**

The motion to approve a budget amendment for the 2015-2016 Fiscal Year to balance Capital Improvement Fund 36 and Stormwater Enterprise Fund 73, was made by Council Member Yanda and seconded by Council Member McEachern.

**The vote:**

**AYES: Yanda, Alberts, Russell, Smaistrila, McEachern**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. Consider approving a Preliminary Plat for Salazar Residential, a part of the Southwest Quarter (SW/4), Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, with conditions (405 N. Piedmont Road), as recommended by the Planning Commission**

The motion to approve a Preliminary Plat for Salazar Residential, a part of the Southwest Quarter (SW/4), Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, with conditions (405 N. Piedmont Road), as recommended by the Planning Commission, was made by Council Member Russell and seconded by Mayor Alberts.

David Box, on behalf of applicant, stated the plat was approved 4-0 by the Planning Commission. He stated the council is not deciding if the zoning use is appropriate, but instead does the plat meet the City's ordinances. He stated this plat meets and exceeds all legal requirements inside the City of Yukon. This site is zoned for multi-family. This plat will allow for the development of three buildings, all single story for a total of 24 units. Mr. Box stated that his client agreed to all the conditions put forth by staff and the Planning Commission. Mr. Box stated case law from Kelly vs City of Bethany. Mr. Box asked "Does the plat meet all ordinances?" He stated "Yes." He stated case law in the above mention case that protest of neighbors is not grounds or justification for a council to deny the right of a property owner to plat their property if they otherwise meet the law. He asked for approval.

Jimmy Perry, 404 Oak Creek Drive, stated that since the lot has been mowed, he has been invaded by rats. Asked if anything will be done regarding the rat infestation.

Jame Choate, 403 Oak Creek Drive, asked if a no rise permit from the Corps of Engineers has been produced. Concerned about a rise in the water level.

Council Member McEachern asked for clarification regarding the Preliminary Plat process and the no-rise permit.

Mark Grubbs, Grubbs Consulting on behalf of applicant, has submitted during the preliminary plat process a preliminary no-rise permit certificate. As the final plat is prepared, all drainage is corrected and will go before the city for approval.

Mr. Williams stated half of the property is in the flood plain, so they will be filling some. A no rise study has not been approved at this time. Mr. Grubbs stated a no-rise study has been submitted to the City Engineer. Mr. Williams has received this study and has made comments. The study was based on developing more into the flood plain. This plan has changed since they are not developing as much into the flood plain. For the final plat, a no-rise study will be finalized for the final review. Mr. Grubbs stated that at the final plat stage, they would not be approved to proceed without the no-rise permit approval by the City Engineer. Mr. Crosby stated the original study was not for the 24 units. Mr. Grubbs stated it will be finalized at the final plat stage.

Council Member Russell asked Mr. Segler if this item should be tabled until the item is redone.

Mr. Crosby stated there is no discussion after the motion to table the item is made.

Council Member Russell amended his motion to table this item and was seconded by Council Member McEachern.

**The vote:**

**AYES: Russell, Yanda, McEachern, Smaistrila**

**NAYS: Alberts**

**VOTE: 4-1**

**MOTION CARRIED**

Mr. Crosby stated this item will appear automatically at the next meeting.

Mayor Alberts asked for clarification. Mr. Segler stated for the next meeting, the applicant must have a no rise study approved by the City Engineer.

- 5. Consider approving an agreement between the City of Yukon and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office for the use of interoperable system(s) and IPAWS OPEN Platform for Emergency Networks (IPAWS-OPEN), as recommended by the Information Technology Director**

The motion to approve an agreement between the City of Yukon and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office for the use of interoperable system(s) and IPAWS OPEN Platform for Emergency Networks (IPAWS-OPEN), as recommended by the Information Technology Director, was made by Council Member Smaistrla and seconded by Council Member Russell.

**The vote:**

**AYES: Yanda, McEachern, Smaistrla, Alberts, Russell**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 6. Consider approving Amendment No. 1 to the City of Yukon Year 14 Community Development Block Grant (CDBG) Small Cities Set-Aside Roadway, Sanitary Sewer and Roadway Repair Project, to reflect as-built quantities for the project and a reduction in cost of \$11,872.95, as recommended by the City Engineer**

The motion to approve Amendment No. 1 to the City of Yukon Year 14 Community Development Block Grant (CDBG) Small Cities Set-Aside Roadway, Sanitary Sewer and Roadway Repair Project, to reflect as-built quantities for the project and a reduction in cost of \$11,872.95, as recommended by the City Engineer, was made by Council Member McEachern and seconded by Council Member Smaistrla.

**The vote:**

**AYES: Smaistrla, Russell, Yanda, Alberts, McEachern**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 7. Consider accepting the 2014 Community Development Block Grant (CDBG #16085) in the amount of \$64,567 which was used to replace the sanitary sewer and roadway on Cedar Avenue, between 9th and 11th Streets, as complete, placing the maintenance bonds into effect, and confirm authorization of final payment for the contractor, as recommended by the City Engineer**

The motion to accept the 2014 Community Development Block Grant (CDBG #16085) in the amount of \$64,567 which was used to replace the sanitary sewer and roadway on Cedar Avenue, between 9th and 11th Streets, as complete, placing the maintenance bonds into effect, and confirm authorization of final payment for the contractor, as recommended by the City Engineer, was made by Council Member McEachern and seconded by Council Member Russell.

**The vote:**

**AYES: Russell, McEachern, Alberts, Yanda, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

Item 8 and 8a were pulled from the agenda. Mr. Crosby stated the Court Clerk will be present at the next meeting to discuss and answer any questions.

8. Consider approving Ordinance No. 1339, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 34-52 to add a subsection imposing a Technology Fee in the amount of twenty-five dollars (\$25.00) to be assessed on every citation disposed in Municipal Court, except those that are voided, declined for prosecution, dismissed without costs, not allowed under state law, or the defendant is acquitted

8a. Consider approving the Emergency Clause of Ordinance No. 1339

9. **New Business** - There was no new business.

10. **Council Discussion**

**Council Member McEachern** enjoyed the open discussion on Pets and People. Thanked Lynn Alexander for the information. Congratulated Kinlee with the Chamber of Commerce. Thanked David Goodwin for serving on the Spanish Cove Board.

**Council Member Russell** thanked all who were present and voiced their opinion.

**Council Member Smaistrila** thanked all those in attendance.

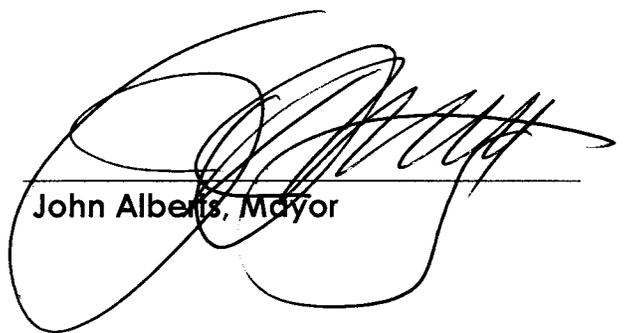
**Council Member Yanda** thanked Kinlee for all her hard work at the chamber. Thanked all those with Pets and People working to resolve the current situation.

**Mayor Alberts** thanked John for the kolaches. Glad to have the discussion on Pets and People. Looking forward to seeing the audit. Received lots of compliments for Rock the Route.

11. **Adjournment**

  
\_\_\_\_\_  
Doug Shivers, City Clerk



  
\_\_\_\_\_  
John Alberts, Mayor