

**Yukon City Council Minutes
October 6, 2015**

The Yukon City Council met in regular session October 6, 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 Gary Reynolds, First Church of the Nazarene. The flag salute was given in unison.

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

OTHERS PRESENT:

Grayson Bottom, City Manager	Doug Shivers, City Clerk
Mike Segler, City Attorney	Robbie Williams, City Engineer
Tammy DeSpain, Assistant City Manager	Dana Deckard, Admin. Coordinator
Arnold Adams, Public Works Director	Jl Johnson, Treasurer
Terri Peak, Utility Billing Supervisor	Bill Stover, Sanitation Director
Mitchell Hort, Development Services Dir.	John Corn, Police Chief
Kevin Jones, Fire Chief	Gary Cooper, IT Director
Jenna Roberson, PIO	Jerome Brown, Technology
Jeff Deckard, Parks Superintendent	Lori Arnolds, Emergency Management
Captain Brandon Anderson, Fire Dept.	Corporal Brandon Stephens, Fire
Dept. Corporal Mike Pinkerton, Fire Dept.	

— **Presentations and Proclamations**

Mayor Alberts read the "Fire Prevention Week" Proclamation and presented it to Chief Jones, Cpt. Anderson, Cpl. Stephens, and Cpl. Pinkerton. Chief Jones stated we are focusing on schools and the elderly. If you know of anyone that needs help with smoke detectors, let us know.

Grayson Bottom and Mayor Alberts presented a resolution and plaque in "Recognition of the Frosty Peak Emergency Operations Center" to Terri Peak. Terri Peak was appreciative.

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 September 15, 2015

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of September 15, 2015, was made by Trustee Russell and seconded by Trustee McEachern.

The vote:

AYES: Yanda, Smaistrila, McEachern, Alberts, Russell

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 September 15, 2015**
- B) Payment of material claims in the amount of \$1,332,276.68**
- C) The resignation of Charlotte Novak from the Library Board**
- D) The appointment of Teddy Sells to the Library Board**
- E) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- F) Setting the date for the next regular Council meeting for October 20, 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 September 15, 2015; Payment of material claims in the amount of \$1,332,276.68; The resignation of Charlotte Novak from the Library Board; The appointment of Teddy Sells to the Library Board; Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; and Setting the date for the next regular Council meeting for October 20, 2015, 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 Yanda.

The vote:

AYES: Alberts, Smaistrila, McEachern, Russell, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials, Planning Commission – Larry Taylor, Chairman

Mr. Taylor summarized the accomplishments of the Planning Commission and acknowledged the members.

3. Consider approving a financing plan for acquisition, construction, equipping and/or renovation of facilities for use by the Spanish Cove Housing Authority or its designee through issuance of tax-exempt and/or taxable revenue bonds or notes in an amount not to exceed \$42,000,000.00

The motion to approve a financing plan for acquisition, construction, equipping and/or renovation of facilities for use by the Spanish Cove Housing Authority or its designee through issuance of tax-exempt and/or taxable revenue bonds or notes in an amount not to exceed \$42,000,000.00, was made by Council Member McEachern and seconded by Council Member Yanda.

Charles Schwartz, 113 Choctaw Pl, 18 month resident, is in favor of the project. He stated the needs are documented, such as health care needs, tornado shelter, and bigger activities center. The phase 1 & 2 net revenues will be needed. Spanish Cove Board was selected by Council. He is very proud of Larry Taylor.

Pat Snyder, 110 Choctaw Pl, 6 year resident, stated the board has gathered good information. We have to reinvest and move forward. She supports plan 100%.

Debbie Miller, 12350 Jaycie Circle, Midwest City, has been employed for the last 24 years as the Director of Wellness and Residents Relations at Spanish Cove. Spanish Cove has met resistance during earlier changes, such as the Pavilion construction. They are now all outgrown. Other facilities are too small. National trend is to add amenities to keep residents active. Goal is to be standard, harder to do because of outdated facilities and resources. She urges Council to vote yes.

Vetta Johnson, 1302 Redbud, 4 year resident, is a member of many committees. It was a great decision to move to Spanish Cove. She is in favor of the plan to attract new residents. Spanish Cove would have to change to compete with other facilities. Life care option is critical to success.

Clarence Drumeller, 1503 S Cornwell #204, 10 year resident and Board Member. We must think to the future and have facilities for the next generation. He encourages Council to approve request.

Walter Toney, 2 E Janice #103, over 10 year resident. Expansion will increase fees and health risk. 3% annual increased planned. Since living at Spanish Cove for the last 10 years, we only had fee increases twice and this was during better times. The facility population is down and less crowded. Each management decision is to increase revenue and add residents and this has failed. No financials have been disclosed and Spanish Cove has a historically low occupancy rate. Mr. Toney encourages the Council to examine the performance of the decision makers on the board and consider the residents.

Don Blose, 301 S Richland Rd, extensive planning has occurred to remain viable. Due diligence in plan and design was done. Because we are a Public Trust with the City of Yukon as the beneficiary, state law mandates we need City's authorization before taking on debt. There are always risks, but we feel plan is solid. Time is now to meet future needs.

Council Member Yanda believes expansion is needed for the future of Spanish Cove.

Council Member Smaistrila stated you should go forward in life and this would be a good thing.

Council Member Russell believes in updating, but questions method. He would rather see phases to reduce debt load. He suggests bringing plan back to Council in phases.

Council Member McEachern agrees on moving forward. He has received a lot of input. Financing could be different. He assumes the board supported plan. Mr. Blose stated yes, 6-1 authorized.

Mayor Alberts stated there was lots of input. He asked Mr. Segler to explain relationship of City and Spanish Cove. Mr. Segler said the Public Trust Law states, Not for Profit entities have to have beneficiary. City of Yukon is Spanish Cove's

Beneficiary. The City has little authority on day to day, but some veto power on Trustees. If Spanish Cove was to dissolve, the City of Yukon would get assets after all debts have been satisfied. City can veto borrowing, has oversight over long term borrowings. The borrowings never become the beneficiary's obligation. The City does not sign borrowing documents, just a Resolution authorizing the indebtedness.

Mayor Alberts asked if Board represented residents. Mr. Blose stated job is to represent the Trust, Spanish Cove Housing Authority, and ensure financial integrity. Mayor Alberts asked if there was any representation for residents wants. Mr. Blose stated there are three residents on Board, but they advocate for the Trust. Mayor Alberts asked about bid process, financing, phases, and rate increases. Mr. Blose said they received bids from three companies, plan is incremental and the goal is slow rate increase to rate of inflation. Mayor Alberts is concerned about cost of living issue. Mr. Blose stated expectation is 3% or less annually. Mayor Alberts stated we are all in favor of project. However, the question is how to do it. Mr. Blose stated that is what the cap is for. Council Member Russell asked for clarification between Phase 1 & 2. Mr. Blose stated we will have 75% of new units pre-sold, before we start Phase 2. Mr. Blose stated we have used consultants with good track records to guide us. Mayor Alberts is concerned about economic impact, but hopes all remain as one community no matter what vote takes place.

The vote:

AYES: McEachern, Yanda, Smaistrila

NAYS: Alberts, Russell

VOTE: 3-2

MOTION FAILED

Mayor Alberts recommended a short break to resituate and reset the audience.

5. Consideration, Discussion, and possible action regarding the traffic signal located at Andrew Dr. and Garth Brooks Blvd.

The motion to repair and reactivate the light at Garth Brooks and Andrew Dr., while further studies are being done to determine an alternate and acceptable solution, was made by Council Member Yanda and seconded by Council Member McEachern.

Jenny Crain, 1500 Summerton, asked if this was temporary. Council Member Yanda was asked to re-read motion.

Kathy Williams, 808 Woodlawn, asked to be notified of next actions. Mr. Bottom stated when engineering corridor studies are completed; they will be presented to the Council. Mayor Alberts clarified notification. Mr. Bottom stated any changes of intersection are above my spending authority and Council will have to authorize. Mayor Alberts just wants to make sure everyone is informed.

Fran Britton, 624 St. James Pl, recited articles from different newspapers. She is wondering what happens, if development doesn't occur. She stated, don't punish us right now for what may or may not happen in the future.

The vote:

AYES: Russell, Smaistrila, Yanda, Alberts, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider accepting the Traffic Signal Warrant Analysis Final Report for Garth Brooks Boulevard at Andrew Dr. from Lee Engineering

The motion to accept the Traffic Signal Warrant Analysis Final Report for Garth Brooks Boulevard at Andrew Dr., from Lee Engineering, was made by Council Member Russell and seconded by Council Member Smaistrila.

Council Member Yanda asked if accepting report obligated the City of Yukon. Mr. Bottom stated no, it just gives numbers and information to Joe Davis.

The vote:

AYES: Yanda, Alberts, McEachern, Russell, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider accepting the permanent utility easement to serve Bounce Academy located at 1901 W Vandament, as recommended by the Development Services Director

The motion to accept the permanent utility easement to serve Bounce Academy located at 1901 W Vandament, as recommended by the Development Services Director, was made by Council Member Yanda and seconded by Council Member McEachern.

The vote:

AYES: Smaistrila, McEachern, Russell, Alberts, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider accepting the permanent utility easement to serve River Mesa 2, a tract of land situated within a portion of the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian (I.M.) in Yukon, Canadian County, Oklahoma, as recommended by the Development Services Director

The motion to accept the permanent utility easement to serve River Mesa 2, a tract of land situated within a portion of the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian (I.M.) in Yukon, Canadian County, Oklahoma, as recommended by the Development Services Director, was made by Council Member Smaistrila and seconded by Council Member Russell.

The vote:

AYES: McEachern, Russell, Alberts, Smaistrila, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider accepting the Irrevocable Letter of Credit, in the amount of \$759,519.07, for improvements of the sanitary sewer, public water line, and paving and drainage to serve River Mesa 2, as recommended by the Development Services Director

The motion to accept the Irrevocable Letter of Credit, in the amount of \$759,519.07, for improvements of the sanitary sewer, public water line, and paving and drainage to serve River Mesa 2, as recommended by the Development Services Director, was made by Council Member Yanda and seconded by Council Member McEachern.

The vote:

AYES: Yanda, Alberts, Smaistrila, Russell, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. **Consider accepting Ordinance No. 1325, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for lots five(5), six (6), and seven (7), in block two (2), Harris Acres (500 E. Main), an addition to the City of Yukon, Canadian County, Oklahoma, be changed from "C-5" (Automotive and Commercial Recreation District) to "C-3" (Restricted Commercial District); and declaring an emergency**

The motion to accept Ordinance No. 1325, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for lots five(5), six (6), and seven (7), in block two (2), Harris Acres (500 E. Main), an addition to the City of Yukon, Canadian County, Oklahoma, be changed from "C-5" (Automotive and Commercial Recreation District) to "C-3" (Restricted Commercial District); and declaring an emergency, was made by Council Member Russell and seconded by Council Member Yanda.

The vote:

AYES: Smaistrila, Yanda, Russell, Alberts, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

- 9a. **Consider approving the Emergency Clause of Ordinance No. 1325**

The motion to approve the Emergency Clause of Ordinance No. 1325, was made by Council Member Smaistrila and seconded by Council Member McEachern.

The vote:

AYES: McEachern, Russell, Smaistrila, Yanda, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. **Consider accepting Ordinance No. 1326, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the Northeast Quarter (NE/4) of Section Twenty (20), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma (10 W. Main), be changed from "C-2" (Convenience Commercial District) to "C-3" (Restricted Commercial District); and declaring an emergency**

The motion to accept Ordinance No. 1326, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the Northeast Quarter (NE/4) of Section Twenty (20), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma (10 W. Main), be changed from "C-2" (Convenience Commercial District) to "C-3" (Restricted Commercial District); and declaring an emergency, was made by Council Member Yanda and seconded by Council Member Russell.

The vote:

AYES: Russell, McEachern, Yanda, Smaistrila, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

10a. Consider approving the Emergency Clause of Ordinance No. 1326

The motion to approve the Emergency Clause of Ordinance No. 1326, was made by Council Member Russell and seconded by Council Member McEachern.

The vote:

AYES: Alberts, Yanda, McEachern, Russell, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

11. Consider approving an expenditure of funds, in an amount not to exceed \$64,247.29, for the construction and improvement of a sidewalk from north of Yukon Middle School to the Walgreens on Vandament Ave, as well as the addition of ADA improvements to the sidewalk near St. John Nepomuk Catholic Church, as recommended by the Development Services Director

The motion to approve an expenditure of funds, in an amount not to exceed \$64,247.29, for the construction and improvement of a sidewalk from north of Yukon Middle School to the Walgreens on Vandament Ave, as well as the addition of ADA improvements to the sidewalk near St. John Nepomuk Catholic Church, as recommended by the Development Services Director, was made by Council Member Smaistrila and seconded by Council Member McEachern.

Council Member McEachern stated this is important. It has been muddy and a safety issue for some time.

The vote:

AYES: Alberts, Smaistrila, Russell, Yanda, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. Consider approving Resolution No. 2015-20, a resolution declaring and setting operational fees for roll-off sanitation and disposal services, as recommended by the Sanitation Director

The motion to approve Resolution No. 2015-20, a resolution declaring and setting operational fees for roll-off sanitation and disposal services, as recommended by the Sanitation Director, was made by Council Member McEachern and seconded by Council Member Smaistrila.

The vote:

AYES: Smaistrila, Alberts, McEachern, Yanda, Russell

NAYS: None

VOTE: 5-0

MOTION CARRIED

13. City Manager's Report – Information items only

A. Events Report

Mr. Bottom gave list of events: October 15, Tree Giveaway at the City Park Football Field and movie, "Ghost Busters", at Jackie Cooper Gym; October 24, Spooksville; October 26, Mummy and Son Masquerade; and October 27, Spooky Senior Social at the Dale Robertson Center.

Mr. Bottom stated you will be receiving an ordinance at the next Council Meeting. This ordinance will be revising utility fees. It will suspend the 20% increase and only use the CPI increase as well as rates will remain the same from summer to winter.

14. New Business – None

15. Council Discussion

Council Member Yanda thanked the Fire Department, Charlotte Novak and Larry Taylor.

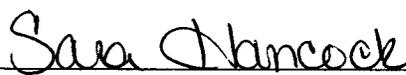
Council Member Smaistrila stated it was a wonderful Czech Day. Mr. Bottom stated there was a total of 5 calls to police/fire. It was a wonderful event.

Council Member McEachern, thanked all the visitors and speakers. It is important for citizens to have the opportunity to speak. The EOC award was a very good thing. Thanks to Chief Jones and the Fire Department and thanks to Chief Corn. The Czech Day went well. Yukon is a wonderful place.

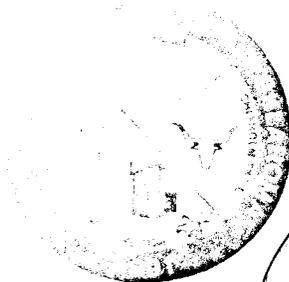
Council Member Russell thanked Chief Corn, Czech Day went well. He appreciates all who came.

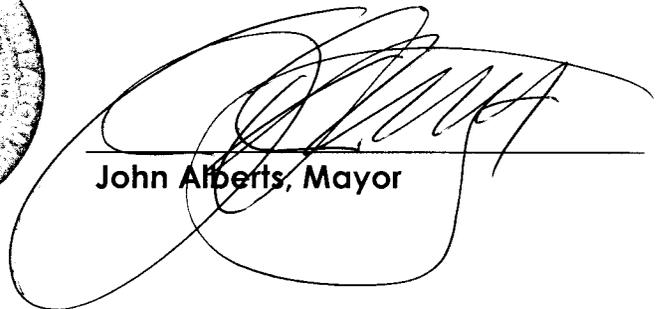
Mayor Alberts is thrilled by all the people coming. It is good to share opinions, it matters. Czech Day is Yukon's Homecoming. He thanked everyone involved with the Czechs Festival.

16. Adjournment



Doug Shivers, City Clerk
Deputy





John Alberts, Mayor