

**Yukon City Council Minutes
November 17, 2015**

The Yukon City Council met in regular session November 17, 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 Council Member McEachern.
The flag salute was given in unison.

ROLL CALL: (Present) John Alberts, Mayor
 Richard Russell, Vice Mayor
 Michael McEachern, Council Member
 Earline Smaistrla, 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, Assist. City Manager	Mitch Hort, Development Services Dir.
Larry Mitchell, YEDA Director	Bill Stover, Sanitation Director
Jenna Roberson, PIO	John Corn, Police Chief
Gary Cooper, IT Director	Jerome Brown, IT
Philip Merry, 2 nd Deputy Treasurer	Amy Phillips, YEDA
Sara Schieman, Librarian	Arnold Adams, Public Works Director
Dana Deckard, Executive Admin. Assist.	Claudia Krshka, Parks and Rec Deputy Dir.
Jeff Deckard, Parks Superintendent	Lori Adams, Emergency Management

Presentations and Proclamations

Mayor Alberts read the "Small Business Saturday" Proclamation and presented it to Pam Shelton and Larry Mitchell. Mrs. Shelton gave background information on Shop Small Saturday and encouraged all to shop the local merchants. Mr. Mitchell echoed her sentiments. Mayor Alberts thanked them for their hard work.

Mayor Alberts introduced Rick Smith and Lori Adams. Mr. Smith gave background information on "StormReady Community" program. The program recognizes the local work in the communities and means we are storm ready, not storm proof. He congratulated Frosty Peak and Lori Adams. He presented Mrs. Adams with a certificate and sign. Mayor Alberts congratulated her.

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 November 3, 2015

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 3, 2015, was made by Trustee Russell and seconded by Trustee McEachern.

The vote:

AYES: Smaistrila, McEachern, Yanda, Alberts, Russell

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Consider approving a joint rezoning application for Yukon Crossing/City Hall Plaza from C-3 Restricted Commercial District to Urban Gateway Overlay Supplemental District, as recommended by the General Manager and Executive Director of YEDA.

The motion to approve a joint rezoning application for Yukon Crossing/City Hall Plaza from C-3 Restricted Commercial District to Urban Gateway Overlay Supplemental District, as recommended by the General Manager and Executive Director of YEDA, was made by was made by Trustee Yanda and seconded by Trustee Russell.

Trustee Yanda stated we bought this property to build a new City Hall. Rezoning will give us control on what goes there. We have outgrown our offices. It's a very important part of our project to move forward.

Trustee McEachern asked if we were putting the cart before the horse. We haven't separated property for sale. Financing is a concern. We haven't seen enough of overall plan.

Mr. Bottom stated we are only approving one step of RFP/RFQ, making property more desirable. It lets the buyers know what they are buying.

Trustee Russell stated there is not enough information. He would like to see what we are going to do with it. He asked if we should table this item.

Mr. Bottom stated tabling item ties our hands and we cannot maximize our property. The zoning is fully laid out in packet. Mr. Bottom urges passing the item. It is exclusive of anything else.

Trustee McEachern asked if it has been passed by YEDA. Mr. Bottom stated it is a joint application, by me and the Executive Director. Mr. Mitchell stated Authority will be considering this on Thursday. Trustee McEachern asked if it would be a moot point, if passed. Mr. Mitchell stated City has purchased the land. Half of the property will be set aside for City Hall and the other half will be managed and marketed by YEDA. We need to know where the 20 acres for City Hall will be and then we can offer land to developers. It is not necessary at this time to worry about financing. Location is concern right now.

Trustee Yanda stated rezoning gives us more control. Mr. Mitchell stated zoning gives more flexibility, more control over design, and is not use-oriented. This zoning gives idea of what will be in place. If RFQ/RFP issued, we can answer many questions from developers.

Trustee Russell guarantees City Hall will be going there. Mr. Mitchell stated it doesn't guarantee; it just reserves half the site for City Hall. Trustee Russell asked, if this should have went to zoning first. Mr. Mitchell stated this is just the application tonight. He then stated the steps of process.

Trustee McEachern is nervous about changing zoning. Mr. Mitchell asked if he was comfortable selling property with current zoning. Trustee McEachern asked if we have any leads. Mr. Mitchell stated yes, we have talked to developers. Trustee McEachern stated if we knew some of the targets, it would be helpful.

Chairman Alberts is concerned about TIF. He would like to understand the full proposal. Not against zoning, but not ready to move forward. He would like to know where project is headed and wants more details. Mr. Mitchell is only saying that under SmartCode there is more control. Chairman Alberts wants to know financing, not in favor of TIF. No point in rezoning without financing. Previous TIF has not fulfilled promises. He wants to look at other plans and financing options. Mr. Mitchell stated developers want to know ground rules. Chairman Alberts stated he wants ground rules. Chairman Alberts asked Trustee Yanda to table item. First step is funding. Mr. Mitchell stated purpose of rezoning is to do RFQ and see interest. Mayor Alberts needs more information. Trustee McEachern said to ask developers if property is more attractive if SmartCode. Chairman Alberts asked questions about negotiations. Mr. Mitchell stated we have been talking to developers. Chairman Alberts wants more information. Trustee Yanda stated we are only talking about rezoning not funding. Mr. Mitchell stated some funding comes from land sale. Chairman Alberts would like to know other options for funding besides TIF. Mr. Mitchell stated sale of land along with TIF is a financing option. Chairman Alberts needs to know more about project and determine financing before rezoning. Mr. Mitchell stated overlay is best option for land use and development. Mayor Alberts stated zoning is not the issue, the overall project is. Mr. Mitchell stated if we do move toward the TIF, there is a Review Committee process that takes a few months.

The motion was amended by Trustee Yanda to table item until December 15th, and seconded by Trustee Russell.

The vote:

AYES: Alberts, Russell, Smaistrila, Yanda, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

3A. Consider and approve Resolution No. YMA-2015-07, a resolution providing preliminary approval and declaring the intent of the Yukon Municipal Authority in connection with the issuance of not to exceed \$45,000,000 of its revenue bonds or notes for the payment of or reimbursement of expenditures for the Yukon Sports Complex

The motion to approve Resolution No. YMA-2015-07, a resolution providing preliminary approval and declaring the intent of the Yukon Municipal Authority in connection with the issuance of not to exceed \$45,000,000 of its revenue bonds or notes for the payment of or reimbursement of expenditures for the Yukon Sports Complex, was made by was made by Trustee Yanda and seconded by Trustee Alberts.

Trustee Russell asked if there was a backer. Mr. Bottom stated we still have to approve indebtedness. Council Member Russell asked about the park. Mr. Bottom stated this is for Phase 1, center of park and soccer fields. Phase 2 is softball and baseball fields. This gets the City reimbursed for expenses it has had and will have throughout the project. Trustee McEachern asked if these will be bonds. Mr. Bottom stated yes. Trustee McEachern clarified this would not be the final price. Mr. Bottom agreed this is the anticipated costs of Phase 1.

(Trustee Smaistrila left meeting at 7:36pm)

Chairman Alberts does not understand. Mr. Segler stated YMA borrowed to purchase land. This resolution is IRS required when bonds are issued. Proceeds reimburse City for costs already incurred. Not needed if this was Lease Purchase agreement. This allows City to issue bonds. If we do issue bonds, some of the proceeds can be reimbursed to the City. Bonds won't exceed \$45million. Chairman Alberts questioned where the \$45million came from. Mr. Bottom stated from the original engineering estimate for park. Chairman Alberts thought we weren't going to use bonds/taxes. Mr. Segler stated just using sales tax. Chairman Alberts didn't

think we were going use sales tax. Mr. Bottom stated we are not going to raise taxes. Mr. Bottom stated we won't build the park. Chairman Alberts stated no, we just need more explanation. We need your cooperation, not the public's. We would like a breakdown. Not selling land, but managing it and providing costs. What does \$45 million get us? Mr. Bottom will provide information as soon as available. Chairman Alberts asked why such a big number on bonds? He didn't think we were going to use bonds to pay for park. Mr. Bottom stated he was advised by financial advisors that bonds were the better way to go. Chairman Alberts stated that's a substantial change from when I voted to buy the property to build the park. Mr. Bottom stated at the time, we were going to finance with certificate of participation. Mr. Segler stated this is not the issuance of bonds, just part of the process. He also stated \$45 million is the cap, you don't necessarily have to issue full amount. Chairman Alberts asked about steps of issuing bonds. Mr. Segler gave entire process. Chairman Alberts is unsure of why we are passing now. Mr. Segler stated it may be a timing issue. Trustee Yanda asked if Mr. Williams said we should do this at this time. Mr. Bottom stated he sent this to us. Chairman Alberts stated it looks like this is a \$45 million line of credit to build park. Mr. Segler stated the bond amount is not determined by this action, just gives the cap.

Trustee McEachern questioned the amount of park exceeding \$45million. Trustee Russell thought we had investors. Mr. Bottom stated we still do, but financial advisors say bonds are cheaper. Chairman Alberts still doesn't understand \$45 million. Mr. Bottom stated it is tied to the reimbursement of expenses within Phase 1 of the parks. Chairman Alberts would like financial advisors to explain. He wants a park and City Hall, but can't explain to citizens what is going on. He would like the first information given to be contrasted with new information. Mr. Bottom stated resolution is for IRS purposes. Chairman Alberts asked if this had to be approved tonight. Mr. Bottom believes since Mr. Williams sent it, probably. Mr. Segler stated process to issue bonds is the same as earlier refundings. This isn't issuance of a bond. Trustee Yanda clarified this has to be done first. Trustee McEachern would have liked information from Mr. Williams. Chairman Alberts stated \$45million is intimidating. Exciting time, but he does not understand everything, therefore unable to answer citizen's questions. I want a park, but need explanations. He thought we weren't issuing bonds. Mr. Bottom stated its debt. Debt can be called different things.

The motion was amended by Trustee Yanda to postpone until the first available meeting the financial advisors could discuss, and seconded by Chairman Alberts.

The vote:

AYES: McEachern, Russell, Alberts, 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 November 3, 2015**
- B) Payment of material claims in the amount of \$338,590.84**
- C) Accepting Oklahoma Department of Environmental Quality Permit No. SL000009150854 for the construction of approximately 2,440 linear feet of eight (8) inch sewer lines and appurtenances to serve the City of Yukon River**

- Mesa Section 2 Sewer Line Extension Project, Canadian County, Oklahoma**
- D) Accepting Oklahoma Department of Environmental Quality Permit No. City**
 - E) WL000009150855 for the construction of approximately 120 linear feet of six (6) inch and 2,165 linear feet of eight (8) inch water lines and appurtenances to serve the City of Yukon River Mesa Addition Section 2 Water Line Extension Project, Canadian County, Oklahoma**
 - F) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
 - G) Setting the date for the next regular Council meeting for December 1, 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 November 3, 2015; Payment of material claims in the amount of \$338,590.84; Accepting Oklahoma Department of Environmental Quality Permit No. SL000009150854 for the construction of approximately 2,440 linear feet of eight (8) inch sewer lines and appurtenances to serve the City of Yukon River Mesa Section 2 Sewer Line Extension Project, Canadian County, Oklahoma; Accepting Oklahoma Department of Environmental Quality Permit No. WL000009150855 for the construction of approximately 120 linear feet of six (6) inch and 2,165 linear feet of eight (8) inch water lines and appurtenances to serve the City of Yukon River Mesa Addition Section 2 Water Line Extension Project, Canadian County, Oklahoma; 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 December 1, 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 Russell.

The vote:

AYES: Alberts, Yanda, McEachern, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 2. Consider approving Resolution No. 2015-22, a resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for four-year terms ending in May, 2020 with filing period opening at 8:00 a.m. December 7, 2015, and closing at 4:30 p.m. December 9, 2015.**

The motion to approve Resolution No. 2015-22, a resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for four-year terms ending in May, 2020 with filing period opening at 8:00 a.m. December 7, 2015, and closing at 4:30 p.m. December 9, 2015, was made by Council Member Russell and seconded by Council Member McEachern.

The vote:

AYES: Yanda, Russell, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 3. Consider approving the Agreement for the upgrade of New World Systems to Enterprise eCad and an expenditure of funds, in an amount of \$143,850.00, to be paid from the Master Lease Purchase Agreement, as requested by the Technology Director**

The motion to approve the Agreement for the upgrade of New World Systems to Enterprise eCad and an expenditure of funds, in an amount of \$143,850.00, to be paid from the Master Lease Purchase Agreement, as requested by the Technology Director, was made by Council Member Yanda and seconded by Council Member McEachern.

The vote:

AYES: McEachern, Alberts, Russell, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 4. Consider approving an expenditure of funds, in an amount of \$80,289.64, for a new Storage Area Network from Presidio, to be paid from the Master Lease Purchase Agreement, as requested by the Technology Director**

The motion to approve an expenditure of funds, in an amount of \$80,289.64, for a new Storage Area Network from Presidio, to be paid from the Master Lease Purchase Agreement, as requested by the Technology Director, was made by Council Member McEachern and seconded by Council Member Russell.

The vote:

AYES: Russell, Alberts, Yanda, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 5. Consider approving an expenditure of funds, in an amount not to exceed \$980,379.56, for the purchase of vehicles and equipment as shown in the attached lists, for the Assistant City Manager, Public Works, Police Station, Sanitation, and Park Maintenance, to be paid from the Master Lease Purchase Agreement**

The motion to approve an expenditure of funds, in an amount not to exceed \$980,379.56, for the purchase of vehicles and equipment as shown in the attached lists, for the Assistant City Manager, Public Works, Police Station, Sanitation, and Park Maintenance, to be paid from the Master Lease Purchase Agreement, was made by Council Member Russell and seconded by Council Member Yanda.

The vote:

AYES: Alberts, Russell, Yanda, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 6. Consider approving Resolution No. 2015-23, resolution declaring the intent to consider an amendment of the Frisco Road Economic Development Project Plan by creating an Ad Valorem Tax Increment District or Districts under the Local Development Act; directing preparation of project plan amendments; appointing a Review Committee; directing the Review Committee to make findings as to eligibility and financial impact, if any, on taxing jurisdictions within the district; and directing the Review Committee to make a recommendation with respect to the proposed amendments to the project**

The motion to approve Resolution No. 2015-23, resolution declaring the intent to consider an amendment of the Frisco Road Economic Development Project Plan by creating an Ad Valorem Tax Increment District or Districts under the Local

Development Act; directing preparation of project plan amendments; appointing a Review Committee; directing the Review Committee to make findings as to eligibility and financial impact, if any, on taxing jurisdictions within the district; and directing the Review Committee to make a recommendation with respect to the proposed amendments to the project, was made by Council Member Yanda and seconded by Council Member Russell.

Council Member Yanda asked Mr. Bottom to address the Ad-Valorem Tax. Mr. Bottom stated without development, there is no revenue. Can't give what you don't have. Master plan has evolved to contain residential and commercial to the west, thus the need to use Ad-Valorem. It all lies within Banner schools, none of the money would have come to the Yukon School District. We will use Ad Valorem and Sales Tax to fund improvements, including Frisco Rd interchange. Council Member McEachern asked why it is on the YEDA agenda for November 19. Mr. Bottom stated state laws gives specific order. Mr. Mitchell stated it is an informational item only on the YEDA agenda. Role is in development agreement. Mr. Bottom stated makeup of Review Committee is per State Statute. Mr. Mitchell listed Committee makeup as follows: City, County, Canadian Valley Technology Center, Health Department, Banner School, Mayor is Chair, and 3 at-Large members. Mr. Mitchell stated the committees only authority is to review the issues and make recommendation for approval of district. Mayor Alberts does think tax will affect Yukon students. He asked if we had any idea of revenues. Mr. Mitchell stated we will start with previous estimates. Council Member McEachern asked if City could adjust rates. Mr. Mitchell stated we don't have authority over their tax rate. The future benefit is being deferred. Council Member McEachern clarified, once TIF is paid, these benefits will then go to institutions. Mayor Alberts clarified committee does research and then brings information to Planning Committee and then to City Council. The City Council has authority, if they decide to adjust. Mr. Mitchell stated budget would be adjusted. Council Member McEachern didn't get process from agenda information. Mayor Alberts stated we are not making changes, tonight approves research. Mr. Bottom stated time allotment or budget will extinguish TIF.

The vote:

AYES: Russell, Yanda, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. City Manager's Report – Information items only

A. Sales Tax Report

B. Big Trash Day Report

Mr. Bottom stated Sales Tax is up 10.92% for month and 15.02% year to date. We should stay strong thru February reporting period. Concern is when we catch up to new growth from last year. Budget was built on 3% increase.

Big Trash Day had better participation this fall. Mr. Bottom quoted the statistics. Fall Leaf curbside pickup is now thru December 4 with no limit on bags. Main Street Mob November 19 at the Teal Turtle, November 25 is Main Street Lunch Mob at Carlito's, and November 28 is Shop Small at downtown merchants.

Mr. Bottom gave a list of the Park Events. Events start November 21: Chill your Cheeks, Kris Kringle Karnival, and opening of Christmas in the Park. All lights are now LED. December 4 is Community Coffee at the City Hall. He listed multiple events for the month. He thanked all the citizens living around the park for patience with the traffic.

Audit exit interview is next Monday. Mr. Bottom anticipates clean audit and strong financial picture. City has been positioned for strong growth.

8. New Business – None

9. Council Discussion

Council Member Yanda stated great financial report. Happy Thanksgiving! Shop Yukon.

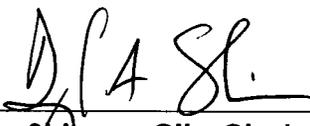
Council Member McEachern is proud of discussion tonight. Lori Adams is doing a great job. Congratulations to Pam and Larry for the Main Street improvements. It's improving daily. Have a wonderful Thanksgiving.

Mayor Alberts requested 15 seconds of silence for Paris. Blessed to live in great community, but always be vigilant.

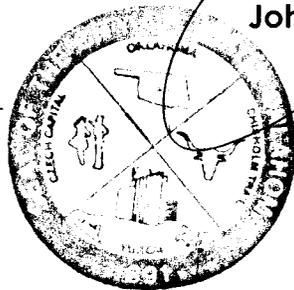
Council Member Russell stated great Manager's report. Thanks to the City staff as well as John Corn and his officers. Happy Thanksgiving!

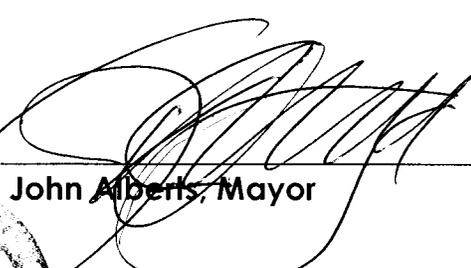
Mayor Alberts stated we went to the National League of Cities in Nashville. He received good information regarding obesity and costs, proud of staff for proactive actions. There is a lot going on in Yukon. He lives in Yukon, because he wants to. He believes adversity creates opportunity. Thanks to Mr. Bottom and City Staff. Thanks for patience and Happy Thanksgiving.

10. Adjournment



Doug Shivers, City Clerk





John Alberts, Mayor