

Minutes



City Council Minutes August 16, 2005

The Yukon City Council met in regular session on August 16, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Tom Arnould, Pastor of Good News Church.

The flag salute was given in unison.

Roll Call:

Present: Bob Bradway, Mayor
Earline Smaistrila, Vice Mayor
Dewayne Maxey, Council Member
Ward Larson, Council Member
John Alberts, Council Member

Others Present:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Tony Lum, Building Maintenance Department
Mitchell Hort, Community Development Director
Tammy Kretchmar, Administrative Assistant
J. R. Reed, Public Works Director
Ike Shirley, Police Chief
Jeff Lara, Fire Chief
John Knuppel, Historical Committee

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Presentations and Proclamations
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Visitors
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(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 one 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 August 2, 2005
- B) Payments in the amount of \$116,143.50

Trustee Larson made a motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of August 2, 2005, and payment of claims in the amount of \$116,143.50. The second

to the motion was made by Vice Chair Smaistrla.

The vote:

AYES: Larson, Alberts, Maxey, Smaistrla, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

(Recess 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 one 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 the:

- A) Minutes of the regular meeting of August 2, 2005
- B) Salary and material claims in the amount of \$284,632.41
- C) Entering into a contract with the Department of Human Services for use of a van for the Yukon Senior Center
- D) Setting the date for the next regular Council meeting for September 6, 2005, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Council Member Maxey, seconded by Vice Mayor Smaistrla, to approve the Consent Docket, consisting of the minutes of the regular meeting of August 2, 2005; salary and material claims in the amount of \$284,632.41; entering into a contract with the Department of Human Services for use of a van for the Yukon Senior Center; and setting the date for the next regular Council meeting for September 6, 2005, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Smaistrla, Bradway, Alberts, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. A) Consider approving Ordinance No. 1176, an ordinance amending Ordinance No. 657, Appendix A, of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for part of Block B, Sunrise Hills Addition, Section 2, according to the recorded plat thereof, Canadian County, Oklahoma, be changed from "C-1" (Office District), "C-1 PUD" (Office District PUD), and "C-2 PUD" (Convenience Commercial District Pud) to "R-1 PUD" (Single Family Residential PUD); and declaring an emergency

Council Member Maxey moved to approve Ordinance No. 1176, an ordinance amending Ordinance No. 657, Appendix A, of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for part of Block B, Sunrise Hills Addition, Section 2, according to the recorded plat thereof, Canadian County, Oklahoma, be changed from "C-1" (Office District), "C-1 PUD" (Office District PUD), and "C-2 PUD" (Convenience Commercial District Pud) to "R-1 PUD" (Single Family Residential PUD); and declaring an emergency. The second to the motion was made by Council Member Alberts.

The vote:

AYES: Alberts, Maxey, Bradway, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the emergency clause of Ordinance No. 1176

A motion was made by Council Member Maxey, seconded by Council Member Alberts, to approve the emergency clause of Ordinance No. 1176.

The vote:

AYES: Larson, ALberts, SmaistrIa, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving the Subdivision Bond for Sunrise Hills, Section 8

Vice Mayor SmaistrIa made a motion to approve the Subdivision Bonds for Sunrise Hills, Section 8. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Maxey, Bradway, Larson, Alberts, SmaistrIa

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving the maintenance bonds for Kingsridge Addition, Section 3

Vice Mayor SmaistrIa made a motion, seconded by Council Member Maxey, to approve and accept the maintenance bonds for Kingsridge Addition, Section 8.

The vote:

AYES: Bradway, Alberts, Larson, SmaistrIa, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approving an Irrevocable Letter of Credit from Arvest Bank for public improvements for the Frisco Ridge Addition

A motion to approve an Irrevocable Letter of Credit from Arvest Bank for public improvements for the Frisco Ridge Addition was made by Council Member Maxey and seconded by Vice Mayor SmaistrIa.

The vote on the motion:

AYES: Maxey, Bradway, SmaistrIa, Alberts, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. A) Consider approving Ordinance No. 1177, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 34-58, providing for a fee for issuance of bail bonds; and declaring an emergency [to bring into compliance with Ordinance No. 1174]

The motion to approve Ordinance No. 1177, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 34-58, providing for a fee for issuance of bail bonds and declaring an emergency, was made by Council Member Larson. Council Member Maxey seconded the motion for approval.

Council Member Alberts asked what a special revenue account is. Mr. Segler, City Attorney, said in this ordinance it is referring to an account used for operating a jail, per state law.

Mr. Alberts asked who oversees this account.

The City Manager said that it is a part of the General Fund and is overseen as all other monies are, and this

is collected to offset the cost of operation. He stated in this way, the incarcerated help pay for their confinement.

Council Member Alberts asked if our fines are similar in price to cities of our same size. Mr. Segler said they were.

The roll call vote was:

AYES: Smaistrila, Larson, Maxey, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1177

Council Member Larson moved to approve the Emergency Clause of Ordinance No. 1177. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Bradway, Smaistrila, Maxey, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. A) Consider approving Ordinance No. 1178, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 34-59 providing for a schedule of fines and bond, and declaring an emergency [to bring into compliance with Ordinance No. 1174]

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrila, to approve Ordinance No. 1178, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 34-59 providing for a schedule of fines and bond, and declaring an emergency.

Council Member Alberts said he felt some of these fees seem too low and asked if these were maximum fines. Mr. Segler advised they were.

Mr. Alberts asked how we can raise the fines. Mr. Segler said that some of the fees are addressed by state statute, but there are others that can be increased by Council. Mr. Segler said the judge can still lower the fine if he so chooses. Mr. Alberts said he would like for the City Attorney to study this to see what fines can be increased by Council and for us to address this issue again in October.

The vote:

AYES: Larson, Bradway, Maxey, Alberts, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1178

The Emergency Clause of Ordinance No. 1178 was approved on a motion made by Vice Mayor Smaistrila and seconded by Council Member Maxey.

The vote:

AYES: Maxey, Larson, Smaistrila, Alberts, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. A) Consider approving Ordinance No. 1179, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 110-102 of the Code of Ordinances, providing for amendment of the Schedule of Fines and Bond, by amending Section

110-103 of the Code of Ordinances, providing for amendment of the effect of payment and declaring an emergency [to bring into compliance with Ordinance No. 1174]

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve Ordinance No. 1179, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 110-102 of the Code of Ordinances, providing for amendment of the Schedule of Fines and Bond, by amending Section 110-103 of the Code of Ordinances, providing for amendment of the effect of payment and declaring an emergency.

Council Member Alberts said he would also like to address these fees in October.

A roll call vote was taken:

AYES: Alberts, Maxey, Bradway, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1179

A motion to approve the Emergency Clause of Ordinance No. 1179 was made by Council Member Larson. Council Member Maxey seconded the motion.

The vote:

AYES: Smaistrla, Larson, Maxey, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. Consider approving Resolution No. 2005-10, a resolution calling for the designation of the National Incident Management System (NIMS) as the basis for all incident management in the City

The motion to approve Resolution No. 2005-10, a resolution calling for the designation of the National Incident Management System (NIMS) as the basis for all incident management in the City was made by Vice Mayor Smaistrla and seconded by Council Member Maxey.

Council Member Alberts asked for an explanation of this item.

Police Chief Ike Shirley stated the Office of Homeland Security wants this resolution passed by those cities benefitting from federal funds so that all departments will handle situations in the same way, using the same set of guidelines. He stated using these guidelines are a requirement for anyone receiving Homeland Security funds.

The vote:

AYES: Larson, Smaistrla, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

11. Consider approving Resolution No. 2005-12, a resolution authorizing the Mayor to enter into an agreement with the Oklahoma Department of Transportation for the City of Yukon SH66/Main Street Sidewalk Project, Federal-Aid Project No. STP-109E(103)EH, State Job Piece No. 22592(04)

Resolution No. 2005-12, a resolution authorizing the Mayor to enter into an agreement with the Oklahoma Department of Transportation for the City of Yukon SH66/Main Street Sidewalk Project, Federal-Aid Project No. STP-109E(103)EH, State Job Piece No. 22592(04), was approved on a motion made by Council Member Larson and seconded by Council Member Maxey.

The vote:

AYES: Bradway, Maxey, Larson, Alberts, Smaistrla
NAYS: None
VOTE: 5-0
MOTION CARRIED

12. Consider approving Resolution No. 2005-11, a resolution authorizing the Mayor to enter into agreement with the Oklahoma Department of Transportation for Project Agreement for Federal-aid Project Number STP-109E(104)EH, State Job No. 22593(04) [Bicycle and Pedestrian Facilities]

Council Member Larson made a motion to approve Resolution No. 2005-11, a resolution authorizing the Mayor to enter into agreement with the Oklahoma Department of Transportation for Project Agreement for Federal-aid Project Number STP-109E(104)EH, State Job No. 22593(04) [Bicycle and Pedestrian Facilities]. The second to the motion was made by Council Member Maxey.

Vice Mayor Smaistrla asked what would happen to the bricks that have been purchased by citizens that are along Main Street. Engineer Robbie Williams said that they will not be affected in any way, that the only thing that will be affected is the parking.

The vote:
AYES: Maxey, Smaistrla, Alberts, Bradway, Larson
NAYS: None
VOTE: 5-0
MOTION CARRIED

13. Consider approving and authorizing the repair of 15" Sanitary Sewer replacement at Stone Mill Addition in an amount not to exceed \$6,334.00

Vice Mayor Smaistrla made a motion to approve the replacement of 15" sanitary sewer at Stone Mill Addition in an amount not to exceed \$6,334.00. Council Member Maxey moved the second.

The vote:
AYES: Larson, Alberts, Smaistrla, Maxey, Bradway
NAYS: None
VOTE: 5-0
MOTION CARRIED

14. Consider approving the specifications for roof replacements for City Hall, the Centennial Building, the Mary Huckaba Building, and the Chamber of Commerce Office and authorizing bids to be solicited

The City Manager advised that the title of this item left out the Community Development building, but it is to be included in the roof replacement project, as shown in the enclosed back-up memo.

The motion to approve the specifications for roof replacements for City Hall, the Centennial Building, the Mary Huckaba Building, the Community Development Building, and the Chamber of Commerce Office and authorizing bids to be solicited was made by Council Member Maxey. The second to the motion for approval was made by Council Member Smaistrla.

The vote:
AYES: Alberts, Bradway, Larson, Maxey, Smaistrla
NAYS: None
VOTE: 5-0
MOTION CARRIED

15. Consider approving Booster Station 22 Improvements in an amount not to exceed \$68,587.50

Council Member Maxey moved to approve the Booster Station 22 improvements in an amount not to exceed \$68,587.50; motion was seconded by Council Member Smaistrla.

The City Manager stated these improvements will allow us to monitor the exchange of water from Oklahoma City to insure we have the proper arsenic levels as required by the Department of Environmental Quality.

The vote:

AYES: Smaistrila, Larson, Bradway, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

16. Consider setting abatement costs at \$351.60 for the property located at 108 Ash, Lots 5 and 6, Block 24, Original Yukon (Harlan and Pamela Saulsberry, owners) and authorizing the City Clerk to place a lien on the property with the Canadian County Clerk

A motion was made by Council Member Maxey, seconded by Council Member Larson, to approve setting the abatement costs at \$351.60 for the property located at 108 Ash, Lots 5 and 6, Block 24, Original Yukon (Harlan and Pamela Saulsberry, owners) and authorizing the City Clerk to place a lien on the property with the Canadian County Clerk.

The vote:

AYES: Bradway, Larson, Alberts, Smaistrila, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

17. Consider a public hearing to determine whether the following properties should be declared detrimental to the health, benefit and welfare of the public and community and direct staff to take appropriate action to abate same

LOCATION	OWNER	VIOLATION
200 Tanglewood	Ramsey/Diggs	Trash, Grass, Weeds
1780 South Garth Brooks Boulevard	Cooper	Trash, Grass, Weeds
223 East Cherry	George/Reilly	Nuisance Vehicle
118 North 9 th	Swift	Trash, Grass, Weeds
625 Cherry	Thoma/MERS	Trash, Grass, Weeds
114 North 9 th	Anders	Trash, Grass, Weeds
114 North 9 th	Anders	Nuisance Vehicle
115 Utah	Ammons/Simpson	Trash, Grass, Weeds
115 Utah	Ammons/Simpson	Nuisance Vehicle
505 Vicki Drive	Cunningham/Pearson	Trash, Grass, Weeds
720 Maple	Heights	Trash, Grass, Weeds
Westport Commerce Park, Lots 4-5, Block 1	Onpoint Construction	Trash, Grass, Weeds
Westport Commerce Park, Lots 2, 3, 4; Block 3	Onpoint Construction	Trash, Grass, Weeds

Community Development Director Mitchell Hort presented pictures of 720 Maple, the only property left unabated. After reviewing the pictures, Vice Mayor Smaistrila made a motion to declare the property at 720 Maple as being detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same. The second to the motion was made by Council Member Larson.

The vote:

AYES: Bradway, Smaistrila, Maxey, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

18. New Business

19. Council Discussion

□ Council Member Alberts stated in light of the high cost of gasoline, he was wondering if there was a way to get involved with the area public transit.

The City Manager stated the public transit goes only from Point A to Point B and that works great, but not if you need a specific route. Mr. Crosby said that in discussions regarding public transit, he has heard that gas needs to be at \$3 per gallon before it is cost effective for public transit on a smaller scale.

□ Vice Mayor Smaistrla reminded everyone that school starts August 18th and to be careful in the school zones. She also advised that this Thursday is the last concert in the park for the summer and invited everyone to attend.

□ Council Member Maxey stated we need to remember the family of long-time business man Jim Snyder, who passed away this past week.

□ Mayor Bradway stated Mr. Maxey was right and that Mr. Snyder had given much support to the city and its citizens over his lifetime and he will be missed.

Mr. Bradway asked the City Attorney the status of our code review by the Municipal Code Corporation. Mr. Segler, City Attorney, advised that they have completed the review of our codes and there were several small items to be addressed. Mr. Segler said some changes have already been made and that on the minor issues, we are changing those as we go so that we don't incur a large printing bill to make minor changes. The attorney said there will be more changes as we go.

The Mayor asked that Mr. Segler let the Council know when a change is made at the suggestion of the Municipal Code Corporation.

20. Adjournment

Bob Bradway, Mayor

Patricia G. Hargis, City Clerk