

Minutes



Yukon City Council Minutes November 1, 2005

The Yukon City Council met in regular session on November 1, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Mayor Bob Bradway.

Flag salute was given in unison.

ROLL CALL: (Present) Bob Bradway, Mayor
 Earline Smaistrla, Vice Mayor
 Dewayne Maxey, Council Member
 Ward Larson, Council Member

(Absent) John Alberts, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager
Kristi Hort, Deputy City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Tony Lum, Building Maintenance
Tammy Kretchmar, Administrative Assistant
Ike Shirley, Police Chief
Jeff Lara, Fire Chief
J. R. Reed, Public Works Director
John Knuppel, Historical Society

Presentations and Proclamations:

Mayor Bradway read a proclamation declaring the week of November 13 through 19, 2005, as "Oklahoma Heritage Week" in the State of Oklahoma. The proclamation was presented to J. W. Parker.

Visitors:

◆ Mrs. Mindy Morris, 500 Eastridge Drive, and Mrs. Carol Wood, 1172 McConnell Drive, appeared before Council to discuss the new playground facility in Sunrise Addition. Mrs. Morris stated that when they purchased their homes, they were told a residential home would be constructed on this lot. Mrs. Wood stated that children are playing in the area, trespassing through her yard and vandalizing the neighborhood. The use of profanity is disturbing as well as they children peering through their windows from atop the piles of playground equipment.

City Manager Jim Crosby stated that Mitchell Hort, Community Development Director is aware of the situation and has been working on this. City Attorney Mike Segler stated that he and Mitchell have discussed this matter, and that no city ordinance has been violated. He continued by stating that the homeowners' covenants may have been broken and the homeowners should work directly with the developers.

◆ Mr. Meridith Wood, 1172 McConnell Drive, stated that he is retired and obeys all city laws and pays his taxes. He asked why the developer was not required to purchase a permit for the construction of the playground.

Mayor Bradway stated that this behavior is not legal in Yukon and he doesn't approve of such behavior, and the playground facility is for children to play in, not for the use of profanity.

City Manager Jim Crosby state that if a permit is required by city ordinance and one is not obtained, there will be a fine. He continued by stating that certain zoning categories allow for certain types of structures and that the Council discussed the various zoning categories during the study session.

(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) Approval of minutes of regular meeting of October 18, 2005
- B) Payment of claims in the amount of \$128,759.84

Trustee Maxey made a motion, seconded by Trustee Larson, to approve the YMA Consent Docket as presented.

The vote:

AYES: Larson, Maxey, Bradway, Smaistrla

NAYS: None

VOTE: 4-0

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 approval of:

- A) Minutes of the regular meeting of October 18, 2005
- B) Payment of salary and material claims in the amount of \$ 201, 597.13
- C) Setting date for next regular meeting for November 15, 2005, 7:30 P.M., in the Council Chambers of the Centennial Building, 12 South Fifth

Vice Mayor Smaistrla made a motion to approve the consent docket as presented. Council Member Larson seconded.

The vote:

AYES: Maxey, Bradway, Smaistrla, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider entering into a Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police, Lodge # 173, for Fiscal year 2005 - 06

Council Member Maxey made a motion, seconded by Council Member Larson, to approve the Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police, Lodge # 173, for Fiscal year 2005 - 06.

Mayor Bradway asked if the City had ever had a bargaining agent. City Manager stated that yes, prior to his employment, the City hired a bargaining agent; however, there was a major impasse. Within a few months of his employ, he was able to come to an agreement.

A vote on the motion was taken:

AYES: Bradway, Smaistrla, Larson, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. A) Consider approving Ordinance No. 1181, an ordinance amending the code of Ordinances of the City of Yukon, Oklahoma by amending Section 110-153 providing for increased penalty for Child Passenger Restraint System violations: and declaring an emergency

Council Member Larson made a motion, seconded by Council Member Maxey, to approve Ordinance No. 1881, an ordinance amending the code of Ordinances of the City of Yukon, Oklahoma, by amending Section 110-153 providing for increased penalty for Child Passenger Restraint System violations, and declaring an emergency.

A vote on the motion was taken:

AYES: Bradway, Smaistrla, Larson, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1181

Council Member Larson made a motion, seconded by Council Member Maxey, to approve the Emergency Clause of Ordinance No. 1881.

A vote on the motion was taken:

AYES: Smaistrla, Larson, Maxey, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider approving Ordinance No. 1182, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-12 by providing an increase in fees for failure to pay pursuant to deferred utility payment plan; and declaring an emergency

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve Ordinance No. 1182, an ordinance amending the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-12 by providing an increase in fees for failure to pay pursuant to deferred utility payment plan; and declaring an emergency.

A vote on the motion was taken:

AYES: Larson, Maxey, Bradway, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1182

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve the Emergency Clause of Ordinance No. 1182.

A vote on the motion was taken:

AYES: Maxey, Bradway, Smaistrla, Larson

NAYS: None

VOTE: 4-0
MOTION CARRIED

6. Consider approving Ordinance No. 1183, an ordinance which provides amendment to the code of Ordinances of the City of Yukon, Oklahoma by amending Section 98-23 by providing an increase in the deposit associated with the limitation of solid waste collection in rural areas and adding new Subsections (H), (I), AND (J) to Section 98-23; providing for the establishment of fees associated with removal of solid waste receptacles upon termination of service for non-payment; and declaring an emergency

Vice Mayor Smaistrla made a motion, seconded by Council Member Larson, to approve Ordinance No. 1183, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-23 by providing an increase in the deposit associated with the limitation of solid waste collection in rural areas and adding new Subsections (H), (I), and (J) to Section 98-23; providing for the establishment of fees associated with removal of solid waste receptacles upon termination of service for non-payment; and declaring an emergency.

A vote on the motion was taken:
AYES: Bradway, Smaistrla, Larson, Maxey
NAYS: None
VOTE: 4-0
MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1183

Council Member Larson made a motion, seconded by Vice Mayor Smaistrla, to approve the Emergency Clause of Ordinance No. 1183,

A vote on the motion was taken:
AYES: Bradway, Smaistrla, Larson, Maxey
NAYS: None
VOTE: 4-0
MOTION CARRIED

7. Consider approving Ordinance No. 1184, an ordinance which provides amendment to the code of Ordinances of the City of Yukon, Oklahoma by amending Section 114-32 by providing an increase in the utility service connection and transfer fees and adding a new Subsection (C) to Section 114-32 providing for a fee associated with transfer of service; and declaring an emergency

Council Member Larson made a motion, seconded by Council Member Maxey, to approve Ordinance No. 1184, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-32 by providing an increase in the utility service connection and transfer fees and adding a new Subsection(C) to Section 114-32 providing for a fee associated with transfer of service, and declaring an emergency.

A vote on the motion was taken:
AYES: Smaistrla, Larson, Maxey, Bradway
NAYS: None
VOTE: 4-0
MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1184

Vice Mayor Smaistrla made a motion, seconded by Council Member Maxey, to approve the Emergency Clause of Ordinance No. 1184.

A vote on the motion was taken:
AYES: Larson, Maxey, Bradway, Smaistrla
NAYS: None

VOTE: 4-0
MOTION CARRIED

8. Consider approval of Change Order #1 for the Mustang Road Water Tower Painting Project

Council Member Larson made a motion, seconded by Vice Mayor Smaistrla, to approve the Change Order #1 for the Mustang Road Water Tower Painting Project.

A vote on the motion was taken:
AYES: Maxey, Bradway, Smaistrla, Larson
NAYS: None
VOTE: 4-0
MOTION CARRIED

9. Consider approving Resolution No. 2005-15, a resolution calling for citizen support of an upcoming county-wide enhanced wireless 9-1-1 election, December 13, 2005

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve Resolution No. 2005-15, a resolution calling for citizen support of an upcoming county-wide enhanced wireless 9-1-1 election, December 13, 2005.

A vote on the motion was taken:
AYES: Bradway, Smaistrla, Larson, Maxey
NAYS: None
VOTE: 4-0
MOTION CARRIED

10. A) Consider approving Ordinance No. 1185, an ordinance amending the code of the City of Yukon, Oklahoma, by amending Appendix A - Zoning Ordinance, Section 604.2 Uses Permitted, by permitting the uses of Automobile Repair, Major; Automobile Repair, Minor, in zoning Districts I-1 and I-2, all other uses authorized by this section shall be the same, and declaring an emergency

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve Ordinance No. 1885, an ordinance amending the Code of the City of Yukon, Oklahoma, by amending Appendix A - Zoning Ordinance, Section 604.2 Uses Permitted, by permitting the uses of Automobile Repair, Major; Automobile Repair, Minor, in zoning Districts I-1 and I-2, all other uses authorized by this section shall be the same, and declaring an emergency.

A vote on the motion was taken:
AYES: Bradway, Smaistrla, Larson, Maxey
NAYS: None
VOTE: 4-0
MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1185

Vice Mayor Smaistrla made a motion, seconded by Council Member Maxey, to approve the Emergency Clause of Ordinance No. 1185.

A vote on the motion was taken:
AYES: Smaistrla, Larson, Maxey, Bradway
NAYS: None
VOTE: 4-0
MOTION CARRIED

11. Consider 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

ADDRESS	PROPERTY OWNER	VIOLATION

111 Walnut	Fleharty/Land	Trash, Grass, Weeds
600 East Main	Yukon Round-Up Club	Trash, Grass, Weeds

City Manager Jim Crosby advised that both locations have been taken care of and no action was needed.

12. New Business

13. Open Discussion

14. Adjournment

Bob Bradway, Mayor

Kristi Hort, Deputy City Clerk