

# Minutes



## City Council Minutes November 15, 2005

The Yukon City Council met in regular session on November 15, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Marc Pitts, pastor of Christian Heritage Church.

The flag salute was given in unison.

### Roll Call:

Present: Bob Bradway, Mayor  
Earline Smaistrla, 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  
George Middleton, Building Maintenance Department  
Tammy Kretchmar, Administrative Assistant  
Mitchell Hort, Community Development Director  
Jerry Reed, Public Works Director  
Ike Shirley, Police Chief  
Tim Rundel, Personnel & Safety Director  
Jeff Lara, Fire Chief

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### Presentations and Proclamations Proclamation for "Imogene Wells Nance Day"

Mayor Bradway read the proclamation proclaiming Thursday, November 17, 2005, as "Imogene Wells Nance Day" in the City of Yukon in honor of Ms. Nance being the oldest living Camp Fire member in the United States.

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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 November 1, 2005
- B) Payment of claims in the amount of \$4,238.95

Vice Chair Smaistrla made a motion, seconded by Trustee Alberts, to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 1, 2005, and payment of claims in the amount of \$4,238.95.

**The vote:**

**AYES: Alberts, Larson, Bradway, Smaistrla, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**2A. Consider approving Resolution No. YMA 2005-03, a resolution authorizing the issuance of the Yukon Municipal Authority 2005 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the revenue note; designating the Revenue Note as "qualified tax-exempt obligations" as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid**

A motion to approve Resolution No. YMA 2005-03, a resolution authorizing the issuance of the Yukon Municipal Authority 2005 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the revenue note; designating the Revenue Note as "qualified tax-exempt obligations" as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid was made by Trustee Larson, with Trustee Maxey seconding the motion.

**The vote:**

**AYES: Smaistrla, Larson, Maxey, Alberts, 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:

- A) The minutes of the regular meeting of November 1, 2005
- B) Payment of salary and material claims in the amount of \$226,311.89
- C) Placing "Deaf Children at Play" signs at Arlington and Lancaster, as recommended by the Traffic Commission
- D) Setting the date for the next regular Council meeting for December 5, 2005, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth (Note change in date)

Council Member Maxey made a motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of November 1, 2005; payment of salary and material claims in the amount of

\$226,311.89; placing "Deaf Children at Play" signs at Arlington and Lancaster, as recommended by the Traffic Commission, and setting the date for the next regular Council meeting for December 5, 2005, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. It was noted the first meeting in December will be on a Monday, due to the Council attending the National League of Cities meeting. The second to the motion was made by Council Member Larson.

**The vote:**

**AYES: Maxey, Bradway, Alberts, Smaistrla, Larson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

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

**3. Consider approving Change Order #1 to the 2005 Concrete Paving, Drainage, Water and Sewer Repair Project in a total amount not to exceed \$35,530.00**

Vice Mayor Smaistrla moved to approve Change Order #1 to the 2005 Concrete Paving, Drainage, Water and Sewer Repair Project in a total amount not to exceed \$35,530.00. The second to the motion for approval was made by Council Member Alberts.

**The vote:**

**AYES: Bradway, Alberts, Maxey, Smaistrla, Larson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. Consider awarding the bid for trees and plants for a Highway Tree Planting Grant to Precure Nursery in an amount not to exceed \$30,341.00**

The motion to approve awarding the bid for trees and plants for a Highway Tree Planting Grant to Precure Nursery in an amount not to exceed \$30,341.00 was made by Council Member Larson and seconded by Vice Mayor Smaistrla.

Mayor Bradway asked if these plants had to be put on the highway.

The City Manager stated they do. Mr. Crosby explained that we did not receive any bids for this project, so we had to obtain special permission from the State to purchase the trees and plants from Precure.

Mr. Bradway said there are some shrubs and trees that are not on the highway that are dying and need to be replaced.

**The vote:**

**AYES: Smaistrla, Bradway, Larson, Maxey, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**5. Consider awarding the bid for the City of Yukon's financial auditing to CBEW Professional Group, LLC**

A motion to award the bid for the City of Yukon's financial auditing to CBEW Professional Group, LLC was made by Vice Mayor Smaistrla, with Council Member Alberts seconding the motion.

**The vote:**

**AYES: Alberts, Maxey, Bradway, Larson, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

6. Consider approving Resolution No. 2005-16, a Resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2005 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note

Council Member Maxey made a motion to approve Resolution No. 2005-16, a Resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2005 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note. Council Member Larson seconded the motion for approval.

**The vote:**

**AYES: Maxey, Smaistrla, Larson, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

7. A) Consider approving Ordinance No. 1186, an Ordinance amending Section 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority 2005 Revenue Note in an aggregate principal amount not to exceed \$1,300,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

The motion to approve Ordinance No. 1186, an Ordinance amending Section 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority 2005 Revenue Note in an aggregate principal amount not to exceed \$1,300,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency was made by Council Member Larson and seconded by Vice Mayor Smaistrla.

**The vote:**

**AYES: Larson, Smaistrla, Bradway, Alberts, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

B) Consider approving the Emergency Clause of Ordinance No. 1186

Council Member Larson moved to approve the Emergency Clause of Ordinance No. 1186, with Council Member Maxey seconding the motion.

**The vote:**

**AYES: Bradway, Smaistrla, Maxey, Larson, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**8. Introduce, consider and approve Resolution No. 2005-17, a Resolution authorizing the sale of \$4,600,000 of General Obligation Bonds, Series 2006, of the City of Yukon, Oklahoma; fixing the amount of bonds to mature each year; fixing the time and place the bonds are to be sold; authorizing the publication of a notice of sale and approving and authorizing official statements**

The motion to approve Resolution No. 2005-17, a Resolution authorizing the sale of \$4,600,000 of General Obligation Bonds, Series 2006, of the City of Yukon, Oklahoma; fixing the amount of bonds to mature each year; fixing the time and place the bonds are to be sold; authorizing the publication of a notice of sale and approving and authorizing official statements was made by Council Member Maxey. The second to the motion was made by Council Member Smaistrla.

**The vote:**

**AYES: Alberts, Larson, Maxey, Smaistrla, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**9. Consider approving and entering into a Cooperation Agreement between the City of Yukon and the Housing Authority of the Cheyenne-Arapaho Tribes of Oklahoma**

The City Manager stated he wanted to pull this item from the agenda and no action would be taken at this time.

10. Consider a public hearing to determine whether the following properties should be declared detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same

<b>LOCATION</b>	<b>OWNER</b>	<b>VIOLATION</b>
105 Choctaw Place	Hooper/Fish	Nuisance Vehicle
105 Choctaw Plact	Hooper/Fish	Trash, Grass, Weeds
716 Ranchoak Drive	Thomas/Parker	Trash, Grass, Weeds
719 Ranchoak Drive	Deason	Trash, Grass, Weeds
700 Oak	Keef	Nuisance Vehicle

Community Development Director Mitch Hort advised that all problems with the properties had been resolved and no action is necessary on this item.

**11. New Business**

**12. Council Discussion**

- Council Member Alberts stated the holiday season is here and he would like to encourage everyone to get involved with all the activities in town and to also remember to shop locally and keep your tax dollars in Yukon.
- Council Member Larson stated the City Park lights will be turned on this Saturday evening and to bring your friends and family to Yukon to see these great displays. Mr. Larson said he appreciated the work of all the employees involved in this endeavor and that it gets bigger and better each year.
- Vice Mayor Smaistrla wished everyone a happy and safe Thanksgiving and advised to travel safely.
- Mayor Bradway thanked everyone for attending the meeting.

**13. Adjournment**

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk

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