

# Minutes



## Yukon City Council Minutes December 20, 2005

The Yukon City Council met in regular session on December 20, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Council Member Alberts.

Flag salute was given in unison.

ROLL CALL: (Present)      Bob Bradway, Mayor  
                                    Earline Smaistrle, Vice Mayor  
                                    Dewayne Maxey, Council Member  
                                    John Alberts, Council Member  
(Absent)                    Ward Larson, Council Member

### OTHERS PRESENT:

Jim Crosby, City Manager  
Pat Hargis, 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



Presentations and Proclamations  
Proclamation declaring December 21, 2005, as  
"Austin Horn, Jeremy Bennett, Lacy Medor and Jordan Jackson Day"

Mayor Bradway read a proclamation proclaiming December 21, 2005, as "Austin Horn, Jeremy Bennett, Lacy Medor and Jordan Jackson Day" in honor of the FFA judging team winning first place honors at the national contest. The group will travel to Scotland next year to represent the United States in an international judging contest.



### Visitors

Jason Krenck, 10712 Ashford Drive, stated he was a representative from the BMX Club and he wanted to advise the Council that Yukon has been chosen to host the 2006 Red Line Cup finals. Mr. Krenck said a special thank you goes to Jim Crosby, Sandy Meier, and Jan Scott for assisting them in landing this competition that will be held September 22, 23, and 24, 2006.



(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 December 5, 2005
- B) Payment of claims in the amount of \$15,066.50

Trustee Maxey made a motion, seconded by Vice Chair Smaistrila, to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of December 5, 2005, and payment of claims in the amount of \$15,066.50.

**The vote:**

**AYES: Smaistrila, Bradway, Alberts, Maxey**

**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 a motion that will approve:

- A) The minutes of the regular meeting of December 5, 2005
- B) Payment of salary and material claims in the amount of \$422,374.99
- C) Denial of Tort Claim No. 21210-MP, from Daniel Holley, as recommended by the Oklahoma Municipal Assurance Group (car window broken by inmate who was weed-eating)
- D) Denial of Tort Claim No. 21221-RS, from Marcia Newhardt, as recommended by the Oklahoma Municipal Assurance Group (backed into her garbage cart in her driveway)
- E) Entering into an Agreement for Services with Project Graduation for fiscal year 2005-06 in an amount not to exceed \$250.00
- F) Entering into an Agreement for Services with the Chisholm Trail Historical Preservation Society, Inc. for fiscal year 2005-06 in an amount not to exceed \$500 for Easter on the Prairie
- G) Setting the date for the next regular Council meeting for January 3, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Maxey made a motion to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of December 5, 2005; payment of salary and material claims in the amount of \$422,374.99; denial of Tort Claim No. 21210-MP, from Daniel Holley, as recommended by the Oklahoma Municipal Assurance Group (car window broken by inmate who was weed-eating); denial of Tort Claim No. 21221-RS, from Marcia Newhardt, as recommended by the Oklahoma Municipal Assurance Group (backed into her garbage cart in her driveway); entering into an Agreement for Services with Project Graduation for fiscal year 2005-06 in an amount not to exceed \$250.00; entering into an Agreement for Services with the Chisholm Trail Historical Preservation Society, Inc. for fiscal year 2005-06 in an amount not to exceed \$500 for Easter on the Prairie; and setting the date for the next regular Council meeting for January 3, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. Vice Mayor Smaistrila seconded the motion.

Marcia Newhardt, 114 Belisle, appeared before the Council and stated she would like for the Council to approve paying her claim listed in Item D.

Council Member Alberts asked Ms. Newhardt to tell what happened. Ms. Newhardt said that the garbage men had left her dumpster sitting in the driveway and she didn't see it. She said the "supervisor of the sanitation department said he has told the guys a million times not to put them back in the driveway."

Mr. Alberts asked the cost of the repairs to her vehicle. Ms. Newhardt said it was \$34.41, but that the cart wasn't on the grass at all, it was on the pavement and the city should be liable.

J. R. Reed, Public Works Director, said he has statements from the garbage men saying they put the cart on the curb. Mr. Reed said that kids or a strong wind could have moved the cart.

Council Member Alberts asked Ms. Newhardt if the men made a habit of putting the cart in the driveway, why she didn't look before she got into the vehicle.

Ms. Newhardt replied that she "usually does."

Council Member Alberts asked that this item be pulled from the Consent Docket for further discussion.

Council Member Maxey withdrew his motion and Vice Mayor Smaistrla withdrew her second to the motion.

Council Member Maxey then made a motion to approve the Consent Docket with exception of Item D. Vice Mayor Smaistrla seconded the motion.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

Item D: Council Member Alberts made a motion authorizing the City to pay the \$34.41 claim for repair to Marcia Newhardt's vehicle. Vice Mayor Smaistrla seconded the motion.

Mr. Alberts said Ms. Newhardt has taken the time to come to us and she believes we left the cart in her driveway and he feels we should replace it.

Council Member Maxey said if we do pay this, we will be starting something we will regret down the road.

**The vote:**

**AYES: Bradway, Maxey**

**NAYS: Alberts, Smaistrla**

**VOTE: 2-2**

**MOTION FAILED**

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

**3. Consider accepting a public dedication for a tract of land situated in Lot 4 and Lot 5, Harris Acres Addition to the City of Yukon, Canadian County, Oklahoma**

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve accepting a public dedication for a tract of land situated in Lot 4 and Lot 5, Harris Acres Addition to the City of Yukon, Canadian County, Oklahoma.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**4. Consider accepting an Irrevocable Standby Letter of Credit #918680-002 for West End Pointe Phase II**

Vice Mayor Smaistrla moved to accept an Irrevocable Standby Letter of Credit #918680-002 for West End Pointe Phase II. The second to the motion was made by Council Member Maxey.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**5. Consider authorizing the Mayor and City Clerk to sign a promissary note re-newing the loan for the BMX Riders and Parents Association, Inc. for improvements at Taylor Park**

Council Member Maxey made a motion to approve authorizing the Mayor and City Clerk to sign a promissary note re-newing the loan for the BMX Riders and Parents Association, Inc. for improvements at Taylor Park. Council Member Alberts seconded the motion for approval.

Mayor Bradway asked if the club was current on their loan. City Manager Jim Crosby advised they were. Mr. Bradway stated that in essence this is just a housecleaning measure that will need to be taken care of every year for the ten years of the note, and Mr. Crosby confirmed that was correct.

**The vote:**

**AYES: Alberts, Bradway, Smaistrila, Maxey**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**6. Consider awarding the bid for the 2005 Roof Replacement Project to Alva Roofing Company for the Chamber of Commerce Building, the Community Development Building, and the Court Clerk Building for a total amount not to exceed \$69,850.00**

A motion to award the bid for the 2005 Roof Replacement Project to Alva Roofing Company for the Chamber of Commerce Building, the Community Development Building, and the Court Clerk Building for a total amount not to exceed \$69,850.00 was made by Vice Mayor Smaistrila and seconded by Council Member Maxey.

**The vote:**

**AYES: Maxey, Bradway, Smaistrila, Alberts**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**7. Consider approving Resolution No. 2005-18, 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 1 and one Council Member from Ward 2 for four year terms ending in May, 2010**

Council Member Maxey moved, with Council Member Alberts seconding, to approve Resolution No. 2005-18, 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 1 and one Council Member from Ward 2 for four year terms ending in May, 2010.

**The vote:**

**AYES: Alberts, Smaistrila, Maxey, Bradway**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**8. New Business - Approval of Resolution No. 2005-19:**

Mayor Bradway read Resolution No. 2005-19, wishing the citizens of Yukon a Merry Christmas and a Happy New Year.

**9. Council Discussion**

Council Member Alberts stated someone has suggested to him that next year at Christmas we light the ball diamond and have "players" running bases. Mr. Alberts thanked the FFA members for appearing tonight and stated he was proud of their performance. He also thanked the BMX club for an "incredible" job. Council Member Alberts encouraged citizens to shop in Yukon so their taxes would stay locally. Council Member

Alberts wished everyone a Merry Christmas.

Council Member Maxey wished everyone a Merry Christmas and Happy New Year and encouraged everyone who has not gone, to go see the lights in our three parks.

Vice Mayor Smaistrila wished everyone a Merry Christmas. She stated she appreciated the Public Works employees who sanded our streets this morning and for being on call.

Mayor Bradway stated he also wished everyone a very Merry Christmas.

## **10. Adjournment**

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Bob Bradway, Mayor

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Pat Hargis, City Clerk