

Minutes



Yukon City Council Minutes November 7, 2006

The Yukon City Council met in regular session on November 7, 2006, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Tommy Brinkley, Pastor of Landmark United Pentecostal Church.

The flag salute was given in unison.

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

OTHERS PRESENT:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mark Osby, Acting City Attorney
Robbie Williams, City Engineer
Tammy Kretchmar, Administrative Assistant
Tim Rundel, Personnel and Safety Director
Tony Lum, Property Maintenance Department
Frosty Peak, Project Manager
Jeff Lara, Fire Chief

Presentations and Proclamations
"America Recycles Day" proclamation

Mayor Bradway read a proclamation proclaiming "America Recycles Day" in the City of Yukon and encouraged the citizens to recycle when they can.

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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 October 17, 2006
- B) Payment of claims in the amount of \$2,392.50

Trustee Maxey made a motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of October 17, 2006, and payment of claims in the amount of \$2,392.50. Trustee

Larson seconded the motion for approval.

The vote:

AYES: Alberts, Larson, Maxey, Bradway

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 October 17, 2006
- B) Payment of salary and material claims in the amount of \$329,334.44
- C) Appointing Jack Stewart to the Traffic Commission as the Ward 4 representative to fill an unexpired term (replacing Phyllis Fanning)
- D) Authorizing the Mayor to sign an acceptance of the ODOT 2006 Highway Tree Program award in the amount of \$24,400.00
- E) Entering into an agreement for services with Yukon Sharing Ministry, Inc., in an amount not to exceed \$325.00 for the fiscal year ending 2007
- F) Entering into an agreement for services with Project Graduation in an amount not to exceed \$250.00 for the fiscal year ending 2007
- G) Declaring the fourteen (14) Self Contained Breathing Apparatus (SCBA) and thirty (30) SCBA Cylinders listed in the attached memo as surplus and authorizing the Fire Chief to dispose of same
- H) Declaring one (1) RIX Industries model SA-6 breathing air compressor as surplus and allowing the Fire Chief to offer the item for sale on E-Bay
- I) Declaring Riot Protection Masks, Riot Control Canisters, and Threaded Adapter Caps for the MSA Advantage 1000 Mask as surplus and authorizing the items to be sold at public auction, as requested by the Police Department
- J) Accepting the street construction and related improvements of the first phase of Shedeck Parkway in connection with the final plat of West End Pointe, Phase II, Section 1 and releasing the Letter of Credit
- K) Setting the date for the next regular Council meeting for Tuesday, November 21, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Larson made a motion, seconded by Council Member Maxey, to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of October 17, 2006; payment of salary and material claims in the amount of \$329,334.44; appointing Jack Stewart to the Traffic Commission as the Ward 4 representative to fill an unexpired term (replacing Phyllis Fanning); authorizing the Mayor to sign an acceptance of the ODOT 2006 Highway Tree Program award in the amount of \$24,400.00; entering into an agreement for services with Yukon Sharing Ministry, Inc., in an amount not to exceed \$325.00 for the fiscal year ending 2007; entering into an agreement for services with Project Graduation in an amount not to exceed \$250.00 for the fiscal year ending 2007; declaring the fourteen (14) Self Contained Breathing Apparatus (SCBA) and thirty (30) SCBA Cylinders listed in the attached memo as surplus and authorizing the Fire Chief to dispose of same; declaring one (1) RIX Industries model SA-6 breathing air compressor as surplus and allowing the Fire Chief to offer the item for sale on E-Bay; declaring Riot Protection Masks, Riot Control Canisters, and Threaded Adapter Caps for the MSA Advantage 1000 Mask as surplus and authorizing the items to be sold at public auction, as requested by the Police Department; accepting the street construction and related improvements of the first phase of Shedeck Parkway in connection with the final plat of West End Pointe, Phase II, Section 1 and releasing the Letter of Credit; and setting the date for the next regular Council meeting for Tuesday, November 21, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Larson, Bradway, Maxey, Alberts

NAYS: None
VOTE: 4-0
MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider approval of a rezoning application by Allan Cypert to rezone from C-3 (Restricted Commercial District) to R-1 (Single Family Residential District) for part of the SW/4 of Section 16, T12N, R5W, IM, Canadian County, Oklahoma, as recommended by the Planning Commission

Mayor Bradway made a motion to postpone items 3 and 4 indefinitely so the neighbors in this area and the developer can try to resolve their differences. The second to the motion was made by Vice Mayor Alberts.

Sherry Brant presented a petition against this development to the City Manager.

The vote:
AYES: Bradway, Alberts, Maxey, Larson
NAYS: None
VOTE: 4-0
MOTION CARRIED

4. Consider approval of the preliminary plat for Main Street Villas, as recommended by the Planning Commission

See Item 3 for action taken on this item.

5. Consider approval of a rezoning application by Salazar Roofing/Mike Salazar to rezone from A (Agriculture) to C-3 (Restricted Commercial District) a part of the SW/4 of Section 16, T12N, R5W, of the IM, Canadian County, Oklahoma

Council Member Maxey made a motion, which was seconded by Vice Mayor Alberts, to approve a rezoning application by Salazar Roofing/Mike Salazar to rezone from A (Agriculture) to C-3 (Restricted Commercial District) a part of the SW/4 of Section 16, T12N, R5W, of the IM, Canadian County, Oklahoma.

The vote:
AYES: Alberts, Larson, Bradway, Maxey
NAYS: None
VOTE: 4-0
MOTION CARRIED

6. Consider approval of a preliminary plat for Salazar First Addition, as recommended by the Planning Commission

A motion to approve the preliminary plat for Salazar First Addition, as recommended by the Planning Commission, was made by Vice Mayor Alberts. Council Member Maxey seconded the motion.

The vote:
AYES: Bradway, Maxey, Alberts, Larson
NAYS: None
VOTE: 4-0
MOTION CARRIED

7. Consider approving Resolution No. 2006-14, a resolution of the Mayor and Council of the City of Yukon approving the commitment of capital improvement funds in the amount of approximately \$209,537.44 for the purpose of providing matching funds for a 2006-07 Transportation Enhancement Program Grant by the Oklahoma Department of Transportation, should such grant be awarded to the City of Yukon, for the construction of a Safety Town Training Center to be located near the intersection of Main Street and Mustang Road; and authorizing the Mayor and City Clerk to execute any and all documents necessary to accomplish the provisions of this resolution

Council Member Maxey moved to approve Resolution No. 2006-14, a resolution of the Mayor and Council of the City of Yukon approving the commitment of capital improvement funds in the amount of approximately \$209,537.44 for the purpose of providing matching funds for a 2006-07 Transportation Enhancement Program Grant by the Oklahoma Department of Transportation, should such grant be awarded to the City of Yukon, for the construction of a Safety Town Training Center to be located near the intersection of Main Street and Mustang Road; and authorizing the Mayor and City Clerk to execute any and all documents necessary to accomplish the provisions of this resolution. Vice Mayor Alberts seconded the motion for approval.

Vice Mayor Alberts asked for an explanation of this project.

The City Manager advised that the Safety Town Program provides safety training for bike riders, vehicle drivers, etc.

Vice Mayor Alberts asked where the money will come from for the project.

The City Manager stated it would come from the General Fund budget.

Mr. Alberts asked if he meant the current year's budget.

Mr. Crosby replied "probably not" because it will take a year or so to get everything started.

Mayor Bradway asked specifically where at Mustang and Main this would be.

Mr. Crosby said it would be behind the Jackie Cooper gym.

Mr. Bradway asked if he was correct in that this is the cost of construction and then the city would be responsible for the maintenance of the site.

Mr. Crosby said that was correct.

Mr. Alberts asked if this would be a source of revenue.

The City Manager said it would not be.

The vote:

AYES: Larson, Alberts, Maxey, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. A) Consider approving Ordinance No. 1195, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 34-44 by providing an increase to the fine amount which entitles defendants in Municipal Court to a jury trial and declaring an emergency

Vice Mayor Alberts made a motion to approve Ordinance No. 1195, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 34-44 by providing an increase to the fine amount which entitles defendants in Municipal Court to a jury trial and declaring an emergency. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Bradway, Larson, Maxey, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1195

Council Member Maxey moved, with Council Member Larson seconding, the Emergency Clause of Ordinance No. 1195.

The vote:

AYES: Maxey, Larson, Alberts, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. A) Consider approving Ordinance No. 1196, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new section providing for the establishment of minimum required landscaping in commercially zoned districts; the establishment of a landscape plan; responsibility for maintenance; enforcement, and providing for penalties for violations; and declaring an emergency

A motion to approve Ordinance No. 1196, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new section providing for the establishment of minimum required landscaping in commercially zoned districts; the establishment of a landscape plan; responsibility for maintenance; enforcement, and providing for penalties for violations; and declaring an emergency, was made by Vice Mayor Alberts and seconded by Council Member Maxey.

Council Member Larson asked who will be responsible for policing this ordinance.

Jim Crosby, City Manager, said the Community Development Department will enforce this ordinance, should it be adopted.

Mr. Larson said the fines referred to are not specified and asked how you can fine someone without definite specifics.

Mr. Crosby stated the City Attorney, Mike Segler, is not here tonight to explain this. He advised this can be tabled for two weeks until Mr. Segler is in attendance if the Council desires.

Council Member Larson asked if we have any estimate of the approximate cost to be in compliance with this ordinance, and stated he felt it will be difficult to enforce.

The City Manager said this only deals with commercial properties; not residential.

Assistant City Attorney Mark Osby stated the penalty is spelled out in Item H and the fines can range from \$1 to \$750.

Vice Mayor Alberts stated he feels this will cause the overall value of property to increase due to the aesthetic value this will bring and does not feel it is cost prohibitive.

The vote:

AYES: Alberts, Bradway, Maxey

NAYS: Larson

VOTE: 3-1

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1996

Vice Mayor Alberts made the motion to approve the Emergency Clause of Ordinance No. 1996, with Council Member Maxey seconding the motion.

The vote:

AYES: Alberts, Bradway, Larson, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

10. Consider approving the specifications for a Closed Circuit Television Sewer Line Inspection Van and authorizing the Purchasing Agent to advertise for purchase of same

Council Member Maxey made the motion to approve the specifications for a Closed Circuit Television Sewer Line Inspection Van and authorized the Purchasing Agent to advertise for purchase of same. The second to the motion was made by Vice Mayor Alberts.

Council Member Larson asked if we have looked at the cost effectiveness of purchasing this item as opposed to hiring the work done.

The City Manager advised that the DEQ has said that we will do this to help with our sewer problems, rather than rent a machine.

The vote:

AYES: Larson, Maxey, Bradway, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

11. Consider setting the abatement costs for the following locations and authorizing the placing of liens against the properties with the Canadian County Clerk:

A) 311 Vickie Drive, Lot 9, Block 6, Ranchwood Heights Addition, owner Perry Jenkins, at \$276.98

B) 1101 Kingston Drive, Lot 37, Block 5, Canadian Heights 2nd Addition, owners John D. and Joan M. King, at \$1,921.78

Council Member Maxey made a motion, seconded by Vice Mayor Alberts, to set the abatement costs for the locations of 311 Vickie Drive, Lot 9, Block 6, Ranchwood Heights Addition, owner Perry Jenkins, at \$276.98, and 1101 Kingston Drive, Lot 37, Block 5, Canadian Heights 2nd Addition, owners John D. and Joan M. King, at \$1,921.78 and authorizing the placing of liens against the properties with the Canadian County Clerk.

The vote:

AYES: Bradway, Alberts, Maxey, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

12. 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
SW ¼ of the SE ¼, Section 18, T12N, R5W, Property on North side of HWY 66, across from Westport 66	Munyon	Trash, Grass, Weeds
Lot 5, Block 3, Cooperville Industrial Park replat	Alexander	Trash, Grass, Weeds
Lot 6, Block 3, Cooperville Industrial Park replat	Alexander	Trash, Grass, Weeds
920 South First	Smith	Trash, Grass, Weeds
900 Glenwood	Leavitt/Tolton	Trash, Grass, Weeds

The City Manager advised only the property at SW ¼ of the SE ¼, Section 18, T12N, R5W, property on North side of Highway 66, across from Westport 66, owned by Munyon, remained to be addressed.

Council Member Maxey made a motion, seconded by Vice Mayor Alberts, to declare the property at the SW ¼ of the SE ¼, Section 18, T12N, R5W, property on North side of Highway 66, across from Westport 66 (Munyon) as detrimental to the health, benefit and welfare of the public and community and directed staff to

take appropriate action to abate same.

The vote:

AYES: Maxey, Larson, Bradway, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

13. New Business

14. Council Discussion

Council Member Larson advised we are preparing an ordinance that will address vandalism, such as we are experiencing at the parks. He said if you hear of someone or know of someone who is vandalizing our parks, please call the City Manager. Mr. Larson asked the City Manager if we have a power washer to clean the bricks. Mr. Crosby advised we do not have.

Vice Mayor Alberts asked the acting City Attorney if a kid comes to court for vandalism if they can be assigned to do community service to clean up what they have done. Mr. Osby said they can be assigned to perform community service.

15. Adjournment

Bob Bradway, Mayor

Patricia G. Hargis, City Clerk