

Minutes



Yukon City Council Minutes November 21, 2006

The Yukon City Council met in regular session on November 21, 2006, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Fire Chief Jeff Lara.

The flag salute was given in unison.

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

OTHERS PRESENT:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Jeff Lara, Fire Chief
Mitch Hort, Community Development Director
Tim Rundel, Personnel and Safety Director
Tony Lum, Property Maintenance Department

Presentations and Proclamations

●●●
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 7, 2006

Trustee Maxey made a motion, seconded by Trustee Larson, to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 7, 2006.

The vote:

AYES: Maxey, Smaistrila, Bradway, Alberts, Larson

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 7, 2006
- B) Payment of salary and material claims in the amount of \$184,128.99
- C) Accepting DEQ Permit No. WL000009061171 for the construction of 1,937 L.F. of 8" and 2,340 L.F. of 6" water lines to serve the River Mesa, Section 1, Canadian County, Oklahoma
- D) Accepting DEQ Permit No. SL000009061172 for the construction of 2,491 L.F. of 10" and 2,089 L.F. of 8" water lines to serve the River Mesa, Section 1, Canadian County, Oklahoma
- E) Setting the date for the next regular Council meeting for Tuesday, December 5, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Council Member Smaistrila to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of November 7, 2006; payment of salary and material claims in the amount of \$184,128.99; accepting DEQ Permit No. WL000009061171 for the construction of 1,937 L.F. of 8" and 2,340 L.F. of 6" water lines to serve the River Mesa, Section 1, Canadian County, Oklahoma; accepting DEQ Permit No. SL000009061172 for the construction of 2,491 L.F. of 10" and 2,089 L.F. of 8" water lines to serve the River Mesa, Section 1, Canadian County, Oklahoma; and setting the date for the next regular Council meeting for Tuesday, December 5, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. Council Member Larson seconded the motion.

The vote:

AYES: Alberts, Maxey, Larson, Bradway, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. A) Consider approving Ordinance No. 1197, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 74-64 pertaining to the civil liability of parents for the criminal or delinquent acts of children under the age of eighteen (18) years when living with the parent; and declaring an emergency

Council Member Larson moved, with Council Member Maxey seconding, to approve Ordinance No. 1197, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new Section 74-64 pertaining to the civil liability of parents for the criminal or delinquent acts of children under the age of eighteen (18) years when living with the parent; and declaring an emergency.

Vice Mayor Alberts asked why this was limited only to the city - why couldn't it include damages done at businesses, schools.

The City Attorney advised this particular ordinance addresses only the City, but state law covers businesses and schools, etc., and that under §23-10, you can serve parents for their children's behavior and can recover up to \$2,500 from the parents. Mr. Segler said that this ordinance is written as broad as the state statute allows.

The vote:

AYES: Smaistrila, Maxey, Bradway, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1197

The motion to approve the Emergency Clause of Ordinance No. 1197 was made by Council Member Larson and seconded by Council Member Maxey.

The vote:

AYES: Larson, Bradway, Smaistrila, Alberts, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. A) Consider approving Ordinance No. 1198, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Appendix A-Zoning Ordinance, Section 603.2 Uses Permitted, by providing that the uses of body piercing and tattooing be allowed in zoning district C-6, subject to issuance of a Conditional Use Permit; and declaring an emergency

Council Member Maxey made a motion to approve Ordinance No. 1198, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Appendix A-Zoning Ordinance, Section 603.2 Uses. The second was made by Vice Mayor Alberts.

The roll call vote:

AYES: Bradway, Alberts, Smaistrila, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1198

The Emergency Clause of Ordinance No. 1198 was approved upon a motion made by Council Member Maxey and seconded by Vice Mayor Alberts.

The vote:

AYES: Maxey, Bradway, Alberts, Larson, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider awarding the Years 4 and 5 CDBG bid to Brewer Construction Company, pending final review from Triad Engineering and the Oklahoma Department of Commerce

A motion to award the Years 4 and 5 CDBG bid to Brewer Construction Company, pending final review from Triad Engineering and the Oklahoma Department of Commerce was made by Council Member Maxey. Council Member Smaistrila made the second to the motion.

The vote:

AYES: Alberts, Maxey, Smaistrila, Bradway, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approving the purchase of a 3/4 ton Chevrolet 4X4 pickup from the state purchasing contract in an amount not to exceed \$25,683

Council Member Smaistrila made a motion, with the second being made by Council Member Larson, to approve the purchase of a 3/4 ton Chevrolet 4X4 pickup from the state purchasing contract in an amount not to exceed \$25,683.

The vote:

AYES: Smaistrila, Larson, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider approving Resolution No. 2006-15, a resolution of the City Council of the City of Yukon, Oklahoma, approving an amendment to the Trust Indenture for the Oklahoma Municipal Retirement Fund to amend the provisions relating to qualified domestic relations orders

The motion to approve Resolution No. 2006-15, a resolution of the City Council of the City of Yukon, Oklahoma, approving an amendment to the Trust Indenture for the Oklahoma Municipal Retirement Fund to amend the provisions relating to qualified domestic relations orders was made by Council Member Maxey. Council Member Smaistrila seconded the motion for approval.

The vote:

AYES: Larson, Bradway, Smaistrila, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider approving Resolution No. 2006-16, a resolution authorizing the City Council of Yukon, Oklahoma, to enter into a right-of-way, public utility and encroachment agreement with the Oklahoma Department of Transportation for SAB-109B(117)BF, J/P23215(04) Construction, (05)R/W, (06)Utilities, Canadian County, State Highway 4, replacement of the bridge and approaches over an unnamed creek located 0.8 mile north of the SH-66 junction

Council Member Smaistrila moved, with Council Member Maxey seconding, the approval of Resolution No. 2006-16, a resolution authorizing the City Council of Yukon, Oklahoma, to enter into a right-of-way, public utility and encroachment agreement with the Oklahoma Department of Transportation for SAB-109B(117)BF, J/P23215(04) Construction, (05)R/W, (06)Utilities, Canadian County, State Highway 4, replacement of the bridge and approaches over an unnamed creek located 0.8 mile north of the SH-66 junction.

The vote:

AYES: Bradway, Alberts, Larson, Smaistrila, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Consider approving the 2006 Wastewater Treatment Plant Improvements specifications and authorizing the City Engineer to advertise for bids

A motion to approve the 2006 Wastewater Treatment Plant Improvements specifications and authorizing the City Engineer to advertise for bids was made by Council Member Smaistrila. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Maxey, Larson, Bradway, Alberts, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. Consider accepting the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077),J/P 20851(04), Parcel #8, Temporary Easement, and authorize payment in the amount of \$775.00 to be made to Yukon Self Storage Fund for said property

Council Member Larson made a motion, seconded by Council Member Maxey, to accept the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077),J/P 20851(04), Parcel #8, Temporary Easement, and authorize payment in the amount of \$775.00 to be made to Yukon Self Storage Fund for said property.

The vote:

AYES: Smaistrila, Bradway, Maxey, Alberts, Larson

NAYS: None

VOTE: 5-0
MOTION CARRIED

11. Consider accepting the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077)P, J/P 20851(04), Parcel #3, Permanent Easement

A motion to accept the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077)P, J/P 20851(04), Parcel #3, Permanent Easement was made by Council Member Maxey and seconded by Council Member Larson.

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

12. Consider accepting the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077), J/P 20851(04), Parcel #14, Temporary Easement

Council Member Smaistrila moved to accept the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B(077), J/P 20851(04), Parcel #14, Temporary Easement. Council Member Larson seconded the motion.

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

13. Consider approving a rezoning application by W. E. P. Land Holdings, LLC/Intervest Development, Limited Partnership, to rezone Lot 1B, Block 1, West End Pointe, Phase II, Section I, from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission

Council Member Maxey made a motion to approve a rezoning application by W. E. P. Land Holdings, LLC/Intervest Development, Limited Partnership, to rezone Lot 1B, Block 1, West End Pointe, Phase II, Section I, from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission. The second to the motion was made by Council Member Larson.

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

14. Consider approving a Conditional Use Permit (CUP) application from Salazar Roofing/Mike Salazar to have a warehouse with outside storage in C-3 (Restricted Commercial District) for 209 and 209½ East Main, as recommended by the Planning Commission

Council Member Smaistrila moved, with Council Member Maxey seconding, the approval of a Conditional Use Permit (CUP) application from Salazar Roofing/Mike Salazar to have a warehouse with outside storage in C-3 (Restricted Commercial District) for 209 and 209½ East Main, as recommended by the Planning Commission.

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

15. Consider approving the specifications for a brush pumper for the Fire Department and authorizing the Purchasing Agent to advertise for bids

The motion to approve the specifications for a brush pumper for the Fire Department and authorizing the Purchasing Agent to advertise for bids was made by Council Member Larson and seconded by Council Member Maxey.

The vote:

AYES: Bradway, Alberts, Maxey, Smaistrila, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

16. 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 the north side of Highway 66, across from Westport 66	Munyon	Nuisance Vehicle

Community Development Director Mitchell Hort presented the Council with pictures of the property showing the nuisance vehicle.

After review of the photographs, Council Member Maxey made a motion to declare the property at the SW ¼ of the SE ¼, Section 18, T12N, R5W, property on the north side of Highway 66, across from Westport 66 as detrimental to the health, benefit and welfare of the public and community and direct staff to take appropriate action to abate same. Council Member Larson seconded the motion.

The vote:

AYES: Maxey, Larson, Smaistrila, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

17. New Business

18. Council Discussion

Council Member Alberts offered his thanks to all who helped prepare the parks for the Christmas season.

Council Member Larson said he agreed with Mr. Alberts and that the parks were beautiful.

Mayor Bradway said he wanted to thank everyone for their work on the parks and wished everyone a happy Thanksgiving.

19. Adjournment

Bob Bradway, Mayor

Patricia G. Hargis, City Clerk