

# Minutes



## Yukon City Council Minutes December 19, 2006

The Yukon City Council met in regular session on December 19, 2006, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Tim Rundel, Personnel Director.

The flag salute was given in unison.

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

### OTHERS PRESENT:

Jim Crosby, City Manager  
Pat Hargis, City Clerk  
Mike Segler, City Attorney  
Robbie Williams, City Engineer  
Tammy Kretchmar, Administrative Assistant  
Jerry Reed, Public Works Director  
Jeff Lara, Fire Chief  
Sue Kilmer, Librarian  
Ike Shirley, Police Chief  
Mitch Hort, Community Development Director  
Tim Rundel, Personnel and Safety Director  
Tony Lum, Property Maintenance Department

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### Presentations and Proclamations

Mayor Bradway presented service pins for 25 years of municipal service to employees Curtis Ogle, Daran Brent Griffin, and Pat Bradley.

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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 December 5, 2006
- B) Payment to PSI, Inc. in the amount of \$248.85 for work done on the Waste Transfer Station

Trustee Smaistrla made a motion, seconded by Vice Chair Alberts, to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of December 5, 2006, and payment to PSI, Inc. in the amount of \$248.85 for work done on the Waste Transfer Station.

**The vote:**

**AYES: Bradway, Alberts, Smaistrla**

**NAYS: None**

**VOTE: 3-0**

**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, 2006

B) Payment of salary and material claims in the amount of \$367,986.06

C) Setting the date for the next regular Council meeting for Tuesday, January 2, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Council Member Smaistrla and seconded by Vice Mayor Alberts to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of December 5, 2006; payment of salary and material claims in the amount of \$367,986.06; and setting the date for the next regular Council meeting for Tuesday, January 2, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

**The vote:**

**AYES: Alberts, Bradway, Smaistrla**

**NAYS: None**

**VOTE: 3-0**

**MOTION CARRIED**

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

**3. Consider approving a revokable permit for Legacy Lakes for a proposed fence**

Vice Mayor Alberts made a motion to approve a revokable permit for Legacy Lakes for a proposed fence. Council Member Smaistrla seconded the motion.

**The vote:**

**AYES: Smaistrla, Alberts, Bradway**

**NAYS: None**

**VOTE: 3-0**

**MOTION CARRIED**

**4. Consider approving a request from Crabtree Custom Homes to vacate the north five (5) feet of the south ten (10) feet of the drainage easement on Lot 16, Block 1, Kingsway Addition, to construct a house**

Council Member Alberts made a motion to approve a request from Crabtree Custom Homes to vacate the north five (5) feet of the south ten (10) feet of the drainage easement on Lot 16, Block 1, Kingsway Addition, to construct a house. The second to the motion was made by Council Member Smaistrla.

**The vote:**

**AYES: Alberts, Smaistrla, Bradway**

**NAYS: None**

**VOTE: 3-0**  
**MOTION CARRIED**

5. Consider the 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 SW/4 of Section 16, T12N, R5W, IM, Canadian County, Oklahoma  
Vice Mayor Alberts moved the 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 SW/4 of Section 16, T12N, R5W, IM, Canadian County, Oklahoma. Council Member Smaistrla seconded the motion.

**The vote:**  
**AYES: None**  
**NAYS: Bradway, Alberts, Smaistrla**  
**VOTE: 0-3**  
**MOTION FAILED**

6. Consider the approval of a preliminary plat for Main Street Villas

Vice Mayor Alberts made a motion, seconded by Council Member Smaistrla, to approve a preliminary plat for Main Street Villas.

Mayor Bradway stated he had received a petition signed by 144 people living in this area who are against this development. Mr. Bradway said a major concern of theirs is the inadequate drainage.

Vice Mayor Alberts stated he felt the proposed plat was too dense for this area.

Alan Cypert, developer, stated he was trying to turn a field into something useful and this piece of land is currently zoned as commercial and is not viable for commercial development. Mr. Cypert stated he has met with the homeowners and felt he had satisfied most of their concerns and felt they were now in favor of the development. He stated he is just asking for the Council's approval so this can be developed.

Vice Mayor Alberts asked him what his plan was for this property.

Mr. Cypert said he was going to install the water and sewer lines and the curb and gutters, then he will sell the lots to home builders.

Mr. Alberts said that he wants to know the kind of houses that will be going in so that ten years from now, they won't all be rental properties and deteriorated. Mr. Alberts said he would like to see the covenants and restrictions.

The City Manager reminded the Council that the rezoning was denied, therefore, this is a moot point. No vote was taken on this item.

7. A) Consider approving Ordinance No. 1199, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of Lot 1, Block 1, West End Pointe Addition, Phase II, Section 1, an addition to Yukon, Canadian County, Oklahoma, be changed from "C-5" (Automotive and Commercial Recreation District) to "C-3" (Restricted Commercial District); and declaring an emergency

Vice Mayor Alberts moved to approve Ordinance No. 1199, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of Lot 1, Block 1, West End Pointe Addition, Phase II, Section 1, an addition to Yukon, Canadian County, Oklahoma, be changed from "C-5" (Automotive and Commercial Recreation District) to "C-3" (Restricted Commercial District); and declaring an emergency. The second to the motion was made by Council Member Smaistrla.

**A roll call vote was made as follows:**  
**AYES: Alberts, Smaistrla, Bradway**  
**NAYS: None**

**VOTE: 3-0**  
**MOTION CARRIED**

- B) Consider approving the Emergency Clause of Ordinance No. 1199

Vice Mayor Alberts made a motion, seconded by Council Member Smaistrla, to approve the Emergency Clause of Ordinance No. 1199.

**The vote:**  
**AYES: Smaistrla, Alberts, Bradway**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**8. Consider approving Amendment #1 to the Engineering Contract for capital improvements on N.W. 10th with Triad Design Group, Inc.**

A motion to approve Amendment #1 to the Engineering Contract for capital improvements on N.W. 10th with Triad Design Group, Inc. was made by Council Member Smaistrla and seconded by Vice Mayor Alberts.

**The vote:**  
**AYES: Alberts, Bradway, Smaistrla**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**9. Consider approving Amendment #1 to the Engineering Contract for capital improvement projects within the City of Yukon**

Council Member Smaistrla moved, with Vice Mayor Alberts seconding, the approval of Amendment #1 to the Engineering Contract for capital improvement projects within the City of Yukon.

**The vote:**  
**AYES: Smaistrla, Bradway, Alberts**  
**NAYS: None**  
**VOTE: 3-0**  
**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 #2 - Permanent Easement**

A motion to approve accepting the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B (077), J/P 20851 (04), Parcel #2 - Permanent Easement, was made by Council Member Smaistrla and seconded by Vice Mayor Alberts.

**The vote:**  
**AYES: Bradway, Smaistrla, Alberts**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**11. 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 #4 - Temporary Easement**

Council Member Smaistrla 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 #4 - Temporary Easement. Vice Mayor Alberts seconded the motion.

**The vote:**  
**AYES: Alberts, Smaistrla, Bradway**

**NAYS: None**  
**VOTE: 3-0**  
**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 #7 - Temporary Easement**

The City Manager advised this item will be pulled from the agenda for Council consideration. No action was taken.

**13. 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 #9 - Permanent Easement, and authorizing payment of \$1,450.00 be made to "Teague Investment Limited Partnership, an Oklahoma Limited Partnership" as payment for same**

Vice Mayor Alberts made a motion 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 #9 - Permanent Easement, and authorizing payment of \$1,450.00 be made to "Teague Investment Limited Partnership, an Oklahoma Limited Partnership" as payment for same. The motion's second was made by Vice Mayor Smaistrila.

**The vote:**  
**AYES: Alberts, Bradway, Smaistrila**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**14. 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 #5 - Permanent Easement; Parcel #5.1 - Temporary Easement; and Parcel #6, Temporary Easement**

A motion 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 #5 - Permanent Easement; Parcel #5.1 - Temporary Easement; and Parcel #6, Temporary Easement, was made by Vice Mayor Alberts and seconded by Council Member Smaistrila.

**The vote:**  
**AYES: Smaistrila, Bradway, Alberts**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

**15. 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>
Property on north side of Highway 66, between Sara Road and Mustang Road	Seltzer	Trash, Grass, Weeds

Community Development Director Mitchell Hort presented the Council pictures of this property. The motion to declare the property a nuisance and 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 was made by Vice Mayor Alberts. Vice Mayor Smaistrila seconded the motion.

**The vote:**  
**AYES: Bradway, Smaistrila, Alberts**  
**NAYS: None**  
**VOTE: 3-0**  
**MOTION CARRIED**

## 16. New Business

## 17. Council Discussion

- Vice Mayor Alberts stated he hopes we can work with Mr. Cypert and the homeowners so that the land can be developed.

Mr. Alberts stated the holiday lighting in the parks is beautiful and beginning to have a real impact on Yukon.

- Council Member Smaistrla said she agreed with the Vice Mayor. Ms. Smaistrla thanked all the employees for their daily work and said that we need to appreciate our city. She wished everyone a Merry Christmas and Happy New Year.
- Mayor Bradway stated the Christmas lights do look really good. Mr. Bradway thanked the voters for passing the new quarter-cent sales tax and said that we had to have a new police department and it will be better to build it right the first time instead of making additions as had been proposed.

## 18. Adjournment

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk