

Minutes



Yukon City Council Minutes March 20, 2007

The Yukon City Council met in regular session on March 20, 2007, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Bob Cunningham, pastor of Trinity Baptist Church.

The flag salute was given in unison.

ROLL CALL: (Present) Bob Bradway, Mayor
 John Alberts, Vice Mayor
 Earline Smaistrla, Council Member
 Ward Larson, Council Member
(Absent) 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
Doug Shivers, Community Enhancement Director
Jeff Lara, Fire Chief
J. R. Reed, Public Works Director
Mark Baker, Police Department
Mitch Hort, Community Development Director
Frosty Peak, Utility Maintenance Department
Tony Lum, Property Maintenance Department
Brandi Bacon, Property Maintenance Department

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Presentations and Proclamations

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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 March 6, 2007

A motion was made by Trustee Larson to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of March 6, 2007. The second to the motion was made by Trustee Smaistrla.

The vote:

AYES: Bradway, Smaistrila, Larson, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Consider approving Resolution No. YMA 2007-02, authorizing the issuance of the Yukon Municipal Authority (the "Authority") Sales Tax and Utility System Revenue Bonds, Series 2007, in an aggregate principal amount not to exceed \$8,000,000 (the "Bonds"), waiving competitive bidding and authorizing the Bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176; appointing a trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Oppenheim, a division of BOSC, Inc.; Series 2007 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon (the "City") and the Authority and agreeing that the term of the lease shall extend so long as any of the Bonds remain outstanding and unpaid; ratifying a general bond indenture; designating the Bonds as qualified tax exempt obligations with respect to the financial institution's interest deduction provisions contained in the Internal Revenue Code of 1986 (the "Code"); providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the Series 2007 supplemental bond indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds and direction of disbursements of proceeds from the sale of the bonds

A motion to approve Resolution No. YMA 2007-02, authorizing the issuance of the Yukon Municipal Authority (the "Authority") Sales Tax and Utility System Revenue Bonds, Series 2007, in an aggregate principal amount not to exceed \$8,000,000 (the "Bonds"), waiving competitive bidding and authorizing the Bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176; appointing a trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Oppenheim, a division of BOSC, Inc.; Series 2007 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon (the "City") and the Authority and agreeing that the term of the lease shall extend so long as any of the Bonds remain outstanding and unpaid; ratifying a general bond indenture; designating the Bonds as qualified tax exempt obligations with respect to the financial institution's interest deduction provisions contained in the Internal Revenue Code of 1986 (the "Code"); providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the Series 2007 supplemental bond indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds and direction of disbursements of proceeds from the sale of the bonds, was made by Trustee Larson and seconded by Trustee Smaistrila.

The vote:

AYES: Larson, Bradway, Alberts, Smaistrila

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 March 6, 2007
- B) Payment of salary and material claims in the amount of \$203,481.05
- C) Accepting Permit No. WL000009070173 for the construction of 1,191 LF of 12", 234 LF of 8", and 52 LF of 6" water lines to serve the West End Pointe Addition, Phase 2, Section 2, Canadian County, Oklahoma
- D) Accepting Permit No. SL000009070174 for the construction of 1,063 LF of 8" sewer lines to serve the West End Pointe Addition, Phase 2, Section 2, Canadian County, Oklahoma
- E) Setting the date for the next regular Council meeting for Tuesday, April 3, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Larson moved to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of March 6, 2007; payment of salary and material claims in the amount of \$203,481.05; accepting Permit No. WL000009070173 for the construction of 1,191 LF of 12", 234 LF of 8", and 52 LF of 6" water lines to serve the West End Pointe Addition, Phase 2, Section 2, Canadian County, Oklahoma; accepting Permit No. SL000009070174 for the construction of 1,063 LF of 8" sewer lines to serve the West End Pointe Addition, Phase 2, Section 2, Canadian County, Oklahoma; and setting the date for the next regular Council meeting for Tuesday, April 3, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The second was made by Council Member Smaistrila.

The vote:

AYES: Alberts, Smaistrila, Bradway, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

John Knuppel, 410 Oak, representing the Yukon Historical Society, invited everyone to attend a party celebrating the 116th birthday of the founding of Yukon on March 31st at the Yukon Museum and Arts Center.

3. Consider approving awarding the bid for a sewer camera to J&R Equipment in an amount not to exceed \$128,379.00 (to include all options except #3)

A motion to approve awarding the bid for a sewer camera to J&R Equipment in an amount not to exceed \$128,379.00 (to include all options except #3) was made by Council Member Smaistrila and seconded by Vice Mayor Alberts.

The vote:

AYES: Smaistrila, Larson, Alberts, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider approving and accepting the June 30, 2006, annual financial report

The 2006 annual financial report was accepted and approved on a motion made by Vice Mayor Alberts. Council Member Larson seconded the motion for approval.

The vote:

AYES: Larson, Alberts, Bradway, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider authorizing the Mayor to sign a letter of intent to the Oklahoma Department of Commerce to apply for Year 7 of CDBG funding

Council Member Smaistrla made a motion to authorize the Mayor to sign a letter of intent to the Oklahoma Department of Commerce to apply for Year 7 of CDBG funding, with Council Member Larson seconding the motion.

The vote:

AYES: Bradway, Alberts, Larson, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. Consider approving entering into an agreement with the Oklahoma Tax Commission for administration of the sales tax and the use tax ordinances

The motion to approve entering into an agreement with the Oklahoma Tax Commission for administration of the sales tax and the use tax ordinances was made by Council Member Smaistrla. The second to the motion was made by Council Member Larson.

The vote:

AYES: Smaistrla, Larson, Bradway, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider approving Resolution No. 2007-06, approving the incurrence of indebtedness by the Yukon Municipal Authority (The "Authority") issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, Series 2007, in the aggregate principal amount not to exceed \$8,000,000 (the "Bonds"); waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a bond purchase agreement with Oppenheim, a division of BOSC, Inc.; approving a security agreement between the City and the Authority; ratification of a 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 any of the bonds remain unpaid; designating the bonds as qualified tax-exempt obligations under the Internal Revenue Code of 1986 (the Bond Indenture); and, providing for the execution and delivery of necessary documents, certifications and modifications

Council Member Smaistrla made a motion to approve Resolution No. 2007-06, approving the incurrence of indebtedness by the Yukon Municipal Authority (The "Authority") issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, Series 2007, in the aggregate principal amount not to exceed \$8,000,000 (the "Bonds"); waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by title 60 Oklahoma Statutes, Section 176, pursuant to a bond purchase agreement with Oppenheim, a division of BOSC, Inc.; approving a security agreement between the City and the Authority; ratification of a 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 any of the bonds remain unpaid; designating the bonds as qualified tax-exempt obligations under the Internal Revenue Code of 1986 (the Bond Indenture); and, providing for the execution and delivery of necessary documents, certifications and modifications. Motion was seconded by Council Member Larson.

The vote:

AYES: Smaistrla, Bradway, Alberts, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. A) Consider approving Ordinance No. 1205, amending Sec. 2-137(B) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, Series 2007, in an aggregate principal amount not to exceed \$8,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

Ordinance No. 1205 was read in full by Mayor Bradway.

The motion to approve Ordinance No. 1205, amending Sec. 2-137(B) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, Series 2007, in an aggregate principal amount not to exceed \$8,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency was made by Council Member Smaistrila and seconded by Vice Mayor Alberts.

The vote:

AYES: Larson, Alberts, Smaistrila, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider Approving the Emergency Clause of Ordinance No. 1205

Council Member Larson moved to approve the emergency clause of Ordinance No. 1205, with Vice Mayor Alberts seconding.

The vote on the motion:

AYES: Bradway, Larson, Smaistrila, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. New Business

10. Council Discussion

11. Consider a motion to recess as Yukon City Council and convene into executive session to discuss personnel

The motion to recess as Yukon City Council and convene into executive session to discuss personnel was made by Vice Mayor Alberts. The second to the motion was made by Council Member Larson.

The vote:

AYES: Smaistrila, Alberts, Bradway, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

12. Consider a motion to adjourn from Executive Session and reconvene as the Yukon City Council

Vice Mayor Alberts moved, with Council Member Larson seconding, to adjourn from Executive Session and reconvene as the Yukon City Council.

No action was taken during Executive Session.

13. Adjournment

Bob Bradway, Mayor

Patricia G. Hargis, City Clerk