

# Minutes



**Yukon City Council  
Council Installation  
May 1, 2007 - 7:00 P.m.  
Centennial Building - 12 South Fifth Street - Yukon, Oklahoma**



**The Oath of Office will be administered to  
Council Member Elect John Tipps  
Council Member At Large  
by  
Municipal Judge George Ramey**



Municipal Judge George Ramey administered the Oath of Office to John Tipps, Council Member Elect.

Mr. Tipps introduced his family and thanked who supported him during his campaign.

Refreshments were served to those in attendance.

**Yukon City Council Minutes  
May 1, 2007**

The Yukon City Council met in regular session on May 1, 2007, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Reverend Jeff Huston.

The flag salute was given in unison.

ROLL CALL: (Present)      Bob Bradway, Council Member  
   John Alberts, Council Member  
   Earline Smaistrla, Council Member  
   Ward Larson, Council Member  
   John Tipps, 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  
Don Holyfield, Police Chief  
George Shirley, Human Resources Specialist  
Frosty Peak, Utility Maintenance Department

George Middleton, Property Maintenance Department

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Consider Motion to Elect a Mayor and Vice Mayor for a One Year Term

Council Member Larson made a motion nominating John Alberts as Mayor and Earline Smaistrla as Vice Mayor. The motion was seconded by Council Member Alberts.

**The vote:**

**AYES: Tipps, Larson, Alberts, Smaistrla, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

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Presentations and Proclamations

Mayor Alberts stated that the Community Development Department had received a proclamation from Governor Henry proclaiming May 6-12, 2007, as "Building Safety Week." The proclamation was read in full.

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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 April 17, 2007
- B) Payment of claims in the amount of \$252,747.50

A motion was made by Trustee Larson and seconded by Vice Chair Smaistrla to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of April 17, 2007, and payment of claims in the amount of \$252,747.50.

**The vote:**

**AYES: Alberts, Smaistrla, Bradway, Tipps, Larson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

#### **2A. Consider approving and entering into the First Amendment to the Tower Attachment Lease Agreement with Nextel West Corporation**

Trustee Bradway made a motion to approve and enter into the First Amendment to the Tower Attachment Lease Agreement with Nextel West Corporation. The second to the motion was moved by Vice Chair Smaistrla.

**The vote:**

**AYES: Bradway, Tipps, Larson, Alberts, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

### **3A. Consider approving and entering into the First Amendment to the PCS Site Agreement**

A motion to approve and enter into the First Amendment to the PCS Site Agreement was made by Vice Chair Smaistrla and seconded by Trustee Bradway.

**The vote:**

**AYES: Larson, Smaistrla, Alberts, Bradway, Tipps**

**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 April 17, 2007
- B) Payment of salary and material claims in the amount of \$403,332.97
- C) Denial of tort claim #23444-ME from James Posey, as recommended by the Oklahoma Municipal Assurance Group
- D) Denial of tort claim #23669-ME from Charles Leonard, as recommended by the Oklahoma Municipal Assurance Group
- E) Setting the date for the next regular Council meeting for Tuesday, May 15, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of April 17, 2007; payment of salary and material claims in the amount of \$403,332.97; denial of tort claim #23444-ME from James Posey, as recommended by the Oklahoma Municipal Assurance Group; denial of tort claim #23669-ME from Charles Leonard, as recommended by the Oklahoma Municipal Assurance Group; and setting the date for the next regular Council meeting for Tuesday, May 15, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth, was made by Council Member Larson and seconded by Vice Mayor Smaistrla.

**The vote:**

**AYES: Smaistrla, Tipps, Larson, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

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

Ms. Smaistrla advised that the dedication for the monument honoring the early Yukon settlers will be July 1 at 2 p.m.

#### **3. Consider approval of a rezoning application from James Walker, Gulf Coast Corporation, to rezone part of the SE/4 of Section 30, T12N, R5W from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission**

The motion to approve a rezoning application from James Walker, Gulf Coast Corporation, to rezone part of the SE/4 of Section 30, T12N, R5W from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission, was made by Council Member Larson. Vice Chair Smaistrla seconded the motion.

**The vote:**

**AYES: Tipps, Alberts, Larson, Smaistrla, Bradway**

**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**4. Consider approval of a rezoning application by James Posey to rezone a part of Block "C" of Yukon Park Addition from C-2 (Convenience Commercial District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission**

Council Member Bradway made a motion to approve a rezoning application by James Posey to rezone a part of Block "C" of Yukon Park Addition from C-2 (Convenience Commercial District) to C-3 (Restricted Commercial District), as recommended by the Planning Commission. The second to the motion was made by Council Member Tipps.

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

**5. Consider a rezoning application from J. A. Luper to rezone Lots 6, 7, and 8 of Block 8, Original Town of Yukon, from R-2 (Combined Residential District) to C-3 (Restricted Commercial District)**

The rezoning application from J. A. Luper to rezone Lots 6, 7, and 8 of Block 8, Original Town of Yukon, from R-2 (Combined Residential District) to C-3 (Restricted Commercial District), was made by Council Member Bradway. The motion was seconded by Council Member Larson.

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

**6. Consider a motion to approve the final plat for Salazar First Addition**

Council Member Bradway motioned, with Council Member Tipps seconding, the approval of the final plat for the Salazar First Addition.

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

**7. Consider allowing Yukon Hills Shopping Center to post a fee in the amount of \$2,000 in lieu of detention**

A motion to approve allowing Yukon Hills Shopping Center to post a fee in the amount of \$2,000 in lieu of detention was made by Vice Mayor Smaistrila. A second to the motion was made by Council Member Tipps.

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

**8. Consider entering into a Customer Master Agreement for MedEncentive Products for fiscal year 2008 and adopting Appendix A, MedEncentive Customer Agreement for the Information Therapy Program**

Council Member Bradway moved, with Vice Mayor Smaistrla seconding, a motion to enter into a Customer Master Agreement for MedEncentive Products for fiscal year 2008 and adopting Appendix A, MedEncentive Customer Agreement for the Information Therapy Program.

**The vote:**

**AYES: Tipps, Alberts, Smaistrla, Larson, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**9. Consider approval of a Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police Lodge #173 for FY 2007-08**

The Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police Lodge #173 for FY 2007-08 was approved after a motion made by Vice Mayor Smaistrla and seconded by Council Member Larson.

**The vote:**

**AYES: Bradway, Smaistrla, Larson, Alberts, Tipps**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**10. Consider approving and entering into the First Amendment to the Tower Attachment Lease Agreement with Nextel West Corporation**

Council Member Bradway moved to approve and enter into the First Amendment to the Tower Attachment Lease Agreement with Nextel West Corporation. Council Member Larson seconded the motion for approval.

**The vote:**

**AYES: Bradway, Smaistrla, Larson, Alberts, Tipps**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**11. Consider approving and entering into the First Amendment to the PCS Site Agreement**

A motion was made by Council Member Bradway, seconded by Council Member Tipps, to approve and to enter into the First Amendment to the PCS Site Agreement.

**The vote:**

**AYES: Alberts, Tipps, Bradway, Larson, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**12. Consider allowing AT&T/SBC Oklahoma to place an equipment station on an easement at Chisholm Trail Park in exchange for compensation of \$10,000**

Council Member Bradway made a motion to allow AT&T/SBC Oklahoma to place an equipment station on an easement at Chisholm Trail Park in exchange for compensation of \$10,000. The second to the motion was made by Vice Mayor Smaistrla.

**The vote:**

**AYES: Smaistrla, Larson, Tipps, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**13. Consider accepting a permanent easement from Josephine A. Dolezal as Trustee of the**

**Josephine A. Dolezal Living Trust and authorizing payment for such in the amount of \$2,600 (wastewater treatment plant project)**

Council Member Larson moved to accept a permanent easement from Josephine A. Dolezal as Trustee of the Josephine A. Dolezal Living Trust and authorizing payment for such in the amount of \$2,600 (wastewater treatment plant project). The second to the motion for approval was made by Vice Mayor Smaistrla.

**The vote:**

**AYES: Tipps, Bradway, Larson, Smaistrla, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**14. Consider a motion approving the City of Yukon's votes for the Board of Trustees of the Oklahoma Municipal Assurance Group to be cast for Cindi Shivers and Pat Hargis**

A motion to approve casting the City of Yukon's votes for the Board of Trustees of the Oklahoma Municipal Assurance Group for Cindi Shivers and Pat Hargis was made by Council Member Bradway and seconded by Vice Mayor Smaistrla.

**The vote:**

**AYES: Smaistrla, Bradway, Alberts, Larson, Tipps**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**15. Consider naming appointments of a member and an alternate member for each of the following:**

- A. ACOG Board of Directors**
- B. Intermodal Transportation Policy Committee**
- C. Garber Wellington Policy Committee**
- D. 9-1-1 Association Board of Directors**

Council Member Tipps made a motion to appoint Bob Bradway as representative and Ward Larson as alternate to the ACOG Board of Directors, Intermodal Transportation Policy Committee, Garber Wellington Policy Committee, and the 9-1-1 Association Board of Directors. Council Member Bradway seconded the motion.

**The vote:**

**AYES: Larson, Smaistrla, Tipps, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**16. Consider a public hearing to determine whether the property at 1103 South Third owned by Thomas should be declared detrimental to the health, benefit and welfare of the public and community due to trash, grass and weeds, and direct staff to take appropriate action to abate same**

Community Development Director Mitchell Hort presented pictures of the subject property. After review of the pictures, Council Member Bradway made a motion, which was seconded by Council Member Larson, to declare the property at 1103 South Third owned by Thomas should be declared detrimental to the health, benefit and welfare of the public and community due to trash, grass and weeds, and direct staff to take appropriate action to abate same.

**The vote:**

**AYES: Tipps, Bradway, Smaistrla, Alberts, Larson**

**NAYS: None**

**VOTE: 5-0**

## **MOTION CARRIED**

### **17. New Business**

### **18. Council Discussion**

Council Member Tipps thanked the citizens, staff, Council, and the City Manager for allowing him to serve on the City Council.

Council Member Bradway congratulated Mr. Tipps on his election to the City Council and also congratulated Mr. Alberts and Ms. Smaistrla for their election to the positions of Mayor and Vice Mayor. Council Member Bradway stated he appreciated all the support he received during his tenure as Mayor.

Council Member Larson stated he would like to commend Bob Bradway for an outstanding job performance as Mayor the last two years, and welcomed Mr. Alberts as the new mayor.

Vice Mayor Smaistrla thanked Council Member Bradway for his service. Ms. Smaistrla reminded everyone that the Festival of the Child would be held Saturday at the Community Center.

Mayor Alberts welcomed Council Member Tipps to the Council and thanked Mr. Bradway for serving as Mayor.

### **19. Adjournment**

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk