

Minutes



Yukon City Council Minutes November 6, 2007

The Yukon City Council met in regular session on November 6, 2007, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Vice Mayor Smaistrla.

The flag salute was given in unison.

ROLL CALL: (Present) John Alberts, Mayor
 Earline Smaistrla, Vice Mayor
 Bob Bradway, Council Member

Ward Larson, Council Member
 John Tipps, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Tammy Kretchmar, Administrative Assistant
Doug Shivers, Community Enhancement Director
J. R. Reed, Public Works Director
Jeff Lara, Fire Chief
Frosty Peak, Emergency Management Director
George Middleton, Property Maintenance Department

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Presentations and Proclamations

●●●
Visitors

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(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority)

1A. 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 16, 2007
- B) Payment of claims in the amount of \$11,851.54

Trustee Larson made a motion to approve the YMA Consent Docket, consisting of the minutes of the regular meeting of October 16, 2007, and payment of claims in the amount of \$11,851.54. The second to the motion was made by Vice Chair Smaistrla.

The vote:

AYES: Smaistrla, Bradway, Alberts, Larson, Tipps

NAYS: None

VOTE: 5-0
MOTION CARRIED

2A. Consider entering into a Uniform Water Lease Agreement between the City of Yukon and the City of Oklahoma City Airport Trust

A motion was made by Trustee Bradway, seconded by Trustee Larson, to approve entering into a Uniform Water Lease Agreement between the City of Yukon and the City of Oklahoma City Airport Trust.

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

3A. Consider entering into a tower lease option with Cricket Communications

Vice Chair Smaistrla moved, with Trustee Larson seconding the motion, to enter into a tower lease option with Cricket Communications.

The vote:
AYES: Larson, Tipps, Bradway, Smaistrla, Alberts
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 October 16, 2007
- B) Payment of salary and material claims in the amount of \$733,079.68
- C) Entering into an agreement for services with Chisholm Trail Historical Preservation Society, Inc.
- D) Setting the date for the next regular Council meeting for November 20, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Larson made a motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of October 16, 2007; payment of salary and material claims in the amount of \$733,079.68; entering into an agreement for services with Chisholm Trail Historical Preservation Society, Inc.; and setting the date for the next regular Council meeting for November 20, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The second to the motion was made by Council Member Bradway.

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

2. Report of Boards, Commissions and City Officials

3. Consider authorizing the refund of money held in escrow for Kingsway Addition traffic light

Council Member Tipps made a motion to authorize the refund of money held in escrow for Kingsway Addition for a traffic light. Vice Mayor Smaistrla seconded the motion for approval.

The vote:

AYES: Bradway, Larson, Alberts, Smaistrla, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving a revokable permit for 1313 Limestone Place to allow a swimming pool/deck on a rear 15' utility easement

Council Member Tipps made a motion, seconded by Vice Mayor Smaistrla, to approve a revokable permit for 1313 Limestone Place to allow a swimming pool/deck on a rear 15' utility easement.

Council Member Bradway asked if there are utilities in this easement. Community Development Director Mitchell Hort stated there were.

Mr. Bradway asked how difficult it would be to do repairs in this area if the homeowner built over them. Mr. Hort stated he had met with the City Attorney and they have decided not to allow this in the future; however, this location was supposed to be done sometime ago, but is just now coming to Council. Mr. Hort advised that the homeowner will have to pay for repairs done.

Mr. Bradway asked what would happen if the homeowner doesn't pay. The City Attorney said this agreement we are entering into says they must pay, but they could be taken to court if necessary.

The vote:

AYES: Smaistrla, Larson, Tipps, Alberts, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider entering into an Interlocal License Agreement by and between the City of Yukon and the Oklahoma Department of Public Safety to provide a location for a driver's license testing facility at 334 Elm in the City of Yukon

This item was pulled from the agenda. No action was taken.

6. Consider awarding the bid for the 2007 Wastewater Treatment Plant Improvement Project (clarifier) to the apparent low bidder, Wynn Construction, entering into contract with Wynn Construction for the project; and placing the construction and statutory bonds into effect

Council Member Tipps moved to award the bid for the 2007 Wastewater Treatment Plant Improvement Project (clarifier) to the apparent low bidder, Wynn Construction, entering into contract with Wynn Construction for the project; and placing the construction and statutory bonds into effect. The second to the motion was made by Vice Mayor Smaistrla.

The vote:

AYES: Larson, Bradway, Tipps, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider entering into a Uniform Water Lease Agreement between the City of Yukon and the City of Oklahoma City Airport Trust

Vice Mayor Smaistrla moved, with Council Member Bradway seconding, to enter into a Uniform Water Lease Agreement between the City of Yukon and the City of Oklahoma City Airport Trust.

The vote:

AYES: Tipps, Alberts, Larson, Smaistrla, Bradway

NAYS: None

VOTE: 5-0
MOTION CARRIED

8. Consider approving Resolution No. 2007-06 a resolution authorizing the Central Oklahoma Water Resource Authority (COWRA) to actively and timely participate in the plan and schedule for the creation of the Oklahoma Regional Water Utilities Trust pursuant to the terms of the attached "Resolution of Intent" on behalf of the City; agreeing to pay for the costs anticipated in said "Resolution of Intent" in the proportion the population of the City bears to the population of other entity members of COWRA and in accordance with the terms and conditions set forth in the attached "Resolution of Intent"; and committing funds to participation

Council Member Larson made a motion to approve Resolution No. 2007-06 a resolution authorizing the Central Oklahoma Water Resource Authority (COWRA) to actively and timely participate in the plan and schedule for the creation of the Oklahoma Regional Water Utilities Trust pursuant to the terms of the attached "Resolution of Intent" on behalf of the City; agreeing to pay for the costs anticipated in said "Resolution of Intent" in the proportion the population of the City bears to the population of other entity members of COWRA and in accordance with the terms and conditions set forth in the attached "Resolution of Intent"; and committing funds to participation. Council Member Bradway seconded the motion.

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

9. Consider entering into a tower lease option with Cricket Communications

Council Member Tipps made a motion, seconded by Vice Mayor Smaistrla, to approve entering into a tower lease option with Cricket Communications.

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

10. Consider granting an additional \$2,127 to be allocated for the installation of a new heat/air system in the Fire Department Administration Building on Highway 66

The motion to grant an additional \$2,127 to be allocated for the installation of a new heat/air system in the Fire Department Administration Building on Highway 66 was made by Vice Mayor Smaistrla and seconded by Council Member Bradway.

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

11. Consider granting an additional \$1,452.07 to be allocated for the emergency repair of a Sanitation truck

Council Member Larson motioned, with Council Member Tipps seconding, to grant an additional \$1,452.07 to be allocated for the emergency repair of a Sanitation truck.

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

12. Consider declaring all brass shell casings collected at the Police Firing Range as surplus and authorizing the Police Chief to forward the metal to Brass Buggy, Inc. to be used as a credit to the account of the City of Yukon for future purchases

Council Member Larson made a motion to declare all brass shell casings collected at the Police Firing Range as surplus and authorizing the Police Chief to forward the metal to Brass Buggy, Inc. to be used as a credit to the account of the City of Yukon for future purchase. Council Member Bradway seconded the motion.

The vote:

AYES: Tipps, Alberts, Smaistrila, Bradway, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

13. Consider waiving competitive bidding for fencing at the police firing range and authorizing Fence Pro of Oklahoma to install fencing at a cost not to exceed \$17,600

Vice Mayor Smaistrila moved to wave competitive bidding for fencing at the police firing range and authorized Fence Pro of Oklahoma to install fencing at a cost not to exceed \$17,600. Council Member Tipps seconded the motion.

The vote:

AYES: Bradway, Larson, Tipps, Alberts, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

14. Consider approving the repair of a storm sewer at 321 Novak Circle and authorizing Brewer Construction to perform the work at a cost not to exceed \$9,450

The motion to approve the repair of a storm sewer at 321 Novak Circle and authorizing Brewer Construction to perform the work at a cost not to exceed \$9,450 was made by Council Member Larson and seconded by Vice Mayor Smaistrila.

The vote:

AYES: Smaistrila, Larson, Bradway, Tipps, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

15. Consider declaring a 1997 Ford Crown Victoria, VIN 2FALP71WXVX188383, as surplus and donating the vehicle to the Police Department of the Town of Arcadia

Council Member Tipps moved, with Council Member Larson seconding, to declare a 1997 Ford Crown Victoria, VIN 2FALP71WXVX188383, as surplus and donating the vehicle to the Police Department of the Town of Arcadia.

The vote:

AYES: Alberts, Smaistrila, Tipps, Larson, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

16. A) Consider approving Ordinance No. 1212, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-11 by providing for future increases in fees for removal and disposition of solid waste; and declaring an emergency

Council Member Larson made a motion to approve Ordinance No. 1212, an ordinance which provides

amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-11 by providing for future increases in fees for removal and disposition of solid waste; and declaring an emergency. The second was made by Vice Mayor Smaistrla.

The vote:

AYES: Larson, Alberts, Bradway, Smaistrla, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1212

Council Member Larson made a motion, seconded by Vice Mayor Smaistrla, to approve the Emergency Clause of Ordinance No. 1212.

The vote:

AYES: Tipps, Larson, Smaistrla, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

17. A) Consider approving Ordinance No. 1213, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-23 by providing for an increase in fees for collection and disposition of solid waste in areas designated rural areas; and declaring an emergency

Council Member Tipps made a motion to approve Ordinance No. 1213, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 98-23 by providing for an increase in fees for collection and disposition of solid waste in areas designated rural areas; and declaring an emergency. Vice Mayor Smaistrla seconded the motion for approval.

The vote:

AYES: Bradway, Smaistrla, Tipps, Alberts, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1213

The Emergency Clause of Ordinance No. 1213 was approved on a motion made by Council Member Larson and seconded by Vice Mayor Smaistrla.

The vote:

AYES: Smaistrla, Alberts, Bradway, Larson, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

18. A) Consider approving Ordinance No. 1214, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-35 by providing a future increase in fees for use and maintenance of the sanitary sewer system; and providing for future increases, and declaring an emergency

The motion to approve Ordinance No. 1214, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-35 by providing a future increase in fees for use and maintenance of the sanitary sewer system; and providing for future increases, and declaring an emergency was made by Council Member Larson and seconded by Council Member Tipps.

The vote:

AYES: Alberts, Larson, Tipps, Bradway, Smaistrla

NAYS: None
VOTE: 5-0
MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1214

The motion to approve the Emergency Clause to Ordinance No. 1214 was made by Council Member Larson. Vice Mayor Smaistrla moved the second.

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

19. A) Consider approving Ordinance No. 1215, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-32 by adding a new subsection (D) to Section 114-32 providing for a monthly charge for each water meter connected to the utility system in addition to current fees and charges, and declaring an emergency

Council Member Larson made a motion, seconded by Vice Mayor Smaistrla, to approve Ordinance No. 1215, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-32 by adding a new subsection (D) to Section 114-32 providing for a monthly charge for each water meter connected to the utility system in addition to current fees and charges, and declaring an emergency.

Council Member Bradway asked if this is the five dollar charge. The City Manager said it was and it is to help off-set the cost of purchasing water from Oklahoma City. Mr. Bradway said it feels it should read this was on the water bills so everyone is aware what this charge is and to make the citizens aware of the extra cost we incur when purchasing water from Oklahoma City.

Mr. Crosby said this guarantees we can purchase water from Oklahoma City.

Council Member Tipps said this is just a guarantee of future water for us and it is good we can get it from Oklahoma City.

Council Member Bradway said we have tried to get water from other places and they don't want to sell their water.

Mayor Alberts said we even went to the Supreme Court and lost in our effort to buy water from southeastern Oklahoma.

Mr. Tipps asked Mr. Crosby to explain the water rates.

Mr. Crosby said we have built new water towers, pump stations, assisted Oklahoma City with another pump station, improved our water lines, and have spent millions to get water here, and we still need another water tower. Mr. Crosby said the additional money is needed to off-set our costs of buying water.

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

B) Consider approving the Emergency Clause of Ordinance No. 1215

A motion to approve the Emergency Clause of Ordinance No. 1215 was made by Council Member Bradway and seconded by Council Member Larson.

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

20. A) Consider approving Ordinance No. 1216, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-34 by providing for a future increase in fees for water service; and providing for future increases, and declaring an emergency

The motion to approve Ordinance No. 1216, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-34 by providing for a future increase in fees for water service; and providing for future increases, and declaring an emergency was made by Vice Mayor Smaistrla and seconded by Council Member Bradway.

Council Member Tipps advised this increase is for the same reason as the previous item, and said that when Oklahoma City raises their rates, we have to also.

The vote:**AYES: Smaistrla, Alberts, Bradway, Larson, Tipps****NAYS: None****VOTE: 5-0****MOTION CARRIED****B) Consider approving the Emergency Clause of Ordinance No. 1216**

Council Member Bradway moved, with Vice Mayor Smaistrla seconding, a motion to approve the Emergency Clause of Ordinance No. 1216.

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

21. Consider setting the abatement costs of the addresses as shown and placing a lien on the properties with the County Clerk

LOCATION	OWNER/MORTGAGE HOLDER	AMOUNT
2517 West Olympic Lot 13, Block 2, Parkland Heights Addition	Shelly Humphrey	\$ 179.53
1214 Kouba Drive Lot 6, Block 3, Yuhoma Addition	Jack Lena and Balerina Manley	\$457.51
1054 Raintree Mansion Lot 9, Block 6, Smoking Oaks Section 2	Cheryl K. Messer	\$652.49
4717 Elk Run Lot 12, Block 3, Von Elm East Addition	Norma Cole (deceased)	\$724.64
Westport Commerce Park, Block 3 Lots 2, 3 & 4, Block 3	Heritage Management Inc.	\$228.10
Westport Commerce Park, Block 1 Lots 4 & 5, Block 1,	Heritage Management, Inc.	\$228.10

Westport Commerce Park		
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Council Member Larson made a motion to set the abatement costs of the addresses as shown and placing a lien on the properties with the County Clerk.

The vote:

AYES: Larson, Smaistrila, Tipps, Alberts, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

22. 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
700 South First	Krone/Grauberger	Trash, Grass, Weeds
1101 Kingston Drive	Lane	Trash, Grass, Weeds
313 Cherokee	McKinney	Trash, Grass, Weeds
806 Lancaster	Hickman/Georgie	Trash, Grass, Weeds

Community Development Director Mitch Hort stated only 1101 Kingston Drive remains to be addressed. He provided pictures of the property to the City Council. After review, Council Member Bradway made a motion to declare 1101 Kingston Drive as detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same. The second to the motion was made by Council Member Larson.

The vote:

AYES: Alberts, Smaistrila, Bradway, Larson, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

23. New Business

24. Council Discussion

Council Member Bradway stated the old 11th Street bridge has been removed to make way for construction of a new one and it will take approximately 180 days for them to complete the project.

Vice Mayor Smaistrila advised the Christmas in the Park will begin at 6 PM November 17th.

Council Member Tipps asked when the signs warning of the increased fines would be posted at the railroad crossings.

Mr. Crosby stated they are on order and will be installed as soon as possible.

Mr. Tipps advised that this coming Saturday, the fire department will make runs through the community to pick up can goods for a food drive to benefit the Manna Pantry and Yukon Sharing. Mr. Tipps said if the trucks don't come down your street, donation items can be taken to the fire station.

Council Member Larson said he looks forward to the lights in the park and this year's will be bigger and better than ever.

Mayor Alberts asked what the carport ordinance is. Mr. Crosby said it says that you must have a permit before one is constructed and outlines the setbacks, permits, etc.

Mr. Alberts asked if we have a pit bull or vicious dog ordinance. Mr. Crosby said that we do, but he thinks the calls that Mr. Alberts received was where the dog that was harmed went into the pit bulls' yard.

25. Adjournment

John Alberts, Mayor

Patricia G. Hargis, City Clerk

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