

Minutes



Yukon City Council Minutes October 6, 2008

The Yukon City Council met in regular session on October 6, 2008, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by John Alberts, Park Board representative.

The colors were presented by the Skyview Elementary Cub Scouts, and the flag salute was given in unison.

ROLL CALL: (Present) Ward Larson, Mayor
 Bob Bradway, Vice Mayor
 John Tipps, Council Member
 Earline Smaistrla, 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, City Manager's Office
Gary Cooper, IT Director
Mitchell Hort, Community Development Director
Matt Maley, Water Distribution Director
Doug Shivers, Personnel Director
Jeff Lara, Fire Chief
Gary Wieczorek, Police Chief

Presentations and Proclamations
"Fire Prevention Week"

Mayor Larson read the "Fire Prevention Week" proclamation in full and presented it to Fire Chief Jeff Lara and several of the firefighters.

●●● Visitors

Park Board representative John Alberts appeared before the Council to thank them for his appointment to the board. He stated he wanted to give the Council more information regarding the parks and what is going on with the infrastructure, etc. Mr. Alberts showed a sample of the rubber base path that is going to be put down at the Spirit League baseball field. This type path will make it easier to maneuver the wheel chairs that some of the participants use. Mr. Alberts said this field is being developed at Taylor Park and is for special needs children. He advised that the Park Board is going to be asking the Council to budget funds for improvements at this park, as well as including it in the five year plan. Mr. Alberts said that when it rains, you cannot get to the park due to the roads being flooded. In addition to road work, the park also needs restrooms. Mr. Alberts said the Park Board would like to have input from the Council.

(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 an 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 September 16, 2008
- B) Payment of claims in the amount of \$336,941.93

Trustee Smaistrila made a motion, seconded by Trustee Tipps, to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of September 16, 2008, and payment of claims in the amount of \$336,941.93.

The vote:

AYES: Smaistrila, Larson, Tipps, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Consider approving Resolution No. YMA 2008-03, a resolution authorizing the issuance of the Yukon Municipal Authority 2008A Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$2,000,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid

Vice Chair Bradway moved to approve Resolution YMA2008-03, a resolution of the City of Yukon, Oklahoma, authorizing the issuance of the Yukon Municipal Authority 2008A Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$2,000,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid. The second to the motion was made by Trustee Tipps.

The vote:

AYES: Tipps, Smaistrila, Bradway, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

(Adjourn 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 an 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 September 16, 2008
- B) Payment of salary and material claims in the amount of \$860,672.46
- C) Denying tort claim No. 26549-MP from Jim Crossen, as recommended by the Oklahoma Municipal Assurance Group
- D) Entering into an agreement for services with the Oklahoma Czechs, Inc.
- E) Naming Ward Larson as the official representative to ACOG and Bob Bradway as the alternate representative
- F) Setting the date for the next regular Council meeting for October 21, 2008, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street

Council Member Tipps made the motion, seconded by Council Member Smaistrila, to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of September 16, 2008; payment of salary and material claims in the amount of \$860,672.46; denying tort claim No. 26549-MP from Jim Crossen, as recommended by the Oklahoma Municipal Assurance Group; entering into an agreement for services with the Oklahoma Czechs, Inc.; naming Ward Larson as the official representative to ACOG and Bob Bradway as the alternate representative, and setting the date for the next regular Council meeting for October 21, 2008, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street.

The vote:

AYES: Smaistrila, Bradway, Larson, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Park and Recreation Director Jan Scott reported on the upcoming Halloween activities. Ms. Scott said we would be hosting Spookville, a Mummy and Son masquerade party for mothers and sons, and a Spooky Senior Social. She encouraged everyone to take advantage of these fun activities for all ages.

3. Consider authorizing the payment of a claim in the amount of \$731.32 from Jim Crossen, whose vehicle was damaged by an inmate using a weed-eater (claim was denied by the City's insurance carrier, per the Governmental Tort Claims Act §155.1)

Council Member Smaistrila made a motion to pay a claim in the amount of \$731.32 from Jim Crossen, whose vehicle was damaged by an inmate using a weed-eater (claim was denied by the City's insurance carrier, per the Governmental Tort Claims Act §155.1). The second to the motion was made by Mayor Larson.

The vote:

AYES: Bradway, Larson, Tipps, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider approving a Revokable Permit for The Arrangement to allow for a proposed new 3' x 6' sign to be located in the same location as an existing bracket on the south face of the building adjacent to West Main Street, as recommended by the Planning Commission

A Revokable Permit for The Arrangement to allow for a proposed new 3' x 6' sign to be located in the same location as an existing bracket on the south face of the building adjacent to West Main Street, as recommended by the Planning Commission was approved upon a motion made by Council Member Tipps and seconded by Vice Mayor Bradway.

The vote:

AYES: Larson, Bradway, Smaistrila, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider approving the recommendation of the Planning Commission to allow the addition of parking spaces to the Red Rock PUD

Council Member Smaistrila made a motion to approve the recommendation of the Planning Commission to allow the addition of parking spaces to the Red Rock PUD. Council Member Tipps seconded the motion.

The vote:

AYES: Smaistrila, Tipps, Bradway, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. Consider acceptance of the River Mesa Paving, Drainage, Water and Sanitary Sewer project and placing maintenance bonds into effect

Vice Mayor Bradway made a motion, seconded by Council Member Smaistrila, to approve the acceptance of the River Mesa Paving, Drainage, Water and Sanitary Sewer project and placing maintenance bonds into effect.

Randy Copeland, 800 East Wagner Road, said he is still experiencing flooding at his home and he is concerned that River Mesa is contributing to that problem. Mr. Copeland said he wanted his concern for this flooding problem to be "on record."

The vote:

AYES: Bradway, Smaistrila, Larson, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider accepting a \$71,148 check from Wagner Lake Development Company, LLC, in lieu of half-street paving for East Wagner Road along the frontage of Wagner Lake Estates Development

Mayor Bradway moved, with Council Member Smaistrila seconding, a motion to accept a \$71,148 check from Wagner Lake Development Company, LLC, in lieu of half-street paving for East Wagner Road along the frontage of Wagner Lake Estates Development.

The vote:

AYES: Tipps, Smaistrila, Larson, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. Consider approving the relocation agreement proposal for ODOT Project No. STPY-109B(077) 20851(040) at an estimated cost of \$200,833.64 (DCP gas line on Mustang Road)

The motion to approve the relocation agreement proposal for ODOT Project No. STPY-109B(077) 20851(040) at an estimated cost of \$200,833.64 (DCP gas line on Mustang Road), was approved after a motion was made by Vice Mayor Bradway and seconded by Council Member Tipps.

The vote:

AYES: Bradway, Tipps, Larson, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. Consider approving Resolution No. 2008-15, a resolution programming Surface Transportation Program Urbanized Area (STP-UZA) Project (Mustang Road from Highway 66 to Wagner Road)

Vice Mayor Bradway made a motion, seconded by Council Member Tipps, to approve Resolution No. 2008-15, a resolution programming Surface Transportation Program Urbanized Area (STP-UZA) Project (Mustang Road from Highway 66 to Wagner Road).

The vote:

AYES: Bradway, Tipps, Smaistrla, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

10. Consider entering into a service agreement with Connect-CTY at an annual cost of \$20,133 for an emergency notification system

Council Member Smaistrla moved to enter into a service agreement with Connect-CTY at an annual cost of \$20,133 for an emergency notification system. The motion was seconded by Council Member Tipps.

The vote:

AYES: Larson, Tipps, Smaistrla, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

11. Consider approving Resolution No. 2008-14, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2008A Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$2,000,000; waiving competitive bidding, and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend to long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note

Council Member Tipps made a motion, with Council Member Smaistrla seconding, to approve to approve Resolution No. 2008-14, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2008A Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$2,000,000; waiving competitive bidding, and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend to long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note.

The vote:

AYES: Tipps, Larson, Bradway, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

12. A) Consider approving Ordinance No. 1231, an ordinance 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 2008A Revenue Note in an aggregate principal amount not to exceed \$2,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and

declaring an emergency

The motion to approve Ordinance No. 1231, an ordinance 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 2008A Revenue Note in an aggregate principal amount not to exceed \$2,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency, was made by Council Member Smaistrla. Council Member Tipps seconded the motion for approval.

The vote:

AYES: Smaistrla, Bradway, Larson, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1231

Council Member Tipps moved the Emergency, with Council Member Smaistrla seconding.

The vote:

AYES: Bradway, Smaistrla, Tipps, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

13. Consider declaring the items on the attached lists from the Library, Public Works Department and the Jackie Cooper Gym as surplus and authorize their sale

Council Member Smaistrla made a motion, seconded by Vice Mayor Bradway, to declare the items on the attached lists from the Library, Public Works Department and the Jackie Cooper Gym as surplus and authorize their sale.

The vote:

AYES: Larson, Tipps, Smaistrla, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

14. Consider approving an amendment to the New World Systems contract (CAD) in an amount not to exceed \$2,660.00

Council Member Tipps moved to approve an amendment to the New World Systems contract (CAD) in an amount not to exceed \$2,660.00. The second was made by Council Member Smaistrla.

The vote:

AYES: Tipps, Larson, Bradway, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

15. Consider authorizing the Oklahoma Municipal Assurance Group to refund the City's unused portion of the 2004-06 Loss Fund in the amount of \$25,643.41 to the City of Yukon

Council Member Tipps made the motion to authorize the Oklahoma Municipal Assurance Group to refund the City's unused portion of the 2004-06 Loss Fund in the amount of \$25,643.41 to the City of Yukon. Vice Mayor Bradway seconded the motion.

The vote:

AYES: Smaistrla, Bradway, Larson, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

16. Consider appointing Jim Crosby as the Administrator of the Identify Theft Prevention Program and authorizing him to appointment members to an Oversight Committee to develop, implement and comply with the program requirements as mandated by the Federal Trade Commission, Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transaction Act of 2003

Vice Mayor Bradway made a motion to appoint Jim Crosby as the Administrator of the Identify Theft Prevention Program and authorizing him to appointment members to an Oversight Committee to develop, implement and comply with the program requirements as mandated by the Federal Trade Commission, Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transaction Act of 2003. Council Member Smaistrila seconded the motion.

The vote:

AYES: Bradway, Tipps, Smaistrila, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

17. Consider setting the cost of abating the properties and placing a lien against the property in such amount with the County Clerk and County Treasurer

LOCATION	OWNER	COST OF ABATEMENT
601 West Cherry Lot 17, Block 3, Canadian Heights Addition	James B., Jr. & Lisa Howerton	\$548.57
106 North 11 th Street Party of Block 12, Town of Yukon, Canadian County	Federal National Mortgage Association	\$455.51
1806 Ronald Lot 8, Block 1, McKinney Heights, 3 rd Addition	Denison Paul Smith	\$1,672.16
136 Sequoia Park Lot 7, block 4, Parkland Heights Addition	Kevin Clark	\$285.03
353 Chickasaw Lane Lot 28, Block 2, Skyview 2 nd Addition	Shawn T. & Aimee Rundel	\$246.74
515 Mark Lot 11, Block 18, Ranchwood Hills 4 th Addition	Ralph and J. Thomas	\$215.52
917 Mabel Fry Lot 49, Block 3, Skyview Addition	Benjamin Awopeju	\$517.51
701 South Second Lot 12, Block 2, Chase Sub of Block 2	Casey Hill and Brandi Shaw	\$407.99
120 West Vail Lot 32, Block 3, Parkland Addition	James and Janie Mullins	\$846.40
136 Sequoia Park Lot 7, Block 4, Parkland Heights Addition	Kevin Clark	\$313.70
917 Mabel Fry Lot 49, Block 3, Skyview Addition	Benjamin Awopeju	\$467.70

Vice Mayor Bradway made a motion, with Council Member Tipps seconding, to set the cost of abating the properties as shown and placing a lien against the property in such amount with the County Clerk and County Treasurer.

The vote:

AYES: Larson, Tipps, Smaistrla, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

18. 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
1033 Walsh Lane	Stevens/JP Morgan Chase	Trash, Grass, Weeds
1902 Cornwell	Brinson	Trash, Grass, Weeds
1902 Cornwell	Brinson	Nuisance Vehicle
132 East Mesa Verde	Catlett	Swimming Pool
502 Vickie Drive	Taylor/Taylor	Trash, Grass, Weeds
306 Choctaw Place	Richards	Trash, Grass, Weeds
1809 Greenway Court	Isbell/Wells Fargo Bank	Trash, Grass, Weeds
4817 Elk Run	Gray	Trash, Grass, Weeds
936 Dover Mansion	Hayes/Staton	Trash, Grass, Weeds
809 Kouba	Devoll/Devoll	Trash, Grass, Weeds
1009 Preston Park	Westchester Homes/CopperMark Bank	Trash, Grass, Weeds
913 Erinova	Estchester Homes/CopperMark Bank	Trash, Grass, Weeds
303 North Ranchwood	Morgan	Trash, Grass, Weeds
303 North Ranchwood	Morgan	Nuisance Vehicle
1014 Arlington	Schultz	Trash, Grass, Weeds
1020 Garden Grove	Briggs/Countrywide	Trash, Grass, Weeds
913 Brookhurst	Seawright	Trash, Grass, Weeds
913 Brookhurst	Seaswright	Nuisance Vehicle
349 East Platt	Chambers	Trash, Grass, Weeds

This item was not heard due to the fact that the letters advising the property owners of the nuisance(s) had an incorrect date.

19. New Business

20. Council Discussion

Mayor Larson advised that he had met the four officers from Germany that are observing our department. He also stated the Czech Festival was a great day and commended the Police Chief for having better crowd control that we did last year.

21. Consider recessing as Yukon City Council and convening into Executive Session to discuss the Operational Audit and Analysis of the Yukon Fire Department

Vice Mayor Bradway made a motion, seconded by Council Member Smaistrla, to convene into Executive Session to discuss the Operational Audit and Analysis of the Yukon Fire Department.

The vote:

AYES: Tipps, Bradway, Smaistrla, Larson

NAYS: None

VOTE: 4-0

MOTION CARRIED

22. Consider adjourning from Executive Session and reconvening as Yukon City Council

Vice Mayor Bradway moved, with Council Member Tipps seconding, to adjourn from Executive Session and reconvene as Yukon City Council. Mayor Larson advised that no action was taken during the Executive Session.

The vote:

AYES: Bradway, Tipps, Larson, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

23. Adjournment

Ward Larson, Mayor

Patricia G. Hargis, City Clerk