

## Minutes



### Yukon City Council Minutes July 7, 2009

The Yukon City Council met in regular session on June 16, 2009, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Sherman Huff, Spanish Cove.  
The flag salute was given in unison.

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

OTHERS PRESENT:  
Jim Crosby, City Manager  
Doug Shivers, City Clerk  
Mike Segler, City Attorney  
Robbie Williams, City Engineer  
Frosty Peak, Emergency Management Director  
Mitchell Hort, Community Development Director  
Tammy Kretchmar, Assistant to the City Manager  
Gary Cooper, Information Technology Director  
Matt Maley, Water Distribution Director  
Gary Wiczorek, Public Safety Director  
George Shirley, Personnel Department

Public Hearing to Receive Input from the Public Regarding the 2009 CDBG Project

There was no one present who wished to provide input regarding the 2009 CDBG Project.

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Presentations and Proclamations  
•••  
Visitors  
•••

(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 June 16, 2009  
B) Claims payments in the amount of \$16,968.04

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of June 16, 2009 and payment of claims in the amount of \$16,968.04, was made by Trustee Larson and seconded by Trustee Tipps.

**The vote:**  
**AYES: Maxey, Smaistrila, Tipps, Bradway, Larson**  
**NAYS: None**  
**VOTE: 5-0**  
**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 June 16, 2009  
B) Payment of material claims in the amount of \$641,133.08  
C) Extending the term of the Agreement between the City of Yukon and Clearwater Enterprises, L.L.C., for the purchase and sale of natural gas until March 31, 2011  
D) Entering into an Agreement for Services with Yukon Sharing Ministry, Inc., for the term July 1, 2009 until June 30, 2010, in an amount not to exceed \$325.00  
E) Approval of a Conditional Use Permit for Joan E. Burris Revocable Trust as recommended by the Yukon Planning Commission  
F) Accept the resignation of Jana Converse from the Yukon Library Board effective June 30, 2009, and appoint Joyce Roman to the vacant seat  
G) Accept the re-appointment of David Goodwin to the Spanish Cove Housing Authority Office #2 as recommended by the Nominating Committee  
H) Accept the retirement of Pat Hargis, and accept the appointment of Doug Shivers as City Clerk, and Kelli C. Hort aka Kristi Hort as City Treasurer  
I) Accept the donation of land near Frisco Road and Hwy 66 from OKC Properties LLC for the purpose of a water tower storage facility, and provide a letter to OKC Properties LLC acknowledging the donation at the time of deed transfer  
J) Setting the date for the next regular Council meeting for July 21, 2009, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street

Properties LLC acknowledging the donation at the time of deed transfer

Council Member Smaistrila moved, with Council Member Tipps seconding, the approval of the Consent Docket, consisting of the approval of the minutes of the regular meeting of June 16, 2009; material claims in the amount of \$641,133.08; extending the term of the Agreement between the City of Yukon and Clearwater Enterprises, L.L.C., for the purchase and sale of natural gas until March 31, 2011; entering into an Agreement for Services with Yukon Sharing Ministry, Inc., for the term July 1, 2009 until June 30, 2010, in an amount not to exceed \$325.00; approval of a Conditional Use Permit for Joan E. Burris Revocable Trust as recommended by the Yukon Planning Commission; accepting the resignation of Jana Converse from the Yukon Library Board effective June 30, 2009, and appointing Joyce Roman to the vacant seat; accepting the re-appointment of David Goodwin to the Spanish Cove Housing Authority Office #2 as recommended by the Nominating Committee; accepting the retirement of Pat Hargis, and accepting the appointment of Doug Shivers as City Clerk, and Kelli C. Hort aka Kristi Hort as City Treasurer; accepting the donation of land near Frisco Road and Hwy 66 from OKC Properties LLC for the purpose of a water tower storage facility, and providing a letter to OKC Properties LLC acknowledging the donation at the time of deed transfer; and setting the date for the next regular Council meeting for July 21, 2009, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street.

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

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

#### 3. Consider approving a Conditional Use Permit for construction of a temporary concrete batch plant on the NE corner of Main Street and SH 4, by Duit Construction

Council Member Tipps moved for, and Council Member Larson seconded, approving a Conditional Use Permit for construction of a temporary concrete batch plant on the NE corner of Main Street and SH 4, by Duit Construction.

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

**4. Consider approving the Citizen Participation Plan for the 2009 CDBG Application**

Council Member Maxey moved for, and Council Member Smaistrila seconded, approving the Citizen Participation Plan for the 2009 CDBG Application.

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

**5. Consider approving the Statement of Needs for the 2009 CDBG Application**

Council Member Maxey moved for, and Council Member Tipps seconded, approving the Statement of Needs for the 2009 CDBG Application.

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

**6. Consider approving Resolution 2009 - 05, a resolution allocating \$66, 047.00 in matching funds for the 2009 CDBG project for installation and repair of infrastructure**

Council Member Larson moved for, and Council Member Maxey seconded, approving CDBG Resolution 2009 - 05, a resolution allocating \$66, 047.00 in matching funds for the 2009 CDBG project for installation and repair of infrastructure.

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

**7. Consider approving Resolution 2009 - 06, a resolution accepting the 2009 CDBG application with the Oklahoma Department of Commerce and accepting matching funds for \$66, 047.00 for the "Small Cities Community Development Block Grant" program**

Council Member Larson moved for, and Council Member Maxey seconded, approving CDBG Resolution 2009 - 06, a resolution accepting the 2009 CDBG application with the Oklahoma Department of Commerce and accepting matching funds for \$66, 047.00 for the "Small Cities Community Development Block Grant" program.

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

**8. A) Consider approving Ordinance No. 1242, an ordinance amending §110-278 of the Code of Ordinances, for the City of Yukon, Oklahoma, providing for expanding the causes for which members of the Police Department may remove vehicles from a street, highway, private property or public property; setting forth the procedure for impoundment; providing for assessment of an impound fee in certain instances; authorizing the Chief of Police to adopt rules and regulations consistent with this section, and declaring an emergency**

Council Member Larson moved for, and Council Member Tipps seconded, approving Ordinance No. 1242, an ordinance amending §110-278 of the Code of Ordinances, for the City of Yukon, Oklahoma, providing for expanding the causes for which members of the Police Department may remove vehicles from a street, highway, private property or public property; setting forth the procedure for impoundment; providing for assessment of an impound fee in certain instances; authorizing the Chief of Police to adopt rules and regulations consistent with this section, and declaring an emergency.

**B) Consider approving the Emergency Clause of Ordinance No. 1242**

Council Member Larson moved for, and Council Member Smaistrila seconded, approving the Emergency Clause of Ordinance No. 1242

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

**9. A) Consider approving Ordinance No. 1243, an Amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 98-3 to provide for private hauling of solid waste generated by commercial and other miscellaneous establishments; providing a fee in lieu of collection charges; and declaring an emergency**

Council Member Maxey moved for, and Council Member Tipps seconded, approving Ordinance No. 1243, an Amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 98-3 to provide for private hauling of solid waste generated by commercial and other miscellaneous establishments; providing a fee in lieu of collection charges; and declaring an emergency.

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

**B) Consider approving the Emergency Clause of Ordinance No. 1243**

Council Member Maxey moved for, and Council Member Smaistrila seconded, approving the Emergency Clause of Ordinance No. 1243

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

**10. Consider approving Resolution No 2009-07,a Resolution of the City of Yukon, Oklahoma authorizing entering into an Interlocal Cooperative Agreement for Municipal Court Jurisdiction concerning juveniles**

Council Member Maxey moved for, and Council Member Smaistrila seconded, approving Resolution No 2009-07,a Resolution of the City of Yukon, Oklahoma authorizing entering into an Interlocal Cooperative Agreement for Municipal Court Jurisdiction concerning juveniles.

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

**11. Consider approving the First Amendment to Economic Development Agreement between the City of Yukon and Wanamaker Yukon, LC**

Council Member Maxey moved for, and Council Member Tipps seconded, approving the First Amendment to Economic Development Agreement between the City of Yukon and Wanamaker Yukon, LC

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

**12. Consider Approval of a Final Plat for Discovery Church Addition as recommended by the Yukon Planning Commission**

Council Member Smaistrila moved for, and Council Member Larson seconded, approval of a Final Plat for Discovery Church Addition as recommended by the Yukon Planning Commission

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

**13. 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
205 S. 2 <sup>nd</sup>	Burnham/Countrywide	Trash, Grass, Weeds
219 Maple	Bartodej	Trash, Grass, Weeds
1029 Linn Lane	Case	Trash, Grass, Weeds, Swimming Pool
609 Winding Creek	Riggs	Trash, Grass, Weeds
901 Glenwood	Carel/Oberlander	Trash, Grass, Weeds
417 S. 8 <sup>th</sup> Street Drive	Nanney/Nanney	Trash, Grass, Weeds
921 Mabel Fry	Carter/Jackson	Trash, Grass, Weeds
103 Pine	Johns	Trash, Grass, Weeds
Westport Commerce Park, Lots # & 4, block 3	Heritage management	Trash, Grass, Weeds
Westport Commerce Park, Lots 4 & 5, Block 1	Heritage management	Trash, Grass, Weeds

Community Development Director Mitch Hort advised the Council that the addresses remaining to be considered were: 205 S. 2nd; 417 S. 8th St., Drive; 901 Glenwood; 103 Pine; Westport Commerce Park, Lots 3 & 4, Blk 3; and Westport Commerce Park, Lots 4 & 5, Blk 1. Mr. Hort presented pictures of these properties for the Council's review.

Council Member Tipps made a motion to allow the owner of 417 S. 8th a 30-day extension to resolve the problem. This motion was seconded by Council Member Smaistrila.

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

A motion was then made by Council Member Larson, seconded by Council Member Smaistrila, to declare the properties at 205 S. 2nd; 901 Glenwood; 103 Pine; Westport Commerce Park, Lots 3 & 4, Blk 3; and Westport Commerce Park, Lots 4 & 5, Blk 1 as detrimental to the health, benefit and welfare of the public and community and directed staff to abate same.

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

**14. Consider setting abatement costs for the properties listed and filing liens with the County Clerk and County Treasurer for same**

LOCATION	OWNER	ABATEMENT COST
109 North 2 <sup>nd</sup> Street South 55 ft. of Lots 1 through 4, block 21, Original Town of Yukon	Noah & Jennifer Mounce/Chase Home Finance	\$ 445.42
211 E. Cherry Lot Lot 9, block 12, Yukon Hills Addition	Heidi R. Honeyfield	\$ 349.43
309 Willow Place Lot 19, Block 7, Yuhoma Addition	Jeff & Leah Koontz / Everbank	\$ 434.83
515 Mark Lot 11, Block 18, Ranchwood Hills 4 <sup>th</sup> Addition	Ralph & J. Thomas	\$ 379.12
1401 Von Elm Place Lot 13, Block 8, Von Elm East Section 2 Addition	Richard T. Johnson / JP Morgan Chase	\$ 270.05
1806 Ronald Lot 8, Block 1 McKinney Heights 3 <sup>rd</sup> Addition	Dennison Paul Smith	\$ 370.33

Council Member Larson moved for, and Council Member Tipps seconded, setting abatement costs for the properties listed and filing liens with the County Clerk and County Treasurer for same.

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

**15. New Business**

There was no New Business.

**16. Council Discussion**

Council Member Larson announced that he was hosting a cookout in his backyard for residents of the Parkland I & II neighborhoods, for the purpose of generating interest in the Neighbor Watch programs in these areas. He asked for anyone attending to bring a side dish and their own drinks, and stated he would be providing the hamburgers and hot dogs. He also offered \$10 to any enterprising youngster who might like to distribute the remaining 125 flyers advertising this event. He then noted that Director Wiczorek, Klare Ly and 2 officers have been involved in this program,

and that it has been very beneficial to the neighborhood, and urged residents to participate.

Council Member Tipps commended Mr. Larson on his efforts and support of Director Wieczorek and staff. He also complimented and thanked city staff for working through the Saturday storm to deliver the fireworks as promised to the citizens.

Council Member Smaistrla echoed Council Member Tipps' comments and noted that her family enjoyed the fireworks very much. She stated she was not surprised that the city staff was looking out for the citizens' best interest, because staff is very proactive. She also thanked Jim Crosby and Jerry Reed for their efforts on July 4.

Council Member Maxey thanked the city employees and noted he had a great time at July 4.

Mayor Bradway noted that the storm broke the heat wave and that he enjoyed the celebration.

**17. Adjournment**

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Bob Bradway, Mayor

\_\_\_\_\_  
Douglas A. Shivers, City Clerk