

Minutes



Minutes of December 14, 1959

The City Council of the City of Yukon, Canadian County, State of Oklahoma, met in adjourned session called by the Mayor in the Council Room of the City Hall of said City of Yukon, Oklahoma, on the 14th day of December, 1959, at 5:30 P.M.

PRESENT:

Councilmen Frank, Seikel, Turner and Mayor Belisle.

ABSENT: Councilman Greene.

Because the meeting was an adjourned session, the Council, by unanimous agreement, waived all right of notice.

Mayor Belisle presented Resolution No. 203 and advised the Council that approval of this resolution, in the opinion of the City's attorney, would not violate the restraining order of the District Court. Mayor Belisle then read the following resolution:

RESOLUTION NO. 203

Whereas, Resolution No. 202 was adopted and approved by the City Council of Yukon, December 3, 1959, and the Council now wishes to adopt certain amendments thereto, effective as of December 3, 1959;

Now, therefore, it is hereby resolved, by the City of Yukon and its Council, that:

1. Resolution No. 202 be, and the same is, hereby amended by the inclusion therein of the provisions hereinafter set forth and, as amended by said Resolution No. 202, is fully effective from the date of its adoption and approval on December 3, 1959.

2. The acquisition of the electrical distribution system belonging to the Yukon Electric Company and now in the process of transfer to Oklahoma Gas and Electric Company, an Oklahoma corporation, is essential to the present and future welfare, convenience, necessity, health and safety of the City of Yukon and its citizens.

3. In the franchise originally granted Yukon Electric Company, after a vote of the people, held on October 20, 1953, the City of Yukon, then the Town of Yukon, reserved the right to terminate said franchise in the manner provided by the Constitution and the Statutes of the State of Oklahoma. The City Council did, by Resolution No. 202, effectively terminate the franchise and give notice of its action to both Yukon Electric Company and Oklahoma Gas and Electric Company, in voting, by registered mail on December 3, 1959. The acts of the Council and the Mayor, in terminating the franchise and giving notice of such termination, are hereby adopted, ratified and approved, and the said franchise is formally and officially terminated, as of December 3, 1959.

4. The attorneys for the City are instructed to resist the action instituted by Yukon Electric Company, a corporation, against the City of Yukon and the individual members of the City Council, Cause No. 18, 294, in the District Court of Canadian County, Oklahoma, and to obtain a dissolution of the temporary restraining order issued by the Judge of said

District Court.

5. The City of Yukon, through its officers and attorneys, made every possible effort to negotiate with Yukon Electric Company and Oklahoma Gas and Electric Company for the purchase of the electrical facilities owned by Yukon Electric Company and under contract of sale to Oklahoma Gas and Electric Company. The negotiations have been of no avail and no kind of counter proposals have been made by either of said companies to the initial offer of the City within the time authorized. All the acts of the Mayor and attorneys in negotiating for the interest of Oklahoma Gas and Electric Company in the electrical distribution facilities are hereby adopted, ratified and approved.

6. Due to the failure of a meeting of the minds between the parties and the failure of any cooperation on the part of Yukon Electric Company and/or Oklahoma Gas and Electric Company to participate further in negotiations, the Mayor and the attorneys for the City are instructed and directed, after dissolution of the restraining order, to proceed with the filing of an action in the District Court of Canadian County to legally terminate the franchise aforementioned and to acquire the electrical distribution system of Yukon Electric Company by eminent domain and condemnation proceedings and to acquire by such proceedings all or any interest, right or equity which may be claimed or asserted by Oklahoma Gas and Electric Company, all in one proceeding, if possible.

Adopted and approved this 14th day of December, 1959.

Attest:

Mayor

City Clerk