

# Minutes



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## MINUTES CTTY COUNCIL AND YUKON MUNICIPAL AUTHORITY September 15, 1998

The Yukon City Council met in regular session on September 15, 1998, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by George Bigley, Chaplain of the Police and Fire Departments.

Flag salute was given in unison.

ROLL CALL: (Present)     Larry Taylor, Mayor  
                                   Denny Myers, Vice Mayor  
                                   DeWayne Maxey, Council Member  
                                   Genie Vinson, Council Member  
                                   Steve Friesen, Council Member

### OTHERS PRESENT:

Jim Crosby, City Manager  
Mary Huckaba, City Clerk  
Mike Segler, City Attorney  
Joe Davis, Engineer  
Lynn Hynes, Engineer  
Dustin McElhaney, Building Maintenance  
David Chesher, Community Enhancement Director  
Dwyane Whitener, Public Works Director  
Susie Patton, Park/Community Development Director  
Ike Shirley, Police Chief  
Lisa Key, Park Board Representative  
Brandi Richardson, Park Board Member  
John Knuppel, Historical Society

### VISITORS

### PRESENTATIONS-PROCLAMATIONS

Proclamation proclaiming October 5-11, 1998 as "Compassionate Hands Week" in the City of Yukon was presented and read in full by Mayor Taylor. Proclamation asked that our citizens express our sincere thanks to all those who donate their time, money and energy to this worthwhile project.

Proclamation was presented to Stacy Irwin, Director of Compassionate Hands, who advised that a lot of activities had been planned during this week. Mrs. Irwin advised that there would be a volunteer appreciation luncheon and there would be articles in the newspaper and on Sunday, someone would be speaking in the churches and also, we plan to have an insert in

the church bulletins.

Mrs. Irwin introduced those in attendance representing Compassionate Hands: Larry Masters, Alta Hoffman, Bob Matson, Alberta French, Carol Schweitzer, and Robert Copeland. Mrs. Irwin advised that they have approximately 30 volunteers who help.

Mayor Taylor stated he would personally like to extend his thanks to this great organization. Mayor Taylor stated this is truly one of our crown jewels in our city.

(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 Trustees, that item will be heard in regular order.

The City Manager recommends:

A) Approval of minutes of September 1, 1998

B) Consider approval of pay requisitions for capital improvement projects as follows:

### **1997 CONSTRUCTION FUND**

a) #219, payable to Weatherman Mechanical in the amount of \$4,250.52 for air conditioner repair and labor at the Dale Robertson Center (97-01-508)

b) #220, payable to Triad Design Group in the amount of \$99.38 for inspection services through August 25, 1998, one MG elevated tank (97-01-510)

c) #221, payable to Triad Design Group in the amount of \$546.59 for inspection, Yukon Wastewater Treatment Plant Aeration Basin (97-01-509)

### **1998 CONSTRUCTION FUND**

a) #62, payable to 3C Construction Company, Inc. in the amount of \$3,100 for moving dirt on top of hill in new park and cleaning out ditch in park, east of Community Center (98-01-511)

b) #63, payable to Triad Design Group in the amount of \$5,118.09 for inspection of road repair at transfer station, retaining wall on Cornwell, Chisholm Trail Park sidewalks, channel improvements, Van Elm Addition (98-01-507)

c) #64, payable to Standard Testing in the amount of \$2,500 for subsurface exploration at the proposed animal control shelter (98-01-516)

d) #65, payable to Standard Testing in the amount of \$2,500 for subsurface exploration at the proposed animal control shelter (98-01-516)

A motion was made by Vice Chair Myers, seconded by Trustee Maxey, approving consent docket, being the minutes of the meeting of September 1, 1998; approving pay requisitions for capital improvement projects as follows: 1997 CONSTRUCTION FUND: #219, payable to Weatherman Mechanical in the amount of \$4,250.52 for air conditioner repair and labor at the Dale Robertson Center (97-01-508); #220, payable to Triad Design Group in the amount of \$99.38 for inspection services through August 25, 1998, one MG elevated tank (97-0Z-510); #221, payable to Triad Design Group in the amount of \$546.59 for inspection, Yukon Wastewater Treatment Plant Aeration Basin (97-0t-509); 1998 CONSTRUCTION FUND: #62, payable to 3C Construction Company, Inc. in the amount of \$3,100 for moving dirt on top of hill in new park and cleaning out ditch in park, east of Community Center (98-01-511); #63, payable to Triad Design Group in the amount of \$5,118.09 for inspection of road repair at transfer station, retaining wall on Cornwell, Chisholm Trail Park sidewalks,

channel improvements, Von Elm Addition (98-01-507); #64, payable to Standard Testing in the amount of \$2,500 for subsurface exploration at the proposed animal control shelter (98-01-516); and #65, payable to Standard Testing in the amount of \$2,500 for subsurface exploration at the proposed animal control shelter (98-01-516).

**The vote:**

**AYES: Taylor, Myers, Maxey, Vinson, Friesen**

**NAYS: None**

**VOTE: 5-0**

(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) Approval of minutes of meeting of September 1, 1998

B) Consider approval of salary and material claims

C) Consider approval of specifications for plants and irrigation system for medians and grant permission to advertise to receive bids

D) Consider naming of authorized agent pertaining to Oklahoma Municipal Retirement Fund

E) Consider declaring the items listed in the agenda as surplus and grant permission for items to be sold at the City auction on Saturday, September 26, 1998

F) Consider granting permission to the Mayor and City Clerk to enter into an agreement by and between the City or Yukon and Officer Peter R. Davola for the use of a canine

G) Consider granting permission to the Mayor and City Clerk to enter into an agreement by and between the City of Yukon and the Salvation Army for fiscal year beginning, July 1, 1998, through, June 30, 1999

H) Consider granting permission to the Mayor and City Clerk to enter into an agreement by and between the City of Yukon and the Oklahoma Czechs, Inc.

I) Consider accepting improvements for the Nina Willingham Senior Housing Center and place maintenance bond into effect

J) Consider authorizing the City Manager to retain the services of a surveyor to correct a legal description on an easement for 904 Montreal Drive

K) Consider acceptance and awarding of bid to Dillon Construction Company in the amount of \$966,535, deleting alternates 1 and 2, for the construction of the gymnasium, and granting permission to the Mayor and City Clerk to enter into contract with Dillon Construction Company, contingent upon the City Attorney's approval of contract and bonds

L) Consider purchasing 300 semi-truck loads of top soil from Eldon Wilds at \$4.00 per cubic yard, for a total cost of \$24,000

M) Consider granting permission to the Mayor and City Clerk to enter into an agreement by and between the City of Yukon and Kathryn Wright Rentals for rental of Suite 102 at 301 Elm for \$500 a month for the driver's license testing agency for six (6) months

N) Consider granting permission to purchase a KAF 620-A4 Mule 2510 4x4 for the Pork Maintenance Department in the amount of \$6,923.36 from the House of Kawasaki-Suzuki

O) Set date for the next regular meeting for October 6, 1998, 7:30 p.m., Council Chambers, Centennial Building, 12 South Fifth

Mayor Taylor advised that Item G would be removed from the agenda and Vice Mayor Myers asked that Item F be removed.

A motion was made by Council Member Vinson, seconded by Council Member Maxey, approving the consent docket, being the minutes of the meeting of September 1, 1998; approval of salary and material claims in the amount of \$374,432.09; approving specifications for plants and irrigation system for medians and granting permission to advertise to receive bids; approve the naming of authorized agent pertaining to Oklahoma Municipal Retirement Fund; declaring items listed in the agenda as surplus end grant permission for items to be sold at the City auction on Saturday, September 26, 1998; granting permission to the Mayor and City Clerk to enter into an agreement by and between the City of Yukon and the Oklahoma Czechs, Inc., accepting improvements for the Nine Willingham Senior Housing Center, end place maintenance bond into effect; authorizing the City Manager to retain the services of a surveyor to correct o legal description on an easement for 904 Montreal Drive; accepting and awarding bid to Dillon Construction Company in the amount of \$966,535; deleting alternates 1 and 2, for the construction of the gymnasium, and grant permission for the Mayor and City Clerk to enter into contract with Dillon Construction Company, contingent upon the City Attorney's approval of contract and bonds; granting permission to the Mayor end City Clerk to enter into on agreement by and between the City of Yukon and Kathryn Wright Rentals for rental of Suite 102 at 301 Elm for \$500 a month for the driver's license testing agency for six (6) months; granting permission to purchase a KAF 620-A4 Mule 2510 4x4 for the Park Maintenance Department in the amount of \$6,923.36 from the House of Kawasaki-Suzuki and set date for the next regular meeting for October 6, 1998, 7:30 p .m., Council Chambers, Centennial Building, 12 South Fifth.

**The vote:**

**AYES: Friesen, Vinson, Maxey, Myers, Taylor**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

ITEM G: A motion was made by Vice Mayor Myers, seconded by Council Member Maxey, to table Item G, the Salvation Army agreement, until the next regular meeting.

**The vote:**

**AYES: Myers, Taylor, Maxey, Friesen, Vinson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

ITEM F: Agreement with Peter Davola regarding use of a canine.

Vice Mayor Myers stated there were no records with this agreement as to how much the canine was used, etc. and he would like to see a report on how the dogs are used and how many times and present it to the Council with the agreement at the next meeting.

A, motion was made by Vice Mayor Myers, seconded by Council Member Maxey, to table Item F, agreement with Peter Davola, until the next regular meeting.

**The vote:**

**AYES: Friesen, Taylor, Maxey, Myers, Vinson**  
**NAYS: None**  
**VOTE! 5-0**

## **2. REPORT OF BOARDS, COMMISSIONS AND, CITY OFFICIALS**

Mayor Taylor asked about the Planning Commission reviewing the comprehensive plan.

City Attorney advised that they were looking at traffic patterns in residential areas and also looking at 5A tracts, possibly reducing to 2A.

Park Board representative Brandi Richardson advised that flag football had 180 participants and we had 15 teams. Mrs. Richardson advised that there is a tournament this weekend and the participation is great.

City Manager advised that with the recent rainfall and the cooler temperatures, we are dropping our water conservation program immediately. City Manager stated that by next summer, we are hoping to have a new contract with Oklahoma

City, new lines installed, and a new water tower, and hopefully we won't have to have a water conservation program and things will be better.

Mayor Taylor stated until further notice, the water conservation program is being removed.

## **3. CONSIDER ORDINANCE NO. 1020 AMENDING APPENDIX A, SECTION 602.4, AND ORDINANCES NO. 657 AND 685 BY PROVIDING FOR CARPORT SPECIFICATIONS**

### **(B) CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1020**

Ordinance No. 1020, amending Appendix A, Section 602.4, and Ordinance No. 657 and 685 by providing for carport specifications was presented and title read in full.

City Attorney advised that the Planning Commission reviewed a proposed carport ordinance and recommended several changes. City Attorney advised that the Council also had the opportunity to suggest changes and the recommended changes have been incorporated into the proposed ordinance.

City Attorney advised that on Page 3, paragraph 14, amendment has been made and the paragraph should read "the carport roof slopes shall meet the manufacturer's minimum requirements but not less than 1/4" rise per twelve (12) inches of run.

City Attorney also advised that if the existing carports now comply with the ordinance, then they are grandfathered in, but if they are not in compliance now, they will be given time to bring them into compliance. City Attorney stated that carports now that are in compliance may not be enlarged or altered or if it is damaged or destroyed, then it must conform with the provisions of this new carport ordinance.

### **ORDINANCE NO. 1020**

**AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES, CITY OF YUKON, OKLAHOMA, BY AMENDING APPENDIX A, SECTION 602.4, AND ORDINANCES NO. 657 AND 685 BY PROVIDING FOR CARPORT SPECIFICATIONS**

A motion was made by Vice Mayor Myers, seconded by Council Member Maxey, approving Ordinance No. 1020 providing for carport specifications.

Council Members advised to let the minutes show that all of the Council Members have read the ordinance in full.

**A roll call vote was taken:**

**AYES: Taylor, Myers, Maxey, Vinson, Friesen**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

A motion was made by Vice Mayor Myers, seconded by Council Member Maxey, adopting the emergency clause to Ordinance No. 1020.

**A roll call vote was taken:**

**AYES: Friesen, Vinson, Maxey, Myers, Taylor**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. (A) CONSIDER ORDINANCE NO. 1021 AMENDING SECTION 110-102 OF THE CODE OF ORDINANCES, PROVIDING FOR AMENDMENT OF THE SCHEDULE OF FINES**

**(B) CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1021**

Ordinance No. 1021 was presented and title read in full by Mayor Taylor.

City Attorney advised that the proposed ordinance amends the schedule of fines in the code of ordinances.

Council Members advised to let the minutes show that all Council Members have read the ordinance in full.

### **ORDINANCE NO. 1021**

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA, BY AMENDING SECTION 110-102 OF THE CODE OF ORDINANCES, PROVIDING FOR AMENDMENT OF THE SCHEDULE OF FINES AND DECLARING AN EMERGENCY

A motion as made by Council Member Friesen, seconded by Council Member Maxey, approving Ordinance No. 1021, amending Section 110-102 of the code of ordinances amending the schedule of fines.

**The vote:**

**AYES: Maxey, Friesen, Myers, Taylor, Vinson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

A motion was made by Council Member Vinson, seconded by Mayor Taylor, adopting emergency clause to Ordinance No. 1021.

**A roll call vote was taken:**

**AYES: Vinson, Myers, Friesen, Taylor, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **5. CONSIDER RECOMMENDATION OF THE PARK BOARD TO NAME THE NEW GYMNASIUM JACKIE COOPER GYMNASIUM**

City Manager advised the Park Board has asked, Jackie Cooper for permission to name the new gymnasium the "Jackie Cooper" gym and he has accepted the honor and they are recommending to the Council that the new gymnasium be named "Jackie Cooper Gymnasium."

Lisa Key, representing the Park Board, advised that the Park Board was recommending that the new gym be named the "Jackie Cooper Gymnasium". Mrs. Key advised that Mr. Cooper had donated to special events and has been very generous when asked for help.

A motion was made by Council Member Friesen, seconded by Vice Mayor Myers, approving the Park Board's recommendation to name the new gymnasium "Jackie Cooper Gymnasium."

**The vote:**

**AYES: Taylor, Myers, Maxey, Vinson, Friesen**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **6. (A) CONSIDER ORDINANCE NO. 1022 ALLOWING NON-ACCESSORY SIGNS AND BILLBOARDS IN C-3 ZONING**

### **(B) CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1022**

Ordinance No. 1022, allowing non-accessory signs and billboards in C-3 zoning, was presented and title read in full by Mayor Taylor.

Motion was made by Council Member Vinson, seconded by Council Member Maxey, to postpone Ordinance No. 1022 until later meeting.

**A roll call vote was taken:**

**AYES: Friesen, Taylor, Vinson, Myers, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **7. A) CONSIDER ORDINANCE NO. 1023 PROVIDING FOR AN APPLICATION FEE OF \$50 INSTEAD OF \$100, AMENDING THE PERMIT PROCEDURE AND ELIMINATING THE REFUND AND TRANSMISSION OF RECORDS BY THE CENTRAL**

## **BUSINESS HISTORICAL DISTRICT COMMITTEE**

### **B) CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1023**

Ordinance No. 1023 providing for an application fee of \$50 instead of \$100, amending the permit procedures and eliminating the refund and transmission of records by the Central Business Historical District Committee was presented and title read in full by Mayor Taylor.

Council Members advised to let the minutes show that all Council Members have read the ordinance in full.

A motion was made by Council Member Vinson, seconded by Council Member Maxey, approving Ordinance No. 1023 providing for an application fee of \$50 instead of \$100, amending the permit procedures and eliminating the refund and transmission of records by the Central Business Historical District Committee.

Vice Mayor Myers presented an amendment to this ordinance. Vice Mayor Myers stated that one of the changes he thought should be in the ordinance is under 607.4, paragraph A, and he has added this provision shall not apply to the painting of any building, if same color, or portion thereof.

Vice Mayor Myers stated the other change is Section 607.5, paragraph B, he felt that this Committee should also follow Section 2-266 of the code pertaining to terms and he felt the members should be appointed by Council Members from their ward.

Vice Mayor Myers made a motion to amend the ordinance as stated.

Council Member Vinson stated that the original organization for this committee was an appointment from the City Manager's office, a member of the Planning Commission, owner of a business in this area, or tenants within the area, and an individual without financial interest. Council Member Vinson stated that the City Manager's office appointed her as representative. Council Member Vinson stated She will agree to the fact that maybe she should not be a voting member, since she sets on the Council, but business people on the street make up that committee and she feels that. this is the way it should be. Council Member Vinson stated that this is only a small area we are trying to preserve and once it is gone, you cannot re-create the area. Council Member Vinson stated that she feels the citizens that don't appreciate the history would find it very difficult to function on this type of committee.

Council Member Vinson stated that she is for the ordinance as it is presented in the agenda package.

Vice Mayor Myers stated he felt a Planning Commission member and Chairman of this committee in making a legal decision that it might overlap their interests.

City Attorney stated that this ordinance has been amended three times and we know it is not perfect.

Vice Mayor Myers asked if there was a legal problem to serve on both committees, this one and the Planning commission, and this committee and a Council Member.

City Attorney stated he did not see a legal problem, but it might be a conflict of interest on

certain issues, but no legal problem.

Council Member Friesen stated that his appointee could be someone with interest in this area.

Council Member Vinson stated that the street should make the decisions.

Mayor Taylor stated he felt we should have a work session on this and come back with some amendments at that time.

Vice Mayor Myers withdrew his motion to approve the amendment to this ordinance.

Council Member Vinson withdrew her motion to approve the original ordinance as presented. Council Member Maxey withdrew his second.

A motion was made by Council Member Vinson, seconded by Vice Mayor Myers, to postpone this item until the October 20th meeting.

**The vote:**

**AYES: Taylor, Myers, Maxey, Vinson, Friesen**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**8. NEW BUSINESS**

**9. OPEN DISCUSSION**

A) Council Member Friesen stated that he walked into a business the other day and the owner called him "Hitler," and the owner's wife told him to "get out", and after two more "Hitlers" and two more "get outs," he left the shop. Council Member Friesen stated that this was at a barbershop at Cornwell and Vandament. Council Member Friesen stated it is a bad situation when adults get mad like that and worse when five or six kids are in there. Council Member Friesen stated that this same individual, when he first ran for office, made all kinds of remarks and he showed the man the budget, went over the hiring practices, and gave him information that was available, and he never opened the information or asked to discuss it.

B) Vice Mayor Myers stated he is glad he doesn't get a hair cut very often, but at least he can go drink coffee.

C) Council Member Maxey stated to consider the source.

D) Council Member Vinson stated she is thankful that we have volunteers that care about our town. Council Member Vinson stated the golf tournament was excellent and the Fire Department won second place.

E) Mayor Taylor stated that the golf tournament was a good time and Larry Masters honored Bill Gustafson.

Mayor Taylor stated that effective October 1st, we will have a driver's license examination post here and we won't have to go to El Reno, Edmond, or Oklahoma City for these services. Mayor Taylor stated thanks to Tony Kouba and his experience in the legislature, there was

only one examination place appointed last year and that was ours.

Mayor Taylor stated effective October 1, the drivers license examination building will be at 301 Elm, Suite 102, for six months until we can find a permanent home.

Mayor Taylor stated he would like to thank the citizens for working with us in the water management program, but we had a nice rain, which we are thankful for, and the program can now be lifted.

## **10. ADJOURNMENT**

There being no further business, a motion was made by Council Member Maxey, seconded by Vice Mayor Myers, to adjourn the meeting.

**The vote:**

**AYES: Taylor, Myers, Maxey, Vinson, Friesen**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

Larry Taylor, Mayor

Mary Lee Huckaba, City Clerk