

Minutes



MINUTES YUKON CITY COUNCIL and YUKON MUNICIPAL AUTHORITY November 17, 1998

The Yukon City Council met in regular session on November 17, 1998, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Reverend John Miller, pastor of Christ's Church in Yukon

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
Dwyane Whitener, Public Works Director
David Chesher, Community Enhancement Director
Bill Bullard, Assistant Police Chief
John Knuppel, Historical Society

VISITORS

Mayor Taylor advised that we have the Parkland student council in attendance tonight.

Mayor Taylor introduced Mike Oglesby, President, and advised that the student council is involved with the tour of homes for Christmas. Mike advised that each member will introduce themselves and what grade they represent. Mayor Taylor presented each student with a City of Yukon

Mike Oglesby advised that the sponsors are Mrs. Davis and Mr. Bunch and that they are here tonight. Mrs. Davis advised that we have three more sponsors, but they could not be here tonight, and they are Mrs. Swanson, Mrs. Harris and Mrs. Duke.

Mayor Taylor stated that we appreciate your attending the meeting tonight and we hope you will wear the City of Yukon pin with pride, because we are proud of Yukon and hope that you are proud of Yukon, too.

Rev. Miller advised that next Wednesday evening at 7 p.m. at the First Christian Church, the ministerial alliance will host the annual Thanksgiving service. Rev. Miller advised that Danny Goddard, pastor of the Church of the Nazarene, will bring the sermon and the High School Kapella choir will sing. Rev. Miller stated we invite you to come and participate in the Thanksgiving service with us.

PRESENTATIONS-PROCLAMATIONS

Mayor Taylor stated that Bob and Dorothy Swaninger will be celebrating their 50th anniversary this Friday. Mayor Taylor stated that Bob is one of our volunteers and he helped With the Freedom Trail Park, delivers for Mobile Meals, and is always ready to help if you need him.

(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 November 3, 1998

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

1997 CONSTRUCTION FUND:

a) #226, payable to Triad Design Group in the amount of \$248.45 for inspection of Yukon Wastewater Treatment Plant aeration basin project through October 25, 1998

1998 CONSTRUCTION FUND:

a) #86, payable to Landmark Structures, Inc. in the amount of \$91,827 for estimate #1, one million gallon elevated water tank (98-01-510)

b) #87, payable to Triad Design Group in the amount of \$2,111.83 for inspection of the excavation and placing of 130 C.Y. concrete for foundation base ring, and also the installation of the 18" and 8" water line, one MG elevated tank (98-01-510)

c) #88, payable to Triad Design Group in the amount of \$3,975.20 for inspection of channel improvement, Von Elm Addition, inspect the construction of the concrete transition section to the apron at triple 10'x4' R.C. box; also the construction of the side flumes that tie to the channel liner (98-01-505)

d) #89, payable to PSG in the amount of \$6,427.90 for pass-through expenses for the month of September, 1998 (98-01-512)

e) #90, payable to Triad Design Group in the amount of \$10,880 for plans and specifications through October 31, 1998, on the Von Elm channel improvements (98-01-505)

C) Consider pay estimate #1 to Dillon Construction Company in the amount of \$23,938, gymnasium, to be paid from loan at Yukon National Bank

A motion was made by Trustee Vinson, seconded by Trustee Maxey, approving the consent docket, being the minutes of the meeting of November 3, 1998; approving pay requisitions for capital improvement projects as follows: 1997 Construction Fund:

#226, payable to Triad Design Group in the amount of \$248.45 for inspection of Yukon Wastewater Treatment Plant aeration basin project through October 25, 1998; 1998

CONSTRUCTION FUND: A) #86, payable to Landmark Structures, Inc. in the amount of \$91,827 for estimate #1, one million gallon elevated water tank (98-01-510); #87, payable to Triad Design Group in the amount of \$2,111,83 for inspection of the excavation and placing of 130 C.Y. concrete for foundation base ring, and also the installation of the 18" and 8" water line, one MG elevated tank (98-01-510); #88, payable to Triad Design Group in the amount of \$3,975.20 for inspection of channel improvement, Von Elm Addition, inspect the construction of the concrete transition section to the apron at triple 10'x4' R.C. box; also the construction of the side flumes that tie to the channel liner (98-01-505); #89, payable to PSG in the amount of \$6,427.90 for pass-through expenses for the month of September, 1998 (98-01-512); #90, payable to Triad Design Group in the amount of \$10,880 for plans and specifications through October 31, 1998, on the Von Elm channel improvements (98-01-505), and approval of pay estimate #1 to Dillon Construction Company in the amount of \$23,938, gymnasium, to be paid from loan at Yukon National Bank.

The vote:

AYES: Taylor, Myers, Maxey, Vinson, Friesen

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) Approval of minutes of meeting of November 3, 1998

B) Consider approval of salary and material claims

C) Consider granting permission to the Mayor and City Clerk to enter into an agreement for services by and between the City of Yukon and the Yukon Chamber of Commerce from the first day of July, 1998 through the 30th of June, 1999

D) Consider granting permission to purchase a used trailer and sprayer and tank in the amount of \$3,000

E) Consider granting the Mayor and City Clerk to enter into an agreement by and between the City of Yukon, acting by and through the Yukon Park and Recreation Department, and the Yukon Christian Athletic Association, for the use of the Community Center gym from December 3, 1998, to April 30, 1999, for adult church league volleyball

F) Set date for the next regular meeting for December 1, 1998, 7:30 p.m., Council Chambers, Centennial Building, 12 South Fifth.

Mayor Taylor asked about Item D.

City Manager advised it would be used in our spraying program and it could be used on trees, weeds, etc.

A motion was made by Council Member Maxey, seconded by Council Member Vinson, approving the consent docket, being the minutes of the meeting of November 3, 1998; approving the salary and material claims in the amount of \$367,431.59; granting permission

to the Mayor and City Clerk to enter into an agreement for services by and between the City of Yukon and the Yukon Chamber of Commerce from the first day of July, 1998 through the 30th day of June, 1999; granting permission to purchase a used trailer, sprayer and tank in the amount of \$3,000; granting permission to the Mayor and City Clerk to enter into an agreement by and between the City of Yukon, acting by and through the Yukon Park and Recreation Department and the Yukon Christian Athletic Association, for the use of the Community Center gym from December 3, 1998 to April 30, 1999, for adult church league volleyball and set date for the next meeting for Tuesday, November 24, 1998, 5:30 p.m., in the Centennial Building for a Council study session and set next meeting for a regular meeting for December 1, 1998, 7:30 p.m., Council Chambers, Centennial Building, 12 South 5th.

The vote:

AYES: Friesen, Vinson, Maxey, Myers, Taylor

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. REPORT OF BOARDS, COMMISSIONS AND CITY OFFICIALS

3. CONSIDER APPLICATION OF BILLYE J. BAILEY TRUST TO REZONE FROM C-5 (AUTOMOTIVE AND COMMERCIAL RECREATION DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT) FOR THE BACK BUILDING AREA AT 1515 EAST MAIN (OLD CHEVROLET DEALERSHIP) AND INSTRUCT CITY ATTORNEY TO PREPARE ORDINANCE

Fenton Ramey advised that he was representing the purchaser, Mr. Thomas, on this item. Mr. Ramey advised that Steve

Bailey, owner of the property, and the realtor, Mr. Rose, were all in attendance and they would all try to answer any questions the Council might have.

Mayor Taylor asked if this was the large building in the back.

Mr. Ramey advised that it was the large building on the back of the property and that they would use the property to manufacture small utility trailers and would have six employees now, and if the business is a success, it could increase to 20 employees. Mr. Ramey stated that there would not be as much noise as when it was a body shop in that location. A motion was made by Vice Mayor Myers, seconded by Council Member Maxey, to approve the application of Billye J. Bailey Trust to rezone from C-5 (Automotive and Commercial Recreational District) to I-1 (Light Industrial District) for the back building area at 1515 East Main, and instruct City Attorney to prepare ordinance.

The vote:

AYES: Maxey, Friesen, Taylor, Vinson, Myers

NAYS: None

VOTE: 5-0

MOTION CARRIED

CONSIDER 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

LOCATION	OWNER	VIOLATION
700 S. Garth Brooks Blvd.	Smith Associates	
829 Cedar	Davis	
Lots A-3, Block 7, Chase (South 2 nd Street)	Rubes	
835 Cedar	O'Neil	
612 & 613 Okieridge	Carr	
Lot North of Wal-Mart	Gotez	
Lot 1, Blk. 1, Westport Commerce Park	Whitby	
Lot 2, Blk. 1, Westport Commerce Park	Body Builders, Inc.	
Lots 2 - 4, Blk. 3, Westport Commerce Park	Gotez	
Lots 5 & 6, Westport Commerce Park	Milanco, LTD	
Lot 1, Blk. 1, Ranchwood Hills	Coleman	
Lot 1, Blk. 13, Sunrise Hills, Section 2	Free Methodist	
Lots 15 - 27, Blk. 1	Harris, Yukon Round-Up	
North 150' of NW/4	Welch Trust	
SW/4 Section 16, T12N, R5W		
Lots 19 - 25, Blk 6 - Smoking Oaks II	Church	
Sara & 66 Tract D	Church of Christ	
Sara & 66 Tract A-2	Church of Christ	
Lots A-5 & A-3, Blk C	McClure	
Holly & Vandament		
110 W. Vandament	Big O Tire	
Behind Homeland, Taco Bell	John Henry Co.	
Turtle Creek Shopping Center		

Mayor Taylor advised that the Inspection Office is asking that we table this item until the December 1st meeting, as they have had several promise to mow, but have been advised that it was too wet to mow.

A motion was made by Vice Mayor Myers, seconded by Council Member Friesen, to table this item until the next meeting, December 1.

The vote:

AYES: Taylor, Myers, Maxey, Vinson, Friesen

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. A. CONSIDER APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 1023 WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA, BY AMENDING APPENDIX A, ZONING ORDINANCE, SECTION 607.4, PERMITS, BY PROVIDING AN APPLICATION FEE OF \$50 INSTEAD OF \$100; SECTION 607.9, PERMIT PROCEDURE, BY PROVIDING THE DELETION OF PARAGRAPH B (7) AND RENUMBERING THE REMAINING SUBPARAGRAPHS; SECTION 607.10(b), PROVIDING THE ELIMINATION OF A REFUND AND TRANSMISSION OF THE RECORD BY THE CENTRAL BUSINESS DISTRICT COMMITTEE TO THE CITY COUNCIL (ORDINANCE PRESENTED BY THE CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE)

A1. CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1023

Ordinance No. 1023 was introduced and title read in full by Mayor Taylor.

ORDINANCE NO. 1023

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING APPENDIX A- ZONING ORDINANCE, SECTION 607.4 PERMITS, BY PROVIDING AN APPLICATION FEE OF \$50.00 INSTEAD OF \$100.00; SECTION 607.9 PERMIT PROCEDURE, BY PROVIDING THE DELETION OF PARAGRAPH B(7) AND RENUMBERING THE REMAINING SUBPARAGRAPHS; SECTION 607.10 (B), PROVIDING THE ELIMINATION OF A REFUND AND TRANSMISSION OF THE RECORD BYTHE CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE TO THE CITY COUNCIL; AND DECLARING AN EMERGENCY

A motion was made by Council Member Vinson, seconded by Council Member Maxey, approving Ordinance No. 1023, amending Appendix A, zoning ordinance, Section 607.4, Permits, by providing an application fee of \$50 instead of \$100; Section 607.9 Permit Procedure, by providing the deletion of paragraph B(7), and renumbering the remaining subparagraphs, Section 607.10(B), providing the elimination of a refund and transmission of the record by the Central Business Historical District Committee.

The vote:

AYES: Vinson, Friesen, Taylor, Myers, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

A motion was made by Council Member Vinson, seconded by Council Member Maxey, adopting emergency clause to Ordinance No. 1023.

A roll call vote was taken:

AYES: Maxey, Friesen, Myers, Taylor, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) CONSIDER APPROVAL OF SECOND AND FINAL READING OF ORDINANCE NO. 1023, WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA, BY AMENDING APPENDIX A, ZONING ORDINANCE,

SECTION 607.4, PERMITS, BY PROVIDING AN APPLICATION FEE OF \$50 INSTEAD OF \$100; SECTION 607.5, CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE, BY REPLACING ALL EXISTING PARAGRAPHS AND PROVIDING FOR CREATION AND TERMS OF OFFICE; SECTION 607.9, PERMIT PROCEDURE, BY PROVIDING FOR DELETION OF PARAGRAPH B(7) AND RENUMBERING THE REMAINING SUBPARAGRAPHS; SECTION 607.10 (B), PROVIDING FOR THE ELIMINATION OF A REFUND AND TRANSMISSION OF THE RECORD BY THE CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE TO THE CITY COUNCIL (ORDINANCE PRESENTED BY VICE MAYOR MYERS)

B1) CONSIDER EMERGENCY CLAUSE TO ORDINANCE NO. 1023

Ordinance No. 1023 was introduced and title read in full by Mayor Taylor.

ORDINANCE NO. 1023

AN ORDINANCE WHICH PROVIDES AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF YUKON, OKLAHOMA BY AMENDING APPENDIX A, ZONING ORDINANCE, SECTION 607.4, PERMITS, BY PROVIDING AN APPLICATION FEE OF :\$50 INSTEAD OF \$100; SECTION 607.5, CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE, BY REPLACING ALL EXISTING PARAGRAPHS AND PROVIDING FOR CREATION AND TERMS OF OFFICE; SECTION 607.9, PERMIT PROCEDURES, BY PROVIDING THE DELETION OF PARAGRAPH B(7) AND RENUMBERING THE REMAINING SUBPARAGRAPHS; SECTION 607.10(B), PROVIDING THE ELIMINATION OF A REFUND AND TRANSMISSION OF THE RECORD OF THE CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE TO THE CITY COUNCIL; AND DECLARING AN EMERGENCY

A motion was made by Council Member Maxey, seconded by Vice Mayor Myers, to approve Ordinance No. 1023.

Vice Mayor Myers stated that he would like to amend the motion to approve the ordinance by amending 607.4 paragraph by adding to the sentence "this provision shall not apply to the painting of any building or portion thereof, as long as it is a similar color, pursuant to 607.11, as written," paragraph B, remove the coma after "exterior," and Section 607.5, add to paragraph B, "at least three of the voting members of the Central Business Historical District Committee must be either an owner of property in the district or a business owner in the district or an employee of a business in the district." Amendment was seconded by Council Member Maxey.

The vote:

AYES: Taylor, Myers, Maxey, Friesen, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

Council Member Vinson stated she would like to make an observation. Council Member Vinson stated that this amendment has been amended four or five times and she did not feel it was well thought out and that it is not in the best interest of the city.

Council Member Friesen stated that he cannot feel good about this amendment and he would

like to make a motion to amend the amendment to table Section 607.5 of the amendment until the City Attorney has time to look into this and complete an interpretation and we have time to study it. Motion was seconded by Council Member Vinson to table Section 607.5 of the amendment to the ordinance.

The vote:

AYES: Vinson, Taylor, Friesen

NAYS: Maxey, Myers

VOTE: 3-2

MOTION CARRIED

The vote on Ordinance No. 1023 as amended by Vice Mayor Myers and Council Member Friesen was taken:

AYES: Taylor, Friesen

NAYS: Myers, Maxey, Vinson

VOTE: 2-3

MOTION FAILED

Mayor Taylor asked what ordinance we are under.

City Manager advised that the ordinance proposed by the Central Business Historical District Committee is in effect, after publication.

6. NEW BUSINESS

7. OPEN DISCUSSION

Bill Bullard, Assistant Police Chief, advised they had been checking the area at First and Third on Poplar with regard to stop signs and speed. Mr. Bullard stated that we have had no real problems or accidents in the area and we have had no complaints. Mr. Bullard stated that as long as officers are there, there is no speeding, but if an officer isn't patrolling in the area, there is some speeding.

Mr. Bullard advised with the holidays coming, the officers will be checking the high traffic areas to make sure that seat belts are being used for children.

Mayor Taylor stated to make sure your children are buckled up.

Council Member Vinson offered congratulations to Bob and Dorothy Swaninger on their 50th wedding anniversary.

Vice Mayor Myers advised that at the next meeting, the issues addressed on Ordinance (B) will be brought up and presented again.

Council Member Friesen advised that Vandament Avenue between Garth Brooks and Cornwell has been discussed with him by several citizens and they have talked about improving Vandament to four lanes. Council Member Friesen stated he feels it is in the best interest of the city, and we only have three arterial streets going east-west, and they are HW 66, 10th Street, and Vandament. Council Member Friesen stated that we cannot do much to HW 66, since it is a state and federal highway, and it is probably as good as it is going to get. Council Member Friesen stated we have improved 10th Street and that leaves

Vandament. Council Member Friesen stated that all of Yukon uses Vandament and he would like to have cost estimates of relocating the utilities, the cost of the right-of-way, and the cost of the project and he feels we should consider putting this to a vote of the people. Council Member Friesen stated that to four lane Vandament Avenue, it is going to cost a lot of money and he feels that it must go to the vote of the people and if they want it, then let them vote to pass it. Council Member Friesen stated he is just expressing his concerns and he looks forward to seeing what the costs are.

8. ADJOURNMENT

There being no further business, a motion was made by Council Member Maxey, seconded by Council Member Vinson, 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