

Minutes



City Council - Municipal Authority Agendas November 7, 2000

The Yukon City Council met in regular session on November 7, 2000, at 7:30 PM in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by David Chesher, Personnel/Safety Director.

Flag Salute was given in unison.

Roll Call: (Present) Steve Friesen, Mayor
 Genie Vinson, Vice Mayor
 John Weller, Council Member
 Tim Rundel, Council Member
 Ron Jurgensen, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Dustin McElhaney, Building Maintenance
Jan Scott, Park and Recreation Department
Tammy Nemecek, Administrative Assistant
Ike Shirley, Police Chief
J. R. Reed, Public Works Director
Jeff Lara, Acting Fire Chief
David Chesher, Community Enhancement Director
Mitch Hort, Planning Director
Jeff Deckard, Public Works
John Knuppel, Historical Society
Presentations and Proclamations: - "Oklahoma Heritage Week" Proclamation and "Tony Kouba Appreciation Day" Proclamation

The Oklahoma Heritage Week proclamation was read in full by Mayor Friesen.

Mayor Friesen asked for Vice Mayor Vinson to assist him in presenting a proclamation to Representative Tony Kouba. Proclamation was read in full and presented to Representative Kouba. Mayor Friesen stated we appreciate all Representative Kouba has done for the City of Yukon.

Visitors:

Eddie Kremeier, 221 East Platt, appeared before the Council and stated he has filed a statement of recall against Ward 2 Council Member Ron Jurgensen. Mr. Kremeier stated the

interest in the recall has been "incredible." However, he stated his wife received a phone call from a Ron Jurgensen supporter who stated they "hope you and your children do not get hurt" and he has now asked the Yukon Police Department to patrol his home routinely. He stated he has rented the Dale Robertson Center for November 19th from 1 - 4 pm to provide a place for registered voters of Ward 2 to come by to sign the petition. Mr. Kremeier stated he will speak for 15-20 minutes, then respond to any questions presented to him in writing or E-mail prior to the meeting. Mr. Kremeier stated he read an article wherein Mr. Jurgensen insinuated that the City Council was in on the recall petition. Mr. Kremeier stated that no one - City Council or employees - have encouraged him to begin this recall process, that he has done it strictly on his own. He stated he knows Mr. Jurgensen will do everything possible to delay this process, but he thinks it is time we let the people decide who they want to represent them. Addressing Council Member Jurgensen, Mr. Kremeier stated, "I am sorry to put you through this process, but I feel this is what the people want and what is best for Yukon."

(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 all Authority Members, that item will be heard in regular order:

The City Manager recommends:

A) Motion to approve the minutes of regular meeting of October 17, 2000

B) Motion to approve and accept YMA Resolution 2000-02, a resolution authorizing the issuance of the Yukon Municipal Authority 2000 revenue note (the revenue note), in an aggregate principal amount of not to exceed \$1,500,000; 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; approving the following documents and authorizing the Chairman (or Vice Chairman in the absence of the Chairman) to execute and deliver same, to-wit: revenue note, real estate mortgage, security agreements, financing statement, preliminary offering document, final offering document, closing order and any and all other documents necessary to consummate issuance of the revenue note, including a continuing disclosure agreement; designating the bonds as qualified tax-exempt obligations with respect to the financial institutions interest deduction provisions contained in the Internal Revenue Code of 1986 (the code) and providing exception for small govern- mental units as contained in the code; 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 (the City) and the Authority and agreeing that the term of the lease shall extend so long as the revenue note remains outstanding and unpaid; and authorizing the execution and delivery of the revenue note, disbursement of proceeds, and finalization, creation, execution and delivery of documents necessary for issuance of the revenue note Council Member Jurgensen said he would like a separate vote on Item B.

Vice Chair Vinson made a motion, seconded by Trustee Weller, to approve Item A of the Yukon Municipal Authority consent docket.

The vote: AYES: Weller, Friesen, Vinson, Rundel, Jurgensen
NAYS: None VOTE: 5-0

ITEM B: Vice Chair Vinson made a motion, seconded by Trustee Weller, to approve Item B of the YMA consent docket as presented.

Trustee Weller asked the City Manager to explain why we are borrowing the \$1.5 million.

City Manager Jim Crosby explained that when we did our bond refunding last December, we did not realize that the \$1.5 million loan that we currently had for the Jackie Cooper gym would be paid off with these proceeds, thus shorting us for projects for which the \$1.5 million was intended. This loan is to replace the original one.

Mr. Crosby stated this money will be used for capital improvement projects that we have previously discussed, as well as for the clarifier for the Treatment and Supply plant, booster plant for parkland 1 and 2 area, the Vandament/Garth Brooks intersection, the Holly-Vandament project, Parkland drainage, rural road repair, and the balance as the Council so chooses.

The vote on the motion was taken: AYES: Rundel, Vinson, Friesen, Weller NAYS: Jurgensen VOTE: 4-1 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 motion that will approve:

- A) Minutes of the regular meeting of October 17, 2000
- B) Salary and material claims in the amount of \$276,931.99
- C) Acceptance of an amendment to the letter of credit related to improvements as West End Pointe
- D) Entering into agreement with Canadian County Commissioners to resurface 11th Street from the railroad tracks north to the river bridge at a cost to the City of Yukon not to exceed \$88,384.83
- E) Accept and approve recommendation of Traffic Commission to:
 - 1) Paint crosswalks on the west and south sides of the intersection of 3rd and Poplar, and on the south and east sides of the intersection of First and Poplar, with appropriate signage
 - 2) Make the intersection of 5th and Poplar a three-way stop
 - 3) Place a "No Right Turn on Red" sign on the traffic light crossbar at the exit from Lakeview Middle School onto Mustang Road
- F) A temporary use permit for a mobile pizza store for Domino's Pizza
- G) An agreement for services between the City of Yukon and the Chisholm Trail Festival, Inc.
- H) An agreement for services between the City of Yukon and Chisholm Trail Historical Preservation Society, Inc.
- I) Setting date for next regular meeting for November 21, 2000, 7:30 P.M., in the Council Chambers of the Centennial Building, 12 South Fifth

City Manager stated that Item F has been pulled at the request of the applicant.

Council Member Weller made a motion, seconded by Council Member Rundel, to accept Items A-3 and G-I of the consent docket.

The vote: AYES: Rundel, Jurgensen, Weller, Vinson, Friesen NAYS: None VOTE: 5-0 MOTION CARRIED

2. Report of Boards, Commissions and City Officials

John Knuppel, Historical Society, stated there are six names to be added to the Veterans' Memorial and there will be others added before Memorial Day. One of the names to be added now is that of Bill Porter, former Mayor of Yukon.

City Manager stated his office received several calls stating that Sunshine Road was not a dedicated road. After a lot of research, there was no record to be found showing that Sunshine Road was ever dedicated to the city, therefore, this is a private road and the City cannot do any repairs to it. any repairs would have to be at the expense of the owner.

City Manager also advised that 10th Street and Highway 92 will be closed as of Monday, weather permitting. This area will be closed for approximately 90 days, and at some point, all of 10th Street may have to be closed for a period of time.

Mayor Friesen stated he thinks we need to put "slow" signs near the bridge on 10th Street if we will have more traffic on this street.

3. Consider approving and accepting resolution No. 2000-10, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2000 revenue note (the "revenue note"), in an aggregate principal amount of not to exceed \$1,500,000; 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 directing the Mayor or Vice Mayor and City Clerk to enter into a security 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; and authorizing the execution and delivery 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; disbursement of proceeds, and finalization, creation, execution and delivery of documents necessary for issuance of the revenue note.

A motion was made by Council Member Weller, seconded by Vice Mayor Vinson, to approve Resolution 2000-10 as presented.

The vote: AYES: Vinson, Weller, Friesen, Rundel NAYS: Jurgensen VOTE: 4-1 MOTION CARRIED

4. A) Consider a motion approving Ordinance No. 1069, an ordinance amending Section 2-137 (b) of the code of ordinances of the City of Yukon by determining that certain obligations including the Yukon Municipal Authority 2000 revenue note in the aggregate principal amount of not to exceed \$1,500,000 do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

Vice mayor Vinson made a motion, seconded Council Member Rundel, to approve Ordinance No. 1069.

The vote: AYES: Friesen, Vinson, Rundel, Weller NAYS: Jurgensen VOTE: 4-1 MOTION CARRIED

B) Consider approving emergency clause of Ordinance No. 1069

The emergency clause of Ordinance No. 1069 was approved on a motion made by Vice Mayor Vinson, seconded by Council Member Weller.

The vote: AYES: Weller, Rundel, Friesen, Vinson NAYS: Jurgensen VOTE: 4-1 MOTION CARRIED

5. Consider accepting water and sanitary sewer improvements to serve West End Pointe and accepting the maintenance bonds related thereto

Vice Mayor Vinson made a motion to accept the water and sanitary sewer improvements to serve West End Pointe and accepting the maintenance bonds related thereto. Council member Weller seconded.

The vote: AYES: Rundel, Vinson, Jurgensen, Friesen, Weller NAYS: None VOTE: 5-0 MOTION CARRIED

6. Consider approval of R & M Resources' request to mine an additional ten (10) acres located on their property at 4300 North Richland Road

Council Member Weller stated he had received several calls regarding this item from citizens and he has not had enough time to look into this sufficiently to answer their questions. he made a motion to table this item until the November 21, 2000 meeting. Vice Chair Vinson seconded.

The vote: AYES: Jurgensen, Weller, Friesen, Rundel, Vinson NAYS: None VOTE: 5-0 MOTION CARRIED

7. A) Consider approval of Ordinance No. 1070 which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-38(a) of the Code of Ordinances, to provide for alternate method of adjusting utility bills in the event of a water leak, and declaring an emergency

A motion was made by Vice Mayor Vinson, seconded by Council Member Weller, to approve Ordinance No. 1070, which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 114-38(a) of the Code of Ordinances, to provide for alternate method of adjusting utility bills in the event of a water leak.

Mayor Friesen stated this is really a benefit to the citizens.

City manager stated it could be a benefit to either side, as the "three (3) proceeding months" is clarified for adjustments that need to be made, and it will be on a more equitable basis.

The vote on the motion: AYES: Vinson, Friesen, Weller, Rundel, Jurgensen

NAYS: None VOTE: 5-0 MOTION CARRIED

B) Consider approval of emergency clause to Ordinance No. 1070

Emergency clause to Ordinance No. 1070 was approved on a motion made by Weller, seconded by Vinson.

The vote: AYES: Jurgensen, Rundel, Vinson, Weller, Friesen NAYS: None VOTE: 5-0 MOTION CARRIED

8. 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 to Abate Same

LOCATION	OWNER	VIOLATION
1213 S. First	Steele	Trash, Grass, Weeds
1316 Winnipeg	Folsome	Trash, Grass, Weeds
411 Yukon Avenue	Fowler	Trash, Grass, Weeds
Lots 2, 3, 4; Block 3, Westport Commerce Park	Gotez	Trash, Grass, Weeds
Lots 4, 5, 6, 9, 10, Block 1, Westport Commerce Park	Gotez	Trash, Grass, Weeds
500 S. Third	Dacus/Dearneal	Nuisance Vehicles
1315 Winnipeg	Folsome	Nuisance Vehicles
810 Ridgeway	Johnson	Nuisance Vehicles

Mayor Friesen stated that we will only be addressing 500 South Third, as all others have abated their situations.

Mitchell Hort, Community Development Director, presented pictures of the home and vehicles.

A motion was made by Council Member Weller, seconded by Council Member Rundel, to declare 500 South Third detrimental to the health, benefit and welfare of the public and community and direct staff to take appropriate action to abate same.

The vote: AYES: Weller, Vinson, Jurgensen, Friesen, Rundel NAYS: None VOTE: 5-0 MOTION CARRIED

9. New Business

10. Open Discussion

Council Member Jurgensen expressed his thanks to the citizens who have thanked him for what he has done for the city. He stated this "may be another close race."
Council Member Weller thanked the Park Department and staff for a great craft show this past weekend. He stated they did a great job.

Council Member Rundel thanked Representative Kouba for the ten years of service to Yukon and district 43 and for all the many things he has done for Yukon.

Council Member Rundel stated that the arsenic in the water situation is being revised and it looks like they will increase the percentage of allowable amount arsenic in the water.

Council Member Rundel stated they are also working on a TCIP grant for money to help construct and repair roads here in Yukon.

Vice Mayor Vinson thanked Tony Kouba for his outstanding leadership during his tenure as District 43 representative and reminded everyone of the Tony Kouba roast that will be held Saturday.

Vice Mayor Vinson stated that our Library is wonderful and they have been selected to be part of a pilot program for the Robert Byrd Health Science Center Library and this is just excellent for Yukon.

Vice Mayor Vinson also stated that he communications staff handled 2,575 calls in one month and she thinks that is incredible.

Mayor Friesen offered his thanks to Tony Kouba for all he has done for Yukon.

Russell Still was also thanked for his tour of the Treatment and Supply plant.

Mayor Friesen stated he wanted to recognize the Yukon High School girls' softball team for winning the state championship.

11. Adjournment

Steve Friesen, Mayor

Patricia G. Hargis, City Clerk