

YMA Consent Docket, consisting of the minutes of the regular meeting of July 1, 2003, and payment of claims in the amount of \$233,350.61.

The vote:

AYES: Larson, Alberts, Bradway, Maxey, Smaistrila

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 motion that will approve:

- A) The minutes of the regular meeting of July 1, 2003
- B) Payment of salary and material claims in the amount of \$322,199.66
- C) Entering into an agreement for services with Compassionate Hands, Inc.
- D) Entering into an agreement for services with Youth and Family Services, Inc.
- E) Entering into an Interlocal Agreement with Canadian County, District #3, pertaining to maintenance, construction, and repair to certain streets which were originally county section line roads and the responsibility of the City of Yukon
- F) Entering into a contract with OK County Community Corrections/RS (to replace the contract with New Directions)
- G) Consider waiving competitive bids and awarding a bid in an amount not to exceed \$20,890 to Joe Cooper Ford for a 15 passenger van to transport prisoners
- H) Setting the date for the next regular Council meeting for August 5, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Bradway made a motion to approve the Consent Docket, consisting of the minutes of the regular meeting of July 1, 2003; payment of salary and material claims in the amount of \$322,199.66; entering into an agreement for services with Compassionate Hands, Inc.; entering into an agreement for services with Youth and Family Services, Inc.; entering into an Interlocal Agreement with Canadian County, District #3, pertaining to maintenance, construction, and repair to certain streets which were originally county section line roads and the responsibility of the City of Yukon; entering into a contract with OK County Community Corrections/RS (to replace the contract with New Directions); consider waiving competitive bids and awarding a bid in an amount not to exceed \$20,890 to Joe Cooper Ford for a 15 passenger van to transport prisoners; and setting the date for the next regular Council meeting for August 5, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. Vice Mayor Alberts seconded the motion.

Council Member Bradway stated he would like to ask why we were waiving competitive bids for Item G.

The City Manager advised that this vehicle is being purchased at State contract price and they quit taking orders for these vans in April, so there are very few around. Mr. Crosby said that several companies were contacted, but these were the only price quotes we were able to obtain. Mr. Crosby added that if we wrote specs and advertised the required amount

of time, etc. that it would put us down the road about three months before we could acquire the van, and that would mean three months without the use of inmate labor.

Vice Mayor Alberts stated that Item E vaguely describes the roads this refers to and asked which roads this actually applies to.

Mr. Crosby stated whichever roads may need repair within our corporate city limits. He explained the reason this is worded as it is is due to the fact that we do not know which roads may need repair at this time, and they will be repaired on an "as needed" basis.

Mr. Alberts asked if the \$100 per hour the County charges is through a trade out of labor or cash.

Mr. Crosby said it will depend on the contract, but we can use in-kind service.

The vote:

AYES: Bradway, Smaistrila, Alberts, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Council Member Alberts asked the City Manager to give a summary of the road work on Vandament and Holly and at Vandament and Garth Brooks Boulevard.

City Manager Jim Crosby advised that Holly and Vandament is the first priority for completion and Highway 92 and Garth Brooks westbound is second. Mr. Crosby said that Holly and Vandament northbound should be open in about three weeks and Highway 92 in about four weeks.

3. Consider approving Resolution No. 2003-10, establishing the Nine-One-One Emergency Telephone Service fee rate for calendar year 2004

The motion to approve Resolution No. 2003-10, establishing the Nine-One-One Emergency Telephone Service fee rate at 3% for calendar year 2004 was made by Council Member Maxey and seconded by Council Member Larson.

Council Member Alberts asked if the 3% rate is the same as last year.

Mr. Crosby stated that it was and this is a housekeeping item.

The vote:

AYES: Alberts, Smaistrila, Maxey, Larson, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving Resolution No. 2003-11, amending Resolution No. 2003-8 which is a resolution closing the west half of 7th Street from Cedar to Kali Street by allowing temporary construction traffic as limited herein

A motion was made by Council Member Maxey, seconded by Vice Mayor Alberts, approving Resolution No. 2003-11, amending Resolution No. 2003-8 which is a resolution closing the west half of 7th Street from Cedar to Kali Street by allowing temporary construction traffic as limited herein.

Council Member Bradway said he did not think we should reconsider this item, because in the future, any decision the Council makes will be open to being contested.

Vice Mayor Alberts said his problem with this issue is the developer not being personally notified. Mr. Alberts said if these parties had been present at the time of the vote, perhaps we would have postponed the closing to allow him to do his dirt work. Mr. Alberts said he feels 90 days is too long and we don't want to make a habit of reversing our decisions. He stated he would like a compromise from the developer on the time limit, and asked what his minimum time frame would be.

Dean and Janis Kennett, 703 Cedar, stated the number one reason they do not want to reopen this road now is that they saw two people operating a bulldozer and drinking beer.

Mrs. Kennett said they have received "an outpouring of support from citizens" who agree it should not be reopened.

Jim Nievar, developer, said the drinking incident did not happen like that. He said the equipment was already loaded when the men sat down to drink a beer, and the police were there before they even got it opened. Mr. Nievar said the police report will verify this.

Council Member Bradway stated the dump trucks are going too close to the property and no one would like that. He asked how many trips a day these trucks were making.

Mr. Nievar said it would depend on where they are getting the dirt, but when they were getting it from Schwartz's, they were making about 25 trips a day.

Council Member Bradway said this must be very disturbing to all the neighbors and he wouldn't want to have to endure this. He reminded Mr. Nievar that he did have another access to his property.

Vice Mayor Alberts asked why the dirt can't be brought in from the other location.

Mr. Nievar said it can be, but not if the ground is wet.

Vice Mayor Alberts asked if anyone had approached him about closing this easement.

Mr. Nievar said he was out of town, but no one had contact any of his employees.

Mrs. Kennett said when they bought the property, they did not know that there was going to be this type of construction going on.

Mr. Alberts asked if the road was open at this time.

Mrs. Kennett said it was, but they were told that each construction area would have its own entrance. She further stated the City is going to have a big liability if they allow them to continue driving in this area due to the alcohol.

Jim Crosby said this area was never intended to be a road, that it is officially an easement and was a driveway to a home many years ago, but it was never a street. Mr. Crosby remarked that neither party will be happy with whatever decision is made tonight.

Vice Mayor Alberts asked if the resolution is written in such a way that the City Manager feels certain it can be controlled.

The City Manager said that if the Council wants to allow them access here, or to amend the number of days they can have access, it will be fine, but if they do not comply, he will immediately shut them down.

Vice Mayor Alberts said he would like to amend this to 30 or 45 days.

Council Member Larson said he would like to make a motion to amend the resolution to allow them sixty (60) days to access this roadway for dirt hauling. Council Member Maxey seconded the motion and called the vote.

The vote on the amendment to the motion was:

AYES: Maxey, Smaistrla, Alberts, Larson

NAYS: Bradway

VOTE: 4-1

MOTION CARRIED

The vote on the original motion as amended was:

AYES: Larson, Alberts, Smaistrla, Maxey

NAYS: Bradway

VOTE: 4-1

MOTION CARRIED

5. A) Consider approving Ordinance No. 1126, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that a part of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, an addition to the City of Yukon, Canadian County, Oklahoma, according to the recorded plat thereof be changed from "R-1" (Single Family Residential District) to "C-3" (Restricted Commercial District); and declaring an emergency (MidFirst Bank on Vandament)

A motion to approve Ordinance No. 1126, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that a part of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, an addition to the City of Yukon, Canadian County, Oklahoma, according to the recorded plat thereof be changed from "R-1" (Single Family Residential District) to "C-3" (Restricted Commercial District); and declaring an emergency (MidFirst Bank on Vandament) was made by Council Member Larson. The second to the motion was made by Vice Mayor Alberts.

The vote:

AYES: Smaistrla, Larson, Bradway, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1126

Council Member Maxey moved to approve the emergency clause of Ordinance No. 1126, with Council Member Larson seconding.

The vote:

AYES: Alberts, Maxey, Bradway, Larson, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. A) Consider approving Ordinance No. 1127, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 27.03 acres within a tract of land in the Southeast Quarter (SE/4) of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agricultural) to "C-5" (Automotive and Commercial Recreation District); and declaring an emergency (Mustang Road and 10th Street)

A motion to approve Ordinance No. 1127, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 27.03 acres within a tract of land in the Southeast Quarter (SE/4) of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agricultural) to "C-5" (Automotive and Commercial Recreation District); and declaring an emergency (Mustang Road and 10th Street) was made by Council Member Larson. Council Member Maxey seconded the motion.

The vote:

AYES: Larson, Maxey, Smaistrla, Alberts, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1127

Council Member Maxey made a motion, seconded by Council Member Larson, to approve the emergency clause of Ordinance No. 1127.

The vote:

AYES: Bradway, Alberts, Smaistrla, Maxey, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. A) Consider approving Ordinance No. 1128, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 30.70 acres within a tract of land in the Southeast Quarter (SE/4) of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agricultural) to "C-5" (Automotive and Commercial Recreation District); and declaring an emergency (Mustang Road and 10th Street)

Council Member Maxey made a motion to approve Ordinance No. 1128, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 30.70 acres within a tract of land in the Southeast Quarter (SE/4) of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agricultural) to "C-5" (Automotive and Commercial Recreation District); and declaring an emergency (Mustang Road and 10th Street), and Council Member Larson seconded the motion.

The vote:

AYES: Maxey, Smaistrle, Alberts, Bradway, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1128

A motion to approve the emergency clause of Ordinance No. 1128 was made by Council Member Maxey. The second to the motion was made by Council Member Larson.

The vote:

AYES: Larson, Bradway, Alberts, Maxey, Smaistrle

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. A) Consider approving Ordinance No. 1129, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 151.69 acres within a tract of land in the Southeast Quarter of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agriculture) to "R-1" (Single Family Residential District); and declaring an emergency (Mustang Road and 10th Street)

Council Member Larson moved to approve Ordinance No. 1129, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 151.69 acres within a tract of land in the Southeast Quarter of Section 28, Township 12 North, Range 5 West, be changed from "A" (Agriculture) to "R-1" (Single Family Residential District); and declaring an emergency (Mustang Road and 10th Street). The second to the motion was made by Council Member Maxey.

The vote:

AYES: Smaistrle, Alberts, Bradway, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1129

The emergency clause of Ordinance No. 1129 was approved on a motion made by Council Member Maxey and seconded by Council Member Larson.

The vote:

AYES: Bradway, Alberts, Maxey, Larson, Smaistrle

NAYS: None
VOTE: 5-0
MOTION CARRIED

9. A) Consider approving Ordinance No. 1130, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 52.41 acres within a tract of land in the Southeast Quarter of Section 28, Township 12 North, Range 5 West, be changed from "I-2" (Heavy Industrial District) to "R-3" (Multi-Family Residential District); and declaring an emergency (Mustang Road and 10th Street)

A motion was made by Council Member Maxey, seconded by Council Member Larson, to approve Ordinance No. 1130, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for 52.41 acres within a tract of land in the Southeast Quarter of Section 28, Township 12 North, Range 5 West, be changed from "I-2" (Heavy Industrial District) to "R-3" (Multi-Family Residential District); and declaring an emergency (Mustang Road and 10th Street).

The vote:
AYES: Alberts, Smaistrla, Larson, Bradway, Maxey
NAYS: None
VOTE: 5-0
MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1130

Council Member Maxey moved to approve the Emergency Clause of Ordinance No. 1130. The second to the motion was made by Council Member Larson.

The vote:
AYES: Maxey, Larson, Alberts, Smaistrla, Bradway
NAYS: None
VOTE: 5-0
MOTION CARRIED

10. Consider approving estimate from Brewer Construction Company to replace the 6" waterline at Lakeshore and Okieridge at a cost not to exceed \$15,931.70 and authorizing work to be done

Council Member Larson made a motion to approve the estimate from Brewer Construction Company to replace the 6" waterline at Lakeshore and Okieridge at a cost not to exceed \$15,931.70 and authorizing work to be done. Council Member Maxey made seconded the motion.

The vote:
AYES: Bradway, Maxey, Larson, Alberts, Smaistrla
NAYS: None
VOTE: 5-0
MOTION CARRIED

11. Consider approving abatement costs for the property listed below and filing lien against property with Canadian County Treasurer

ADDRESS	PROPERTY OWNER	LIEN AMOUNT
1013 Winnipeg (Lot 4, Block 7, Canadian Heights 2 nd Addition)	Forest & Gay Humphrey	\$183.48

A motion approving the abatement costs for 1013 Winnipeg, Lot 4, Block 7, Canadian Heights 2nd Addition, was made by Vice Mayor Alberts, with the second being made by Council Member Maxey. A lien in the amount of \$183.48 will be placed on the property, owned by Forest and Gay Humphrey.

The vote:

AYES: Smaistrle, Bradway, Maxey, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. Consider public hearing to determine whether the following properties should be declared detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same

ADDRESS	PROPERTY OWNER	VIOLATION
1205 South First Street	Pope	Trash, Grass, Weeds
415 South Third Street	Cook/Perry	Trash, Grass, Weeds
1317 Glenda Drive	Stevens/Wright	Nuisance Vehicle
1317 Glenda Drive	Stevens/Wright	Trash, Grass, Weeds
1101 Kingston Drive	King/Renevillia	Trash, Grass, Weeds
1101 Kingston Drive	King/Renevillia	Nuisance Vehicle
1018 Garden Grove	Rousey	Trash, Grass, Weeds
800 Cedar	Canco Trust	Trash, Grass, Weeds
507 Teakwood	Rogers/Ross	Trash, Grass, Weeds
612 Okieridge	Carr	Trash, Grass, Weeds
613 Okieridge	Carr	Trash, Grass, Weeds

All properties had been abated; no action was taken.

13. New Business

14. Council Discussion

Vice Mayor Maxey stated he appreciated everyone that was involved in helping with the great 4th of July activities.

Council Member Larson said he would second Council Member Maxey's remarks about the 4th. He said this was a very organized event and we have a lot of city employees that we should be thankful for. Council Member Larson said he was proud to be a citizen of Yukon.

Vice Mayor Alberts said he was out of town on the 4th, but heard that it was wonderful. He reminded everyone to shop locally and keep their tax dollars in town.

Mayor Smaistrla said she wanted to congratulate the city employees for the wonderful celebration they put on for the 4th of July.

15. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk

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