

Minutes



City Council Minutes December 7, 2004

The Yukon City Council met in regular session on December 7, 2004, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Kelsey Purifoy, Yukon High School student.

The flag salute was given in unison.

Roll Call: Present: John Alberts, Mayor
Bob Bradway, Vice Mayor
Earline Smaistrla, Council Member
Dewayne Maxey, Council Member
Ward Larson, Council Member

Others Present:
Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Tony Lum, Building Maintenance Department
Tammy Kretchmar, Administrative Assistant
Mitchell Hort, Community Development Director
J. R. Reed, Public Works Director
Jeff Lara, Fire Chief
John Corn, Deputy Police Chief

Presentations and Proclamations



Visitors



(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:

- A) The minutes of the regular meeting of November 16, 2004

Trustee Maxey made a motion to approve the minutes of the regular meeting of November 16, 2004, as presented. The second to the motion was made by Trustee Smaistrla.

The vote:

AYES: Bradway, Larson, Smaistrila, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

(Adjourn 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 November 16, 2004
- B) Payment of salary and material claims in the amount of \$268,482.92
- C) Acceptance of DEQ Permit No. SL000009041090 for construction of 675 L.F. of 8 inch sewer line to serve the Cedar Ridge Office Park
- D) Denying tort claim No. 18574-RS from Cory Perry Wietelman as recommended by the Oklahoma Municipal Assurance Group
- E) Setting the date for the next regular Council meeting for December 21, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Council Member Larson, seconded by Vice Mayor Bradway, to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of November 16, 2004; payment of salary and material claims in the amount of \$268,482.92; acceptance of DEQ Permit No. SL000009041090 for construction of 675 L.F. of 8 inch sewer line to serve the Cedar Ridge Office Park; denying tort claim No. 18574-RS from Cory Perry Wietelman as recommended by the Oklahoma Municipal Assurance Group; and setting the date for the next regular Council meeting for December 21, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Maxey, Larson, Alberts, Smaistrila, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider approving a rezoning application by Award Homes to rezone from R-3 and R-2 to R-1 for a part of the SE/4, Section 16, T12N, R5W, as recommended by the Planning Commission (Rosewood Addition)

Council Member Smaistrila moved to approve, with Council Member Larson seconding the motion, a rezoning application by Award Homes to rezone from R-3 and R-2 to R-1 for a part of the SE/4, Section 16, T12N, R5W, as recommended by the Planning Commission (Rosewood Addition).

The vote:

AYES: Alberts, Maxey, Bradway, Smaistrila, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving a preliminary plat for Rosewood Addition, as recommended by the Planning Commission, subject to noted changes requested by the Planning Commission

A motion to approve the preliminary plat for Rosewood Addition, as recommended by the Planning Commission, subject to noted changes requested by the Planning Commission, was made by Council Member Larson. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Smaistrla, Alberts, Maxey, Larson, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving a final plat for Rosewood Addition, as recommended by the Planning Commission

Council Member Maxey made the motion to approve the final plat for Rosewood Addition, as recommended by the Planning Commission. Council Member Smaistrla seconded the motion for approval.

The vote:

AYES: Larson, Maxey, Bradway, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approving a preliminary plat for Rose Petal Addition, as recommended by the Planning Commission, subject to noted changes requested by the Planning Commission

Vice Mayor Bradway made a motion to indefinitely postpone this item. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Bradway, Alberts, Smaistrla, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. A) Consider approving Ordinance No. 1156, abolishing the Central Business Historical District by repealing Ordinance Nos. 959, 960, 981, 1023 and 1025 and Appendix A, Section 607.1 through 607.11, and declaring an emergency

A motion to approve Ordinance No. 1156, an ordinance abolishing the Central Business Historical District by repealing Ordinance Nos. 959, 960, 981, 1023 and 1025 and Appendix A, Section 607.1 through 607.11, and declaring an emergency, was made by Vice Mayor Bradway. The motion was seconded by Council Member Smaistrla.

The vote:

AYES: Larson, Bradway, Alberts, Maxey, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1156

The emergency clause of Ordinance No. 1156 was approved on a motion made by Council Member Larson and seconded by Council Member Maxey.

The vote:

AYES: Smaistrla, Bradway, Larson, Alberts, Maxey

NAYS: None
VOTE: 5-0
MOTION CARRIED

8. A) Consider approving Ordinance No. 1157, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding new sections to be numbered Sections 59-1 and 59-2, providing for the establishment of a permitting process for the development of new hospitals and ambulatory surgical care facilities within the City of Yukon; establishing the requirement of an application, application fee, publication, application review, process for appeal by any aggrieved party and issuance of permit; and declaring an emergency

Vice Mayor Bradway made a motion to approve Ordinance No. 1157, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding new sections to be numbered Sections 59-1 and 59-2, providing for the establishment of a permitting process for the development of new hospitals and ambulatory surgical care facilities within the City of Yukon; establishing the requirement of an application, application fee, publication, application review, process for appeal by any aggrieved party and issuance of permit; and declaring an emergency. Second to the motion was made by Council Member Maxey.

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

B) Consider approving the Emergency Clause of Ordinance No. 1157

A motion to approve the Emergency Clause of Ordinance No. 1157 was made by Council Member Larson and seconded by Council Member Maxey.

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

9. A) Consider approving Ordinance No. 1158, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new section to be numbered Section 59-3 providing for the establishment of a permitting process for the development of new diagnostic imaging centers/facilities within the City of Yukon; establishing the requirement of an application, application fee, publication, application review, process for appeal by any aggrieved party and issuance of permit; and declaring an emergency

Vice Mayor Bradway made a motion to approve Ordinance No. 1158, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by adding a new section to be numbered Section 59-3 providing for the establishment of a permitting process for the development of new diagnostic imaging centers/facilities within the City of Yukon; establishing the requirement of an application, application fee, publication, application review, process for appeal by any aggrieved party and issuance of permit; and declaring an emergency. The second to the motion was made by Council Member Maxey.

The vote:
AYES: Bradway, Larson, Smaistrila, Alberts, Maxey
NAYS: None

VOTE: 5-0
MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1157

Council Member Smaistrla made a motion to approve the Emergency Clause of Ordinance No. 1157, with Council Member Maxey seconding the motion.

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

10. Consider approving Resolution No. 2004-18, a resolution authorizing the calling and holding of an election in the City of Yukon, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for three year terms ending in May, 2008

A motion to approve Resolution No. 2004-18, a resolution authorizing the calling and holding of an election in the City of Yukon, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for three year terms ending in May, 2008, was made by Council Member Smaistrla and seconded by Vice Mayor Bradway.

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

11. Consider approving and entering into contract with the Oklahoma Department of Commerce for the 2004 CDBG in an amount of \$73,763.00

Vice Mayor Bradway moved to approve entering into a contract with the Oklahoma Department of Commerce for the 2004 CDBG in an amount of \$73,763.00. The second to the motion was made by Council Member Larson.

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

12. Consider approving and entering into a renewal lease with the Commissioners of the Land Office for Commercial Lease #105716 (water rights)

Council Member Smaistrla made a motion to approve entering into a renewal lease with the Commissioners of the Land Office for Commercial Lease #105716 (water rights). A second to the motion was made by Council Member Maxey.

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

13. Consider receiving bids for the sale of \$3,900,000 General Obligation Bonds, Series 2005, and awarding sale of the bonds to the bidder bidding the lowest interest cost

A motion to approve receiving bids for the sale of \$3,900,000 General Obligation Bonds, Series 2005, and awarding sale of the bonds to the bidder bidding the lowest interest cost was made by Vice Mayor Bradway and seconded by Council Member Larson.

Jim Crosby, City Manager, advised that the bid for the bonds went to Stephens, Inc., who bid 3.962765% interest over the life of the bonds.

The vote:

AYES: Larson, Smaistrla, Alberts, Bradway, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

14. A) Introduce, consider and approve Ordinance No. 1159, an ordinance providing for the issuance of General Obligation Bonds in the sum of Three Million Nine Hundred Thousand Dollars (\$3,900,000) by the City of Yukon, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2005"; prescribing redemption provisions; designating the bonds for purposes of certain provisions of the Internal Revenue Code; providing for registration thereof; appointing a paying-agent registrar for the issue; approving the official statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; fixing other details of the bond sale and issuance; authorizing a continuing disclosure agreement; and declaring an emergency

City Attorney Mike Segler read the ordinance in full, after which Vice Mayor Bradway made a motion, seconded by Council Member Maxey, to approve Ordinance No. 1159, an ordinance providing for the issuance of General Obligation Bonds in the sum of Three Million Nine Hundred Thousand Dollars (\$3,900,000) by the City of Yukon, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2005"; prescribing redemption provisions; designating the bonds for purposes of certain provisions of the Internal Revenue Code; providing for registration thereof; appointing a paying-agent registrar for the issue; approving the official statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; fixing other details of the bond sale and issuance; authorizing a continuing disclosure agreement; and declaring an emergency.

The roll call vote was as follows:

AYES: Alberts, Bradway, Maxey, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1159

Council Member Maxey made a motion to approve the Emergency Clause of Ordinance No. 1159. The second to the motion was made by Council Member Smaistrla.

The vote:

AYES: Maxey, Alberts, Larson, Smaistrla, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

15. Consider and approve Registrar, Transfer Agent and Paying Agent Agreement with Bank of Oklahoma, National Association, with respect to \$3,900,000 General Obligation Bonds, Series 2005

A motion was made by Council Member Larson and seconded by Council Member Maxey to approve the Registrar, Transfer Agent and Paying Agent Agreement with Bank of Oklahoma, National Association, with respect to the \$3,900,000 General Obligation Bonds, Series 2005.

Vice Mayor Bradway asked if he understood correctly that the cost of this agreement is \$350.00. The City Manager stated he was correct.

The vote:

AYES: Bradway, Larson, Smaistrila, Alberts, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

16. Consider a 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

LOCATION	OWNER	VIOLATION
218 East Beech	Clements/Kittredge	Nuisance Vehicle
208 East Bass	Acre	Nuisance Vehicle
218 East Bass	Stokes/Clovis-Brewer	Nuisance Vehicle
900 Westport Boulevard	Body Builders	Trash, Grass, Weeds
703 Maple	Bishop/Nicholas	Trash, Grass, Weeds
300 Birch	Olmstead	Nuisance Vehicles
208 Choctaw Place	Foutz/Higgins	Nuisance Vehicle

Community Development Director Mitchell Hort presented a picture of the property at 218 East Beech, the only address remaining to be addressed from the above list.

Randy Kittredge, owner of the property, advised the Council that this vehicle was to be removed from his property this coming Saturday and asked if he could have this additional time to rectify the situation.

Vice Mayor Bradway made a motion, seconded by Council Member Larson, to postpone this item indefinitely to allow the vehicle's removal.

The vote:

AYES: Larson, Alberts, Bradway, Maxey, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

17. New Business

18. Council Discussion

◆ Vice Mayor Bradway asked how the cash reserves were doing since the new sales tax went into effect.

The City Manager said it was good and that 3/4 of a cent goes directly into the reserves and cannot be spent without Council approval.

Mr. Bradway asked if we are still working with the Tax Commission to set up codes to better identify city boundaries.

Mr. Crosby advised we were.

◆ Council Member Larson stated 63 years ago today, December 7, 1941, was a very significant day in our history and is a day we should always remember.

◆ Council Member Smaistrla reminded everyone that the annual Sounds of the Season Christmas program with the Oklahoma City Philharmonic will be December 16th and is a wonderful “gift” to our citizens and encouraged everyone to attend. She stated tickets are available by calling the Park and Rec Departments.

◆ Mayor Alberts stated this is a great performance and everyone should go. He advised the Mayor’s Christmas Party is Saturday from 10 a.m. until noon. Mr. Alberts also thanked Mr. Andrew’s class for being in attendance tonight.

Mayor Alberts encouraged everyone to take a little time to do a kindness during the holiday season.

19. Adjournment

John Alberts, Mayor

Patricia G. Hargis, City Clerk