

# Minutes



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## City Council Minutes June 7, 2005

The Yukon City Council met in regular session on June 7, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Roger Woodrome, Pastor of Town and Country Christian Church.

The flag salute was given in unison.

Roll Call: Present: Bob Bradway, Mayor  
Earline Smaistrla, Vice Mayor  
Dewayne Maxey, Council Member  
Ward Larson, Council Member  
John Alberts, 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  
Mitchell Hort, Community Development Director  
Tammy Kretchmar, Administrative Assistant  
Tim Rundel, Personnel/Safety Director  
J. R. Reed, Public Works Director  
Ike Shirley, Police Chief  
Jeff Lara, Fire Chief  
John Knuppel, Historical Committee



### Presentations and Proclamations Presentation to Mayor by Illona Morris

Illona Morris with the Yukon Sister City Committee said she brought greetings from Krnov's Mayor. Mrs. Morris stated she recently returned from visiting Krnov and one of their industries there is making organs. She stated there is a local church interested in purchasing an organ from Krnov and she thinks it would be wonderful to have that happen. Mrs. Morris presented a book and baseball cap from Krnov to Mayor Bradway.

Mayor Bradway thanked Mrs. Morris for the items and for helping with the Sister City program.



## Visitors

Jason Krenek, Yukon BMX Club, stated he wanted to give the Council an update on their progress at the BMX track. Mr. Krenek said they recently hosted the state championship race qualifiers and had over 100 contestants each day of the event. They will also be hosting a charity benefit this month, and they hope to get the state championship finals in Yukon this year. Mr. Krenek thanked the Council for their support.

Mayor Bradway asked when they will be able to start using their concession stand. Mr. Krenek said it will hopefully be within the month. Mr. Bradway asked if the club had enough revenue to guarantee completion. Mr. Krenek said they definitely do, that their revenue is doing well, it's just getting the project completed that has been a challenge.

Mayor Bradway thanked him for keeping the Council up-to-date on their progress.



(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 May 17, 2005
- B) Payment of claims in the amount of \$135,167.27

Trustee Maxey made a motion, seconded by Trustee Alberts, to approve the YMA Consent Docket, consisting of the minutes of the regular meeting of May 17, 2005, and payment of claims in the amount of \$135,167.27.

### **The vote:**

**AYES: Maxey, Larson, Smaistrle, Bradway, Alberts**

**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 May 17, 2005
- B) Payment of the salary and material claims in the amount of \$571,501.83
- C) Entering into an interlocal governmental cooperation agreement with the Canadian County Sheriff's Office for use of their jail facility for long-term incarcerations
- D) Entering into an interlocal governmental cooperation agreement with the City of Piedmont for use of the City of Yukon's jail facility
- E) Entering into an interlocal governmental cooperation agreement with the City of Mustang for use of the City of Yukon's firearms range
- F) Entering into an interlocal governmental cooperation agreement with the City of Piedmont to allow Yukon to provide after-hours dispatch services
- G) Authorizing Mayor to enter into contract with Havern, Behrens & Heim, CPAs, for accounting and consulting services
- H) Setting the date for the next regular Council meeting for June 21, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Vice Mayor Smaistrle made a motion to approve the Consent Docket, consisting of the minutes of the regular meeting of May 17, 2005; payment of the salary and material claims in the amount of \$571,501.83; entering into an interlocal governmental cooperation agreement with the Canadian County Sheriff's Office for use of their jail facility for long-term incarceration; entering into an interlocal governmental cooperation agreement with the City of Piedmont for use of the City of Yukon's jail facility; entering into an

interlocal governmental cooperation agreement with the City of Mustang for use of the City of Yukon's firearms range; entering into an interlocal governmental cooperation agreement with the City of Piedmont to allow Yukon to provide after-hours dispatch services; authorizing the Mayor to enter into contract with Havern, Behrens & Heim, CPAs, for accounting and consulting services; and setting the date for the next regular Council meeting for June 21, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The second to the motion was made by Council Member Larson.

**The vote:**

**AYES: Smaistrla, Alberts, Larson, Maxey, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**2. Report of Boards, Commissions and City Officials**

**3. Consider motion to accept the subdivision bonds for Sunrise Hills, Section 8**

Council Member Maxey moved to approve the subdivision bonds for Sunrise Hills, Section 8. Council Member Alberts seconded the motion for approval.

City Attorney Segler said that he had not been given a chance to review this item before placement on the agenda and he has found items that need to be changed. Mr. Segler said there are several references to Oklahoma City that need to be changed to "Yukon."

Mr. Maxey amended his motion to approve the subdivision bonds with the necessary changes made. Council Member Alberts amended his second to the motion to reflect the same.

**The vote:**

**AYES: Larson, Bradway, Alberts, Maxey, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. Consider a motion to approve the final plat for Rose Petal Addition, as recom-mended by the Planning Commission**

A motion was made by Council Member Larson to approve the final plat for Rose Petal Addition, as recommended by the Planning Commission. The second was made by Council Member Maxey.

Ron Schell, 200 Briarwood, said he was told twice that the water would run south from this new addition, and he is concerned with the water running onto his property as it has done for the past eight years. Mr. Schell said the City Engineer told him the water would flow down the drive and into the street, then into his property.

Mr. Williams, City Engineer, said the drainage as proposed meets with the City's ordinances. He also stated the next phase of this addition, Rosewood, will address part of this water problem. Mr. Williams said this housing project will not increase water flow in this area.

City Manager Jim Crosby said the detention pond in the southeast corner and the lots on the north side will flow north and the rest of the water will go into the detention pond and eventually drain east.

Mr. Williams said the water gets into the street on Mr. Schell's property and then gets on his property and ruins the top soil, yard, etc.

Mr. Crosby said with the new plan, the water will be held and then released, not just run onto the property as it now does.

Mr. Williams said that was correct.

Mr. Schell said on May 31st, it rained and the detention pond flowed onto his property, and if this is meeting the City code, he feels the Code needs to be modified so that the water will quit ruining his property. Mr. Schell said he had previously asked for a moratorium on building there until this problem was resolved, but the City said they couldn't do that and now you are allowing additional building and it will continue to flood his property.

Council Member Alberts asked the City Engineer if it is true the water will be slowed down some.

Mr. Williams said that was right and when the detention pond is put in, the water situation will be the same or less than it has historically.

Mr. Alberts said it appears that we are taking steps to alleviate this problem.

Mr. Williams said that was correct.

Council Member Alberts asked Mr. Schell what he wanted the City to do.

Mr. Schell said he felt all water should be made to flow to the north.

Mr. Alberts asked the Engineer if this was practical, to which Mr. Williams replied no. Mr. Williams said it was not feasible for the water to flow to the north.

Council Member Alberts asked Mr. Schell how his property has deteriorated due to the water.

Mr. Schell said he has had to install a French drain and cement the sidewalk to keep his house from being washed away. He stated that in the front of the property, the grass and flowers are killed due to the excessive water and he had to replant his lawn twice last year. Mr. Schell said we need to fix the existing problem now. Mr. Schell said he has tried three times to get a set of proposed drainage plans, but has not been able to get them from the City or engineer.

Mr. Crosby said that eight or nine years ago, Mr. Schell had a tremendous amount of water on him and since then, he continues to get a lot of water from the road, but he thinks that the Rosewood Addition will take care of part of Mr. Schell's problem. Mr. Crosby said this is an older addition and has no storm drains, but he feels the City has addressed the problem with the addition of the detention pond that is to be built. Mr. Crosby continued that the City has stringent drainage plans and they should help Mr. Schell. Mr. Crosby stated the water will continue to run toward Mr. Schell's home because that is how the streets were built at the time his home was constructed.

Mayor Bradway asked if there was going to be side-by-side detention ponds.

Mr. Williams said the developer for Rose Petal is not building two ponds; he is building a detention pond in close proximity of the one we have now.

Mr. Schell stated the water from the north doesn't reach him - it's the water from the church and from the concaved parking lot.

**The vote on the motion to approve:**  
**AYES: Alberts, Maxey, Smaistrla, Larson**  
**NAYS: Bradway**  
**VOTE: 4-1**  
**MOTION CARRIED**

**5. Consider awarding the bid for an animal crematorium to Crawford Industries in an amount not to exceed \$33,100.00 and authorizing purchase of same**

Council Member Maxey made a motion, seconded by Vice Mayor Smaistrla, to approve the purchase of an animal crematorium from Crawford Industries in an amount not to exceed \$33,100.00.

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

**6. Consider approving the Yukon Citizen Participation Plan for the 2005 CDBG Program**

Council Member Maxey made a motion to approve the Yukon Citizen Participation Plan for the 2005 CDBG program. Council Member Alberts seconded the motion.

City Engineer Robbie Williams advised that this is the fifth year to receive the \$73,763 matching grant from the Department of Commerce. Mr. Williams said this grant will be used to remove two sanitary sewer lines on First and Third Streets and relocating the sewer lines, then repaving the road, and also to provide waterlines in the affected area.

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

**7. Consider approving the Statement of Needs for the 2005 CDBG application**

Vice Mayor Smaistrla made a motion to approve the Statement of Needs for the 2005 CDBG application, with Council Member Larson seconding the motion.

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

**8. Consider approving Resolution No. 2005-06, a resolution allocating \$73,763.00 as a match for a Community Development Block Grant of \$73,763.00 for installation and repair of infrastructure; and authorizing execution of**

## **documents necessary to the transaction**

Vice Mayor Smaistrle moved to approve Resolution 2005-06, a resolution allocating \$73,763.00 as a match for a Community Development Block Grant of \$73,763.00 for installation and repair of infrastructure; and authorizing execution of documents necessary to the transaction. Council Member Alberts seconded the motion.

### **The vote:**

**AYES: Bradway, Larson, Maxey, Smaistrle, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **9. Consider entering into a contract with the Oklahoma Municipal Assurance Group for the Life and Health Benefits Plan for the City of Yukon**

Council Member Larson moved, with Council Member Maxey seconding, to approve entering into a contract with the Oklahoma Municipal Assurance Group for the Life and Health Benefits Plan for the City of Yukon.

### **The vote:**

**AYES: Larson, Smaistrle, Maxey, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **10. Consider a motion appointing a Trustee and Alternate Trustee to the Oklahoma Environmental Management Authority Board of Trustees**

Council Member Alberts made a motion to approve appointing a Trustee and Alternate Trustee to the Oklahoma Environmental Management Authority Board of Trustees. Vice Mayor Smaistrle made the second to the motion appointing Dewayne Maxey as Trustee and Jim Crosby as Alternate Trustee.

### **The vote:**

**AYES: Alberts, Bradway, Smaistrle, Larson**

**NAYS: Maxey**

**VOTE: 4-1**

**MOTION CARRIED**

## **11. Consider approving the 2005-2006 Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police, Lodge 173**

This item was removed from the agenda.

## **12. Consider setting abatement costs for 1103 South Third Street at \$182.81 and authorizing a lien on the property be placed with the Canadian County Treasurer**

A motion was made by Council Member Alberts, seconded by Council Member Maxey, to set the abatement costs for 1003 South Third Street at \$182.81 and authorized a lien on the property be placed with the Canadian County Treasurer.

**The vote:**

**AYES: Larson, Alberts, Bradway, Smaistrla, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**13. A) Consider approving Ordinance No. 1171, an ordinance amending the retirement system defined benefit plan of the City of Yukon, Oklahoma, by providing a special retirement option for certain eligible employees based on the age and vested status of such employees; providing for severability; and declaring an emergency**

Vice Mayor Smaistrla moved to approve Ordinance No. 1171, an ordinance amending the retirement system defined benefit plan of the City of Yukon, Oklahoma, by providing a special retirement option for certain eligible employees based on the age and vested status of such employees; providing for severability; and declaring an emergency.

The second to the motion was made by Council Member Alberts.

The City Manager stated there were 14 or 15 employees eligible for this retirement, but so far we know of only one is going to retire.

**The vote:**

**AYES: Bradway, Smaistrla, Alberts, Maxey, Larson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**B) Consider approving the Emergency Clause of Ordinance No. 1171**

Council Member Larson made a motion, seconded by Council Member Maxey, to approve the Emergency Clause of Ordinance No. 1171.

**The vote:**

**AYES: Maxey, Larson, Smaistrla, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**14. Consider approving Resolution 2005-05, a resolution of the City of Yukon adopting the operating budget for Fiscal Year 2006**

Resolution No. 2005-05, a resolution of the City of Yukon adopting the operating budget for FY 2006, was approved on a motion made by Council Member Maxey and seconded by Vice Mayor Smaistrla.

**The vote:**

**AYES: Smaistrla, Larson, Alberts, Bradway, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**15. 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**

<b>LOCATION</b>	<b>OWNER</b>	<b>VIOLATION</b>
311 Vickie	Jenkins	Trash, Grass, Weeds
600 East Main	Yukon round Up Club	Trash, Grass, Weeds
1039 Cedar	Dickerson	Trash, Grass, Weeds
1039 Cedar	Dickerson	Nuisance Vehicle
1101 Kingston	King	Trash, Grass, Weeds
1101 Kingston	King	Nuisance Vehicle
612 Park Drive	Keys	Trash, Grass, Weeds
Lots 2, 3, 4; Block 3, Westport Commerce Park	Onpoint Construction	Trash, Grass, Weeds
Lots 4, 5; Block 1 Westport Commerce Park	Onpoint Construction	Trash, Grass, Weeds

Community Development Director Mitchell Hort stated only the property at 1101 Kingston remains to be addressed, as 311 Vickie was abated late this afternoon. Mr. Hort said there are two violations at this address, both for trash, grass and weeds and for nuisance vehicles.

After reviewing the pictures Mr. Hort presented, a motion was made by Council Member Larson, seconded by Council Member Alberts, to declare the property at 1101 Kingston as detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, directed the City Manager to take appropriate action to abate same.

**The vote:**

**AYES: Bradway, Maxey, Alberts, Larson, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**16. New Business**

**17. Council Discussion**

Vice Mayor Smaistrla stated the Concerts in the Park have begun and urged everyone to come out and enjoy the park and music.

**18. Consider a motion to recess as Yukon City Council and convene into Executive Session to discuss personnel**

Council Member Alberts made a motion to recess as Yukon City Council and to convene into Executive Session to discuss personnel. The second to the motion was made by Vice Mayor Smaistrla.

**The vote:**

**AYES: Alberts, Smaistrla, Bradway, Maxey, Larson**

**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**19. Consider a motion to adjourn from Executive Session and reconvene as Yukon City Council**

Council Member Alberts made a motion, seconded by Vice Mayor Smaistrla, to adjourn from Executive Session and reconvene as Yukon City Council.

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

20. Adjournment

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk