

Yukon City Council Minutes October 2, 2012

The Yukon City Council met in regular session October 2, 2012 at 7:00 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Pastor Bob Younts of First United Methodist Church.
The flag salute was given in unison.

ROLL CALL: (Present) John Alberts, Chairman
 Michael McEachern, Trustee
 Nick Grba, Trustee
 Rick Opitz, Trustee

(Absent) Ken Smith, Vice-Chairman

OTHERS PRESENT:

Mike Segler, City Attorney	Doug Shivers, City Clerk
Tammy Kretchmar DeSpain, Asst. City Mgr	Kevin Jones, Fire Chief
John Corn, Chief of Police	Robbie Williams, City Engineer
Arnold Adams, Public Works Director	Jan Scott, Park and Recreation Director
Josh Gotcher, Information Technology	Jerome Brown, Information Technology
Bill Stover, Sanitation	Mitch Hort, Community Development Director
Jeff Deckard, Parks Superintendent	

Presentations and Proclamations

Mayor Alberts read a Proclamation acknowledging "Fire Prevention Week" and presented it to Fire Chief Kevin Jones and fellow firemen, C. McDoulett, J. Graham, and T. Loveless. Kevin Jones asked that we focus on fire prevention and have an escape plan.

Mayor Alberts presented a new award to recognize people who do things in our community. This person makes Yukon a better place for you and me. The new award is called, Yukon's Best Citizenship Award. The first person to receive this award is Mr. Bob Wheeler. He has taken the time to water trees, clean the pond, care for the geese and many other things to make Yukon a better place. He is a leader and a fine example of a great neighbor and citizen of Yukon. Mr. Wheeler said when you do something good others will too.

Visitors

There were no 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 an 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 September 18, 2012**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting September 18, 2012, was made by Trustee Grba and seconded by Trustee Opitz.

The vote:

AYES: Opitz, McEachern, Grba, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Consider approving an expenditure of funds in the amount of \$42,957.00, for a Vaughn Chopper pump, from the Capital Improvement Fund, as recommended by the Public Works Director.

The motion to approve an expenditure of funds in the amount of \$42,957.00, for a Vaughn Chopper pump, from the Capital Improvement Fund, as recommended by the Public Works Director, was made by Trustee McEachern and seconded by Trustee Opitz.

Trustee Opitz wanted to know if the old pump could be rebuilt for the next time it was to go down. Arnold Adams, Public Works Director, stated the new pump is a different style of pump. The current pump has been rebuilt three times in the past two years and to replace it would cost \$86,000. Trustee Opitz wanted to know if the new chopper pump could be rebuilt. Mr. Adams stated, yes.

Mr. Bottom asked Mr. Adams to explain the reason behind going to a chopper pump. Mr. Adams said that carpet and lumber is making its way into the sewer system. As of right now, employees have to go down 15 feet in a hole, remove a plate and stick their hand in the pipe to remove the trash. By going to the chopper pump, it will actually chop these items up and allow the sewer system to keep flowing.

Trustee Grba questioned the life cycle of the chopper pump. Mr. Adams stated 20 years.

Mayor Alberts wanted to know what the pump looked like. The old pump is water sealed and the new pump is oil-sealed. Mayor Alberts wanted to know, if the new pump would shut its self off. Mr. Adams said it will shut itself down, so it won't burn up. The old pump did not have that feature.

Trustee McEachern questioned the warranty of the chopper pump. Mr. Adams stated it has one year of full replacement and pro-rated after that. Trustee McEachern wanted to know about an extended warranty. Mr. Bottom said it is cheaper to repair because of pro-rated warranty versus buying the extended warranty.

The vote:

AYES: Grba, Opitz, Alberts, McEachern

NAYS: None

VOTE: 4-0

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 an 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 September 18, 2012

B) Payment of material claims in the amount of \$551,840.50

- C) Designating the items on the attached list from the Technology Department as surplus, and authorizing their sale, donation, or trade
- D) Setting the date for the next regular Council meeting for October 16, 2012, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.

The motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of September 18, 2012; Payment of material claims in the amount of \$551,840.50; Designating the items on the attached list from the Technology Department as surplus, and authorizing their sale, donation, or trade; Setting the date for the next regular Council meeting for October 16, 2012, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.; was made by Council Member Opitz and seconded by Council Member Grba.

The vote:

AYES: Alberts, Grba, McEachern, Opitz

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials - Planning Commission, Larry Taylor

Mr. Taylor named the members of the Planning Commission. He also referred to Mr. McEachern as a previous member with Mr. Davis being appointed to his position, once he became a Council Member. Mr. Taylor reviewed the duties of the Planning Commission, agendas from last year and his history on the Board of Adjustments and Planning Commission.

Council Member Opitz commended Mr. Taylor for the job he does and for serving this city.

Council Member McEachern repeated Mr. Opitz feelings. He served with Larry and things are no longer pushed through.

Mr. Taylor stated his job is to do the background work, so the Council Members could make an informed decision.

Mayor Alberts thanked Mr. Taylor for his support and information.

3. Consider approving an expenditure of funds in the amount of \$25,379.66, for the purchase of two Bobcat Utility Vehicles, from the Capital Improvement Fund, to be reimbursed from the Master Lease Purchase, as recommended by the Parks and Recreation Director.

The motion to approve an expenditure of funds in the amount of \$25,379.66, for the purchase of two Bobcat Utility Vehicles, from the Capital Improvement Fund, to be reimbursed from the Master Lease Purchase, as recommended by the Parks and Recreation Director, was made by Council Member Opitz and seconded by Council Member McEachern.

Council Member Opitz wanted to know, if the vehicles could be legally driven on the road or do they have to be hauled? Mr. Bottom stated they are road worthy, but have turf tires. Mr. Opitz wanted to know, if there was a warranty? Mr. Bottom stated, yes.

Mayor Alberts would like the reimbursement explained. Mr. Bottom stated the Master Lease Purchase was to even out the cash flow. We know every month the amount that will be spent.

Council Member McEachern would like more explanation. Council Member Grba said we are actually paying ourselves back from the Master Lease Purchase into the Capital Improvement Fund.

The vote:

AYES: McEachern, Alberts, Opitz, Grba

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. **Consider approving an expenditure of funds, not to exceed \$42,500, for remodel work at Station #2, from the Capital Improvement Fund, as recommended by the Fire Chief.**

The motion to approve an expenditure of funds, not to exceed \$42,500, for remodel work at Station #2, from the Capital Improvement Fund, as recommended by the Fire Chief, was made by Council Member McEachern and seconded by Council Member Grba.

The vote:

AYES: McEachern, Grba, Alberts, Opitz

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. **Consider approving an expenditure of funds in the amount of \$63,800, for restriping of the following streets, (1) Vandament - Holly to London, (2) N.W. 10th - Shedeck to Vickery, (3) Cornwell - E. Mesa Verde to I-40 Bridge Deck, (4) Cornwell -Bass to Janice, (5) Garth Brooks - Main St. north to Railroad Tracks, from the Capital Improvement Fund, as recommended by the Public Works Director.**

The motion to approve an expenditure of funds in the amount of \$63,800, for restriping of the following streets, (1) Vandament - Holly to London, (2) N.W. 10th -Shedeck to Vickery, (3) Cornwell - E. Mesa Verde to I-40 Bridge Deck, (4) Cornwell -Bass to Janice, (5) Garth Brooks - Main St. north to Railroad Tracks, from the Capital Improvement Fund, as recommended by the Public Works Director, was made by Council Member Grba and seconded by Council Member Opitz.

The vote:

AYES: Grba, Opitz, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. **Consider approving an expenditure of funds not to exceed \$60,000, for an emergency repair to the bridge located 1/8 mile North of Wagner Rd. on Yukon Parkway, from the Capital Improvement Fund.**

The motion to approve an expenditure of funds not to exceed \$60,000, for an emergency repair to the bridge located 1/8 mile North of Wagner Rd. on Yukon Parkway, from the Capital Improvement Fund, amended to include declaration of emergency, was made by Council Member McEachern and seconded by Council Member Opitz.

Mr. Bottom stated the bridge is failing.

Council Member Opitz noted the road is a Dead End road. Mr. Opitz would like to see, if a large tinhorn can be used. Wagner is well traveled and tinhorns are in place. This segment of road dead ends to 12-15 homes and is less traveled than Wagner road. The cost, by using tinhorns could be cut in half. Mr. Bottom said to make it a not to exceed number, if worried about cost. Mr. Opitz does agree the bridge needs fixed right away, but should look at a different way to fix it.

Council Member Grba agrees it needs repaired, but would like the city to explore other ways to fix it.

Mr. Bottom stated part of the cost is making a temporary road. It is the only way in and out of this area. Arnold Adams stated the cost of the temporary road is \$13,000.

City Engineer Robbie Williams said the 6X3 reinforced concrete box will last 50-100 years, whereas the tinhorn will only last 10-20 years.

Mr. Adams also stated the new bridge will be wide enough for two vehicles. Council Member Grba wanted to know what it would be made of and if there would be any guard rails? Mr. Adams said it would be concrete with curbs on each side. Mr. Opitz was concerned that Wagner Road, being more heavily traveled, with tinhorns in place, would not last as long.

Council Member McEachern stated all the area is in a flood plain. The bridge has to be something substantial and it has to be fixed right. Wagner road will be a discussion later on, it already has issues.

Mike Segler suggested amending the motion and including a declaration of emergency. He stated that the emergency allows the City Manager to spend the funds not to exceed \$60,000, and allows for the bid to be unit-priced with Brewer Construction Company. Council Member McEachern agreed to amend his motion as such.

Doug Shivers read Item with amendment to include a declaration of emergency, and Council Members voted as follows. Mr. Segler clarified that no separate vote for an emergency clause was needed. The item as now stated gives the City Manager leeway to use the best remedy to repair the bridge.

Mr. Opitz made a motion to approve the amendment, seconded by Mr. Grba.

A vote was taken for the amendment.

The vote:
AYES: Alberts, Opitz, McEachern, Grba
NAYS: None
VOTE: 4-0
MOTION CARRIED

A vote was taken for the motion.

The vote:
AYES: Opitz, McEachern, Grba, Alberts
NAYS: None
VOTE: 4-0
MOTION CARRIED

7. Consider approving Ordinance No. 1278, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 98-11 by providing for future increases in fees for residential removal and disposition of solid waste; and declaring an emergency.

The motion to approve Ordinance No. 1278, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 98-11 by providing for future increases in fees for residential removal and disposition of solid waste; and declaring an emergency, was made by Council Member Opitz and seconded by Council Member Grba.

Council Member McEachern questioned the future increase in fees. Mr. Segler stated the first increase will be in two weeks, at the first billing period after October 1, 2012, and the ordinance allows for built in increases in the future.

Mayor Alberts would like to know why it is important to separate trash, water and sewer and increase the rates. Mr. Bottom stated the sanitation rates were going up, so the City sent out bids for sanitation operations. Upon reviewing the bids, it was realized the City running the sanitation, would be cheaper. However, to recapitalize itself an operate as an enterprise fund, the rate increase is needed.

The water and sewer rate could be less for some residents. It depends on the amount of water used as to whether or not you will see a rate increase. Sewer rates must equal 60% of the water rates. Our sewer rates are at 30%, as of today. Over the years, we have had to raise the water rates to cover the sewer rates. So, in order to increase the sewer rates, we will need to unbuckle it from the water rate. By doing this, we do not have to raise the water rates artificially high to cover the sewer. Secondly, sewer can stand on its own for recapitalization. Ultimately sewer rates should be able to cover any improvements needed for sewer plant projects.

Council Member McEachern stated we are dead center in rates among our surrounding community. Mr. Bottom stated we are sensitive to rates in the surrounding community and we will stay \$1 below. We do not want to be considered the highest rate of utilities in the surrounding community.

Mayor Alberts requested the comparable rate information be shared with the media. Mr. Bottom stated he has already shared this information with the Yukon Review.

Council Member McEachern believes it is important for the city to understand the rates. The community needs to know we are good caretakers of their money.

The vote:

AYES: Opitz, Grba, McEachern, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

7A. Consider approving the Emergency Clause of Ordinance No. 1278.

The motion to approve the Emergency Clause of Ordinance No. 1278, was made by Council Member Grba and seconded by Council Member McEachern.

The vote:

AYES: McEachern, Grba, Alberts, Opitz

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. Consider approving Ordinance No. 1279, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 114-35 by providing future increase in fees for use and maintenance of the Sanitary Sewer System; and declaring an emergency.

The motion to approve Ordinance No. 1279, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 114-35 by providing future increase in fees for use and maintenance of the Sanitary Sewer System; and declaring an emergency, was made by Council Member McEachern and seconded by Council Member Opitz.

The vote:

AYES: Opitz, Alberts, McEachern, Grba

NAYS: None

VOTE: 4-0

MOTION CARRIED

8A. Consider approving the Emergency Clause of Ordinance No. 1279.

The motion to approve the Emergency Clause of Ordinance No. 1279, was made by Council Member Grba and seconded by Council Member Opitz.

The vote:

AYES: Alberts, McEachern, Opitz, Grba

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. Consider approving Ordinance No. 1280, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 114-34 by providing for future increases in fees for water service; and declaring an emergency.

The motion to approve Ordinance No. 1280, an Ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma by amending Section 114-34 by providing for future increases in fees for water service; and declaring an emergency, was made by Council Member Grba and seconded by Council Member McEachern.

The vote:

AYES: Grba, Alberts, McEachern, Opitz

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 9A. Consider approving the Emergency Clause of Ordinance No. 1280.

The motion to approve Consider approving the Emergency Clause of Ordinance No. 1280, was made by Council Member Opitz and seconded by Council Member Grba.

The vote:

AYES: Alberts, Opitz, Grba, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

10. City Manager's Report – Information items only

A. Events Report

Mr. Bottom stated that Saturday is Czech Festival. We have been getting ready all week long. The weather forecast says it will cold, so dress accordingly.

Annually we give away 250 trees. These trees are made possible by Apache Oil and The Tree Bank Foundation. You can receive two free trees per a person located at the City Park football fields on October 12 from 5:30pm to 7:00pm.

Sounds of the Season is on Thursday, December 13. There will be more information at a later time.

Christmas in the Park is ahead of schedule. It is a big event and we host about 68,000 cars and 250,000 people.

The City has been awarded a non-cash grant for our Community Development and Parks and Recreation Department. This grant will be to design walking and biking paths throughout the City of Yukon and will hopefully connect to Lake Overholser. The grant was from the United States Department of Interior National Park Services.

Mr. Bottom presented a Yukon Moment. In May 1906 a town election was held. An injunction was filed to prevent the seating of the Ward 3 candidate. The judge ordered the council to recount the ballots at a later time and ordered the box to be secured in the jail. When the time to recount the ballots came, the lock from the box was found in the jail cell with a note saying "ballot box stolen". Due to this, the judge had the referees give sworn statements of the previous count and the Ward 3 Trustee was named.

11. **New Business** None at this time.

12. **Council Discussion**

Council Member Opitz loves the Yukon Moment. Yukon is a great city, please share any thoughts or concerns with us. Please come to the Czech fest, it will be a great day.

Council Member McEachern encouraged the citizens to come to the Czech fest. He thought it was special to recognize Bob Wheeler tonight. Also, Larry Taylor has served a lot of different areas in the City of Yukon. We are very grateful to have the street sweeper. Yukon is a great place to live.

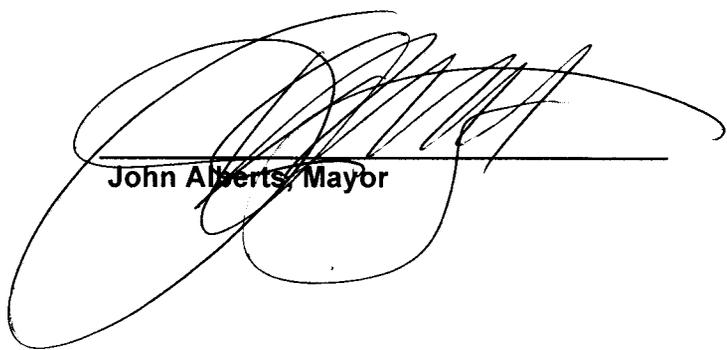
Council Member Grba wants everyone to come to the Czech fest. Also wanted to piggyback on the others remarks, Yukon is a great place.

Mayor Alberts thanked Mr. Andrews class for staying through the whole meeting. He enjoys the discussions the council has and the progress they are making.

13. **Adjournment**



Doug Shivers, City Clerk



John Alberts, Mayor

