

# Yukon City Council Minutes

## December 20, 2011

The Yukon City Council met in regular session on December 20, 2011 at 7:00 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

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

ROLL CALL: (Present) John Alberts, Mayor  
Bob Bradway, Council Member  
Ken Smith, Council Member  
Dewayne Maxey, Council Member  
(Absent) Nick Grba, Vice-Mayor

### OTHERS PRESENT:

Mike Segler, City Attorney	Tammy Kretchmar, Asst. City Manager
Robbie Williams, City Engineer	Doug Shivers, City Clerk
Mitch Hort, Community Development Director	Frosty Peak, Emergency Management Director
Gary Cooper, Information Technology Director	Bill Stover, Asst. Public Works Director
Michael Malmfeldt, City Treasurer	Matt Maly, Public Works Director
Jan Scott, Parks and Recreation Director	Cheryl Dunn, Finance Department
John Corn, Acting Police Chief	Philip Merry, Finance Department

### Presentations and Proclamations

There were no Presentations or Proclamations.

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### Visitors

Mr. Vince Orza of KSBI-TV addressed the Council regarding the extensive amount of local coverage his locally-owned station provides to Oklahoma, and then noted that he had been advised that Cox Cable wanted to drop the station from its available channels. He asked the Council to consider this information when the Cox franchise agreement next came up for discussion.

(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 December 6, 2011
- B) Payment of material claims in the amount of \$227,247.65

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 1, 2011, and Payment of material claims in the amount of \$474,013.94, was made by Trustee Smith and seconded by Trustee Maxey.

### 2A. Present, Discuss, and Consider accepting the Fiscal Year 2010-2011 Yukon Municipal Authority Audited Financial Report, as prepared by CBEW Professional Group, LLP

The motion to accept the Fiscal Year 2010-2011 Yukon Municipal Authority Audited Financial Report, as prepared by CBEW Professional Group, LLP, was made by Trustee Bradway and seconded by Trustee Smith.

City Treasurer Michael Malmfeldt introduced Chuck Crooks of CBEW Professional Group, LLP, who oversaw the audit. Mr. Crooks thanked the Council for the opportunity to perform the Audit, and then explained briefly what the audit covered and what items were examined.

Mr. Crooks stated that the audit was unqualified, meaning that it was "clean". He said there were no findings on internal controls or compliance. He explained that in performing the audit, all areas are examined. He mentioned that utility billings and collections are tested, capital items are located, and other departments have their controls tested, as examples of what the audit consists of.

Trustee Bradway asked if the procedure was to go to the source documents, backtrack to the item, and then if there was an issue, to note this in the deficiencies, and Mr. Crooks confirmed. Chairman Alberts asked if there were any suggestions, and Mr. Crooks explained that he had conducted an exit

conference with City Manager Bottom after the audit was concluded, and it was there that suggestions were made. He also stated that many of the suggestions were already implemented. There were no additional questions from the Trustees.

**The vote:**

**AYES: Alberts, Bradway, Maxey, Smith**

**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 December 6, 2011**
- B) Payment of material claims in the amount of \$535,504.86**
- C) Payment of Invoice No. 7987, in the amount of \$26,964, to Triad Design Group, for the Piedmont Road (SH 4) from Main Street (OK 66) to Northwest Expressway (SH 3) project, to be paid from Oklahoma City Escrow Account Funds**
- D) Moving the City Council meeting scheduled for Tuesday, July 3, 2012, to Monday, July 2, 2012, in order to avoid conflict with the Tribute to Veterans Ceremony**
- E) The medical disability retirement of Nancy Poteet**
- F) Setting the date for the next regular Council meeting for January 3, 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 minutes of the regular meeting of December 6, 2011; payment of material claims in the amount of \$535,504.86; payment of Invoice No. 7987, in the amount of \$26,964, to Triad Design Group, for the Piedmont Road (SH 4) from Main Street (OK 66) to Northwest Expressway (SH 3) project, to be paid from Oklahoma City Escrow Account Funds; moving the City Council meeting scheduled for Tuesday, July 3, 2012, to Monday, July 2, 2012, in order to avoid conflict with the Tribute to Veterans Ceremony; the medical disability retirement of Nancy Poteet; and setting the date for the next regular Council meeting for January 3, 2012, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Maxey and seconded by Council Member Smith.

**The vote:**

**AYES: Maxey, Bradway, Smith, Alberts**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**2. Report of Boards, Commissions and City Officials**      There was no report.

**3. Consider approving Resolution No. 2011–12, a Resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for four-year terms ending in May, 2016.**

The motion to approve Resolution No. 2011–12, a Resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one Council Member from Ward 3 and one Council Member from Ward 4 for four-year terms ending in May, 2016, was made by Council Member Bradway and seconded by Council Member Maxey.

**The vote:**

**AYES: Maxey, Smith, Alberts, Bradway**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**4. Present, Discuss, and Consider accepting the Fiscal Year 2010-2011 City of Yukon Audited Financial Report, as prepared by CBEW Professional Group, LLP**

The motion to accept the Fiscal Year 2010-2011 City of Yukon Audited Financial Report, as prepared by CBEW Professional Group, LLP, was made by Council Member Bradway and seconded by Council Member Maxey.

**The vote:****AYES: Bradway, Smith, Alberts, Maxey****NAYS: None****VOTE: 4-0****MOTION CARRIED****5. Consider approving an expenditure of funds in the amount of \$51,933.00 for the repair of composition roofs on multiple City buildings, to be paid from insurance reimbursement funds, and awarding the bid for said repairs to Preferred Roofing, as recommended by the Community Development Director**

A motion to deny approving an expenditure of funds in the amount of \$51,933.00 for the repair of composition roofs on multiple City buildings, to be paid from insurance reimbursement funds, and awarding the bid for said repairs to Preferred Roofing, as recommended by the Community Development Director, was made by Council Member Bradway and seconded by Council Member Maxey.

Council Member Smith asked Mr. Bradway why his motion was to deny. City Attorney Segler explained that bid bonds of 5% were statutory for projects exceeding \$50,000.00, and that no bonds were submitted by any bidders; thus there were no qualified bidders. Mr. Smith asked if the motion could be made to accept the bid pending presentation of the bond, but Mr. Segler advised that this was not allowable under the law. Mr. Smith asked if the project went to bid again, and Mr. Bottom confirmed it would. Mayor Alberts asked an audience member if he had comments; the person identified himself as Jeff Gregory from SRI Construction, and he said he had asked about the need for a bid bond and was advised it was not necessary. Mr. Gregory then mentioned that his company had the lowest bid. Mayor Alberts advised that discussion on that matter was not appropriate at this time.

**The vote:****AYES: Alberts, Smith, Maxey, Bradway****NAYS: None****VOTE: 4-0****MOTION TO DENY CARRIED****6. DISCUSSION ITEM – City of Yukon Investment Policy (John Alberts)**

Mr. Bottom said that the Investment Policy had been presented to Council for review, and since then, the City Attorney had made minor changes. Staff was now satisfied with the document as written. He then introduced Russ Meacham, the City's financial advisor.

Mr. Meacham gave a brief summary of the need for an investment policy, said it was to allow for investing funds as determined by the Council, noted it was limited by several State Statutes, and that the guidelines for developing the policy were the safety of the funds, the liquidity of the funds, and the return on investment, in that order.

Mr. Maxey asked about the typical term of investments, and Mr. Meacham responded that it was usually one year, with the possibility of 18 to 24 months. Mr. Smith asked if the investment options were given to the City Treasurer, then given to the Council for approval, and Mr. Meacham affirmed. Mr. Bradway asked if investment proceeds were reinvested, and Mr. Bottom said the best plan was to "ladder" the investments so as to preserve liquidity. Mr. Bradway also asked what would be a reason to withdraw money, and Mr. Bottom said it would usually be an emergency.

Mayor Alberts asked if the policy complied with State Statutes and Mr. Meacham deferred to the City Attorney. Mr. Segler said it did comply. Mr. Alberts wondered if the Yukon policy was similar to any others, and Mr. Meacham noted that it compared to that of several other cities, and originated in Norman. Mr. Bottom asked if there were any unique features, and Mr. Meacham referred to investment percentages and maturity schedules for investments. Mr. Bottom also pointed out that the policy described when and where funds could be invested. Mayor Alberts asked Mr. Meacham if he was satisfied that the parts of the policy pertaining uniquely to Yukon were accurate, and Mr. Meacham replied that they were.

With no additional discussion, Mayor Alberts thanked Mr. Meacham for attending.

**7. DISCUSSION ITEM – City Council Code of Ethics (Ken Smith)**

Council Member Smith opened discussion by stating he had provided a sample code of ethics and felt it was a document that Yukon should have. He felt it was very reasonable, could be easily implemented, and was needed.

Mr. Bradway said he was not against a code of ethics, but that the example was long, and he did not feel it was necessary to have a lengthy codified document. He added that since the Council Members were already bound by law, a short mission statement would suffice.

Mr. Maxey said he had no problem with a code of ethics and did not see any changes needing to be made to the example.

Mayor Alberts provided additional research documents and examples. He mentioned a Civility resolution passed by the National League of Cities as pertinent, and also brought up the loyalty oath taken upon entering office. He asked that Council consider incorporating the information into any code of ethics that might be developed.

City Attorney Segler said he was just starting to review the information, and that there was a broad spectrum of pertinent laws, policies and other information, and he would be working to finalize an opinion.

Mr. Smith said he appreciated and respected everyone's thoughts and willingness to consider implementing such a document. He agreed that compliance with the law took priority, that civility should be addressed as well, and that he also appreciated the Mayor's efforts in contributing additional research.

Mayor Alberts stated that the loyalty oath could cover much of the subject, and he did not want to overlap. Mr. Smith said his goal was not to reinvent the wheel, and that the Codes in place in other cities would work well as guidelines. Mr. Alberts pointed out that even though many communities had comprehensive documents, they were still unique to those cities. He mentioned that Mr. Bradway felt a short statement would suffice, while Mr. Smith's guideline document was several pages long, and that there should be a happy medium.

Mr. Bradway again mentioned that if a problem occurred, punishment would be due to breaking the law, not violating the code of ethics, and that was why he felt a short statement would be sufficient. He also said that many people tended to ignore long documents, but that most would read a shorter statement.

Mr. Segler said he could have a recommendation and a draft ready for the second January meeting.

Mr. Smith felt that parts of the examples could easily be consolidated, and Mr. Bradway said it was not know what the issues in front of the governing bodies were at the times the example documents were drafted. Mayor Alberts said that some of the documents were not as long. He hoped Mr. Segler's recommendation would be a shorter document.

**8. City Manager's Report – Information items only** Mr. Bottom had no report.

**9. New Business** None.

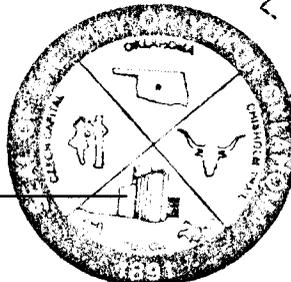
**10. Council Discussion**

Mr. Bradway asked for the costs paid into ACOG annually. Mr. Maxey had no comments. Mr. Smith congratulated the City for the scope of activities provided during the holiday season, noting that the Sounds of the Season concert was excellent. He also gave kudos to Yukon merchants for the Shop Yukon program, which reached \$958,000 in sales benefitting Yukon.

Mayor Alberts mentioned a phone call he got in which the caller complimented Community Development Director Mitch Hort, and said that City staff made the Council look good. He said he had received other compliments regarding City activities, and stated again that Yukon was a great place to live, and he appreciated everyone's efforts.

**11. Adjournment**

  
Doug Shivers, City Clerk



  
John Alberts, Mayor