

Yukon City Council Minutes February 15, 2011

The Yukon City Council met in regular session on February 15, 2011 at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Pastor Ron Rasmussen, Christ's Church of Yukon.

The flag salute was given in unison.

ROLL CALL: (Present) Bob Bradway, Mayor
 John Tipps, Vice Mayor
 John Alberts, Council Member
 Dewayne Maxey, Council Member
 Nick Grba, Council Member

OTHERS PRESENT:

Mike Segler, City Attorney	Tammy Kretchmar, Asst. City Manager
Doug Shivers, City Clerk	Robbie Williams, City Engineer
Klare Ly, Community Affairs Specialist	Gary Cooper, Information Technology Director
Bill Stover, Asst. Public Works Director	Quincy Rinkle, Parks and Recreation Supervisor
Matt Maly, Public Works Director	John Corn, Yukon Police Department
Gary Wiczorek, Director of Public Safety	Mitch Hort, Community Development Director

Presentations and Proclamations

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Visitors

Ken Smith of 113 E. Snowmass suggested that when the State had declared a weather-related emergency, it was inappropriate for City staff to make sanitation pick-up runs. He also said that because of citizen interest in the Holy Report, it was important for the Council to make the report public in a timely fashion, as the report was written.

Nancy Ritz appeared as the Director of Yukon Mobile Meals to give a summary of the agency's annual report. She said in 2010, Mobile Meals served 15,500 meals using 3384 volunteer hours, which saved the agency \$24,534.00 in wages at the minimum wage rate. She thanked the City for use of the facilities at the Dale Robertson Center, and stated how fortunate it was to have support. Mayor Bradway thanked her and mentioned this was a very helpful and important program in Yukon.

Lynn Soriano of 417 Castle Rock Road asked the Council about possibly installing "deer crossing" signs west of Garth Brooks Avenue, on Highway 66. Mayor Bradway informed her it was routine, although the Oklahoma Dept. of Transportation may be the proper channel to go through. Ms. Soriano then talked about the audit of the Police Department 4 years ago, and that she was concerned about the lack of progress after spending \$54,000 on studies of the department. She said that citizens were tired of the problems not being taken seriously and asked the Council to take action.

(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 February 1, 2011

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of February 1, 2011, was made by Trustee Grba and seconded by Trustee Maxey.

The vote:

AYES: Tipps, Alberts, Maxey, Bradway, Grba

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 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 February 1, 2011
- B) Payment of material claims in the amount of \$228,199.87
- C) Setting the date for the next regular Council meeting for March 1, 2011, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street

The motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of February 1, 2011; payment of material claims in the amount of \$228,199.87; and setting the date for the next regular Council meeting for March 1, 2011, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street, was made by Council Member Tipps and seconded by Council Member Maxey.

The vote:

AYES: Alberts, Grba, Bradway, Tipps, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

There were no reports.

3. **Consider approval of Ordinance No. 1265, an Ordinance adopting an Employee Retirement System, Defined Contribution Plan for the position of City Manager for the City of Yukon, Oklahoma; providing retirement benefits for eligible employees of City of Yukon, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a Committee and providing for powers, duties, and rights of Retirement Committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; adopting those amendments mandated by the Internal Revenue Code; providing for employer pickup of required contributions; providing for repealer and severability; and declaring an Emergency.**

The motion to approve Ordinance No. 1265, an Ordinance adopting an Employee Retirement System, Defined Contribution Plan for the position of City Manager for the City of Yukon, Oklahoma; providing retirement benefits for eligible employees of City of Yukon, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation of benefits; loss of benefits for cause and limitations of benefits; providing for employer and employee contributions; providing for accounting, allocation, and valuation; providing benefits; providing for required notice; providing for amendments and termination; providing for transfer to and from other plans; creating a Committee and providing for powers, duties, and rights of Retirement Committee; providing for payment of certain obligations; providing for duration and payment of expenses; providing for effective date; providing for vesting schedules; providing for a fund to finance the system to be pooled with other incorporated cities, towns and their agencies and instrumentalities for purposes of administration, management, and investment as part of the Oklahoma Municipal Retirement Fund; providing for payment of all contributions under the system to the Oklahoma Municipal Retirement Fund for management and investment; adopting those amendments mandated by the Internal Revenue Code; providing for employer pickup of required contributions; providing for repealer and severability; and declaring an Emergency, was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Grba, Bradway, Maxey, Alberts, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

3a. Consider approving the Emergency Clause of Ordinance No. 1265

The motion to approve the Emergency Clause of Ordinance No. 1265 was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Maxey, Alberts, Bradway, Grba, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving a Joinder Agreement between the City of Yukon and the Oklahoma Municipal Retirement Fund to establish a Defined Contribution Plan to be known as the City of Yukon Plan in the form of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan, effective January 17, 2011

The motion to approve a Joinder Agreement between the City of Yukon and the Oklahoma Municipal Retirement Fund to establish a Defined Contribution Plan to be known as the City of Yukon Plan in the form of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan, effective January 17, 2011, was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Tipps, Maxey, Alberts, Bradway, Grba

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving Ordinance No. 1266, an Ordinance amending the Employee Retirement system, Defined Benefit Plan for City of Yukon, Oklahoma; providing retirement benefits for eligible employees of City of Yukon, Oklahoma; pertaining to definition of employee; determination of service for the City Attorney; providing for repealer and severability; and declaring an Emergency.

The motion to approve Ordinance No. 1266, an Ordinance amending the Employee Retirement system, Defined Benefit Plan for City of Yukon, Oklahoma; providing retirement benefits for eligible employees of City of Yukon, Oklahoma; pertaining to definition of employee; determination of service for the City Attorney; providing for repealer and severability; and declaring an Emergency, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:

AYES: Alberts, Bradway, Grba, Maxey, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

5a. Consider approving the Emergency Clause of Ordinance No. 1266

The motion to approve the Emergency Clause of Ordinance No. 1266 was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Tipps, Bradway, Alberts, Maxey, Grba

NAYS: None

VOTE: 5-0

MOTION CARRIED

- 6. Consider approving a Joinder Agreement between the City of Yukon and the Oklahoma Municipal Retirement Fund to establish a Defined Contribution Plan to be known as the City of Yukon Plan in the form of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan, amending, restating and Continuing the Previous Plan dated July 1, 1974, effective February 1, 2011**

The motion to approve a Joinder Agreement between the City of Yukon and the Oklahoma Municipal Retirement Fund to establish a Defined Contribution Plan to be known as the City of Yukon Plan in the form of the Oklahoma Municipal Retirement Fund Master Defined Contribution Plan, amending, restating and Continuing the Previous Plan dated July 1, 1974, effective February 1, 2011, was made by Council Member Grba and seconded by Council Member Maxey.

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

- 7. Consider a Public hearing to determine whether the following properties should be declared detrimental to the health, benefit and welfare of the public and community, and direct staff to take appropriate action to abate same**

LOCATION	OWNER	VIOLATION
17 Glenda Dr.	Alton & Mary Etal Englebretson Englebretson Living Trust	Nuisance Vehicles
413 S. 10 th St.	Angelene N. & Wesley D. Belew II	Trash, Grass, Weeds
1109 Yuhoma	Gebhard	Trash, Grass, Weeds
720 Royal Ln.	Whittaker	Nuisance Vehicles
435 S. 8th St.	John C. Guthrie Jr. & Pam Suttles	Nuisance Vehicles

Mayor Bradway advised that all problems had been resolved prior to the meeting, and no action was taken.

- 8. New Business** None.

9. Council Discussion

Council Member Alberts inquired as to whether the Holyfield Report could actually be made public, and if the Council could inform the public of its contents now? City Attorney Segler advised that any personnel issues would need to remain confidential, and that he would need an opportunity to review the report before it was released.

Council Members Tipps, Grba, Maxey, and Mayor Bradway had no comments.

- 10. Consider a motion to recess as Yukon City Council and convene into Executive Session, to discuss an investigation of the Police Department conducted by HTB Consultants, as provided for in 25 OS 2003, Section 307 (B) (4)**

The motion to recess as Yukon City Council and convene into Executive Session, to discuss an investigation of the Police Department conducted by HTB Consultants, as provided for in 25 OS 2003, Section 307 (B) (4), was made by Council Member Alberts and seconded by Council Member Maxey.

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

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

The motion to adjourn from Executive Session and reconvene as Yukon City Council, was made by Council Member Alberts and seconded by Council Member Maxey.

The vote:

AYES: Maxey, Alberts, Grba, Bradway, Tipps

NAYS: None

VOTE: 5-0

MOTION CARRIED

Mayor Bradway then read the minutes of the Executive Session, stating that while in Executive Session, only the items on the agenda were discussed, no action was taken, and no votes were cast.

12. Adjournment

Bob Bradway, Mayor

Doug Shivers, City Clerk