

Yukon Municipal Authority Minutes
June 19, 2012

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

(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 June 5, 2012**
- B) Payment of material claims in the amount of \$42,115.51**
- C) A First Amendment to Tower Lease Agreement with T-Mobile Central LLC, to extend the terms of the lease from December 1, 2011 through November 30, 2016, for telecommunications equipment located at 950 W. Poplar**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of June 5, 2012, payment of material claims in the amount of \$42,115.5, and extend the T-Mobile Central LLC lease from December 1, 2011 through November 30, 2016 was made by Trustee Smith and seconded by Trustee Grba.

The vote:

AYES: Grba, McEachern, Smith, Alberts, Opitz

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Consider and approve Resolution No. YMA 2012-04, a resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000 ("bonds"), waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, appointing a Trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Bosc, inc.; series 2012 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents, authorization and designations necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon ("City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the series 2012 Supplemental Bond Indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds, direction of disbursements of proceeds from the sale of the bonds and other matters related to issuance of the bonds.

The motion to approve Resolution No. YMA-2012-04, a Resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000 ("bonds"), waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes,

Section 176, appointing a Trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Bosc, inc.; series 2012 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents, authorization and designations necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon ("City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the series 2012 Supplemental Bond Indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds, direction of disbursements of proceeds from the sale of the bonds and other matters related to issuance of the bonds, was made by Trustee Opitz and seconded by Trustee Smith.

John Williams was here to answer any questions. Bonds will not exceed \$15,000,000 or 20 years, set by Chairman with the market conditions. Interest rates are low and can't go much lower. History has had much higher rates. Extraordinary time to go forward with projects, if approved, we will move ahead.

Bill Strecker agreed with John Williams about the advantage of low interest rates and compared it to being a good time to refinance your home.

Trustee McEachern questioned whether once terms set would it be for the entire term? Bill Strecker stated yes and it would be 15 years with 10 year call. This gives the option to pay bond off early.

Trustee McEachern wanted to know why 20 years? Bill Strecker said 20 years is the longest available time for the bond.

The vote:

AYES: Smith, Opitz, Grba, McEachern, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

3A. Consider approving the escrow of \$300,000.00 from the Fiscal Year 2011-2012 Water and Sewer Enterprise Fund Treatment and Supply account, for future use as a down payment toward the *Asset Management and Full Service Maintenance Contract(s) for Water Storage Vessels* (Cornwell Tank, Vandament Tower, Mustang Tower, and Integris Tower), as recommended by the Public Works Director

The motion to approve the escrow of \$300,000.00 from the Fiscal Year 2011-2012 Water and Sewer Enterprise Fund Treatment and Supply account, for future use as a down payment toward the *Asset Management and Full Service Maintenance Contract(s) for Water Storage Vessels* (Cornwell Tank, Vandament Tower, Mustang Tower, and Integris Tower), as recommended by the Public Works Director, was made by Trustee Grba and seconded by Trustee McEachern.

The vote:

AYES: McEachern, Alberts, Opitz, Smith, Grba

NAYS: None

VOTE: 5-0

MOTION CARRIED

Yukon City Council Minutes June 19, 2012

The Yukon City Council met in regular session June 19, 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, First United Methodist Church
The flag salute was given in unison.

ROLL CALL: (Present) John Alberts, Mayor
 Ken Smith, Vice-Mayor
 Nick Grba, Council Member
 Michael McEachern, Council Member
 Rick Opitz, Council Member

OTHERS PRESENT:

Mike Segler, City Attorney	Doug Shivers, City Clerk
Tammy Kretchmar, Asst. City Manager	John Corn, Chief of Police
Mitch Hort, Community Development Director	Matt Maly, Public Works Director
Gary Cooper, Information Technology Director	Josh Gotcher, Information Technology
Bill Stover, Public Works	Robbie Williams, City Engineer

Presentations and Proclamations

There were no presentations and proclamations.

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 June 5, 2012**
- B) Payment of material claims in the amount of \$42,115.51**
- C) A First Amendment to Tower Lease Agreement with T-Mobile Central LLC, to extend the terms of the lease from December 1, 2011 through November 30, 2016, for telecommunications equipment located at 950 W. Poplar**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of June 5, 2012, payment of material claims in the amount of \$42,115.5, and extend the T-Mobile Central LLC lease from December 1, 2011 through November 30, 2016 was made by Trustee Smith and seconded by Trustee Grba.

The vote:

AYES: Grba, McEachern, Smith, Alberts, Opitz

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Consider and approve Resolution No. YMA 2012-04, a resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") SalesTax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000 ("bonds"), waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, appointing a Trustee; approving the following

documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Bosc, inc.; series 2012 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents, authorization and designations necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon ("City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the series 2012 Supplemental Bond Indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds, direction of disbursements of proceeds from the sale of the bonds and other matters related to issuance of the bonds.

The motion to approve Resolution No. YMA-2012-04, a Resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000 ("bonds"), waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, appointing a Trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Bosc, inc.; series 2012 supplemental bond indenture, security agreement, preliminary official statement, official statement, closing order, to include payment of the costs of issuing the bonds, and any and all other documents, authorization and designations necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon ("City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the series 2012 Supplemental Bond Indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the bonds, direction of disbursements of proceeds from the sale of the bonds and other matters related to issuance of the bonds, was made by Trustee Opitz and seconded by Trustee Smith.

John Williams was here to answer any questions. Bonds will not exceed \$15,000,000 or 20 years, set by Chairman with the market conditions. Interest rates are low and can't go much lower. History has had much higher rates. Extraordinary time to go forward with projects, if approved, we will move ahead.

Bill Strecker agreed with John Williams about the advantage of low interest rates and compared it to being a good time to refinance your home.

Trustee McEachern questioned whether once terms set would it be for the entire term? Bill Strecker stated yes and it would be 15 years with 10 year call. This gives the option to pay bond off early.

Trustee McEachern wanted to know why 20 years? Bill Strecker said 20 years is the longest available time for the bond.

The vote:

AYES: Smith, Opitz, Grba, McEachern, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

3A. Consider approving the escrow of \$300,000.00 from the Fiscal Year 2011-2012 Water and Sewer Enterprise Fund Treatment and Supply account, for future use as a down payment toward the *Asset Management and Full Service Maintenance Contract(s) for Water Storage Vessels* (Cornwell Tank, Vandament Tower, Mustang Tower, and Integris Tower), as recommended by the Public Works Director

The motion to approve the escrow of \$300,000.00 from the Fiscal Year 2011-2012 Water and Sewer Enterprise Fund Treatment and Supply account, for future use as a down payment toward the *Asset Management and Full Service Maintenance Contract(s) for Water Storage Vessels* (Cornwell Tank, Vandament Tower, Mustang Tower, and Integris Tower), as recommended by the Public Works Director, was made by Trustee Grba and seconded by Trustee McEachern.

The vote:

AYES: McEachern, Alberts, Opitz, Smith, 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 June 5, 2012**
- B) Payment of material claims in the amount of \$1,020,070.13**
- C) An addendum to the Prisoner Public Works Project Contract with the Oklahoma Department of Corrections, for the assignment of prisoners to Public Works projects, extending the contract to June 30, 2013.**
- D) The Renewal Agreement for the Oklahoma Municipal Assurance Group Workers' Compensation Plan, along with the selection of available Escrow credits applied to reduce the total premium paid by \$25,173.25**
- E) Setting the date for the next regular Council meeting for MONDAY, July 2, 2012, 7:00 pm, in the Council Chambers of the Centennial Building, 12 S. 5th**

The motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of June 5, 2012; payment of material claims in the amount of \$1,020,070.13; Accepting an addendum to the Prisoner Public Works Project Contract with the Oklahoma Department of Corrections, for the assignment of prisoners to Public Works projects, extending the contract to June 30, 2013; Accepting The Renewal Agreement for the Oklahoma Municipal Assurance Group Workers' Compensation Plan, along with the selection of available Escrow credits applied to reduce the total premium paid by \$25,173.25; Setting the date for the next regular Council meeting for MONDAY, July 2, 2012, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Smith and seconded by Council Member McEachern.

C) Council Member Grba wanted to know how many man hours would be worked and what type of projects? Matt Maly stated there were 8-12 prisoners per a day and they are mowing.

Council Member McEachern wanted to know why the project was being extended? City Manager Bottom explained the contract runs out on June 30th and this would extend it for another year.

E) Council Member Smith reminded that the next council meeting will be on a MONDAY.

D) Council Member Grba wanted to know if the credit would go back into the fund? City Manager Bottom explained it will lower the premium owed.

The vote:

AYES: Opitz, Alberts, McEachern, Grba, Smith

NAYS: None

VOTE: 5-0

MOTION CARRIED

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

3 Consider approving an Interlocal Governmental Cooperation Agreement with the City of El Reno, providing use of the Yukon jail, for the term of July 1, 2012 through June 30, 2013, for a rate of \$40.00 per day per prisoner.

The motion to approve an Interlocal Governmental Cooperation Agreement with the City of El Reno, providing use of the Yukon jail, for the term of July 1, 2012 through June 30, 2013, for a rate of \$40.00 per day per prisoner, was made by Council Member Opitz and seconded by Council Member Grba.

The vote:

AYES: Alberts , Grba, Opitz, Smith, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. **Consider approving a Contract with the Yukon Public School District to provide School Resource Officers at the High School and Middle School, for the term of July 1, 2012 to June 30, 2013, for the sum of \$150,000.00**

The motion to approve a Contract with the Yukon Public School District to provide School Resource Officers at the High School and Middle School, for the term of July 1, 2012 to June 30, 2013, for the sum of \$150,000.00, was made by Council Member McEachern and seconded by Council Member Opitz.

The vote:

AYES: McEachern, Smith, Grba, Alberts, Opitz

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. **Consider approving a Letter of Agreement between the Oklahoma Tobacco Settlement Endowment Trust and the City of Yukon, for the Healthy Communities Incentive Grants Program for, the Basic level of award in the amount of \$8,000, for the term of July 1, 2012 through June 30, 2013.**

The motion to approve a Letter of Agreement between the Oklahoma Tobacco Settlement Endowment Trust and the City of Yukon, for the Healthy Communities Incentive Grants Program for, the Basic level of award in the amount of \$8,000, for the term of July 1, 2012 through June 30, 2013, was made by Council Member McEachern and seconded by Council Member Grba.

The vote:

AYES: Grba, Opitz, Alberts, Smith, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. **Consider and approve Resolution No. 2012-04, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (“Authority”) issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in the aggregate principal amount not to exceed \$15,000,000 (“Bonds”); waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a Bond Purchase Agreement with Bosc, Inc.; approving a Security Agreement between the City and the Authority; ratification of a lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain unpaid; providing that the Trust Indenture shall be subject to provisions of the Bond Indenture; and, authorizing the Mayor or Vice Mayor to execute, approve, modify and deliver all documents necessary for issuance of the bonds, and other matters related to issuance of the bonds.**

The motion to approve Resolution No. 2012-04, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (“Authority”) issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in the aggregate principal amount not to exceed \$15,000,000 (“Bonds”); waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a Bond Purchase Agreement with Bosc, Inc.; approving a Security Agreement between the City and the Authority; ratification of a lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain unpaid; providing that the Trust Indenture shall be subject to provisions of the Bond Indenture; and, authorizing the Mayor or Vice Mayor to

execute, approve, modify and deliver all documents necessary for issuance of the bonds, and other matters related to issuance of the bonds, was made by Council Member Opitz and seconded by Council Member Smith.

The vote:

AYES: Smith, Alberts, Opitz, McEachern, Grba

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. **Consider and approve Ordinance No. 1277, an ordinance amending sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency.**

The motion to approve Ordinance No. 1277, an ordinance amending sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority Sales Tax and Utility System Revenue and Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$15,000,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency, was made by Council Member Opitz and seconded by Council Member Grba

Mayor Alberts asked Mike Segler to read the full ordinance.

The vote:

AYES: Opitz, McEachern, Smith, Grba, Alberts

VOTE: 5-0

MOTION CARRIED

- 7A. **Consider and approve the Emergency Clause of Ordinance No. 1277.**

The motion to approve the Emergency Clause of Ordinance No. 1277, was made by Council Member Smith and seconded by Council Member McEachern

The vote:

AYES: Grba, Opitz, McEachern, Alberts, Smith

VOTE: 5-0

MOTION CARRIED

8. **Consider approving and awarding the City of Yukon Year 10 and Year 11 Community Development Block Grant (CDBG) Roadway, Waterline, and Sanitary Sewer line Replacement Project to Shell Construction, Inc., for the amount of \$353,753.18, as recommended by the City Engineer**

The motion to approve and award the City of Yukon Year 10 and Year 11 Community Development Block Grant (CDBG) Roadway, Waterline, and Sanitary Sewer line Replacement Project to Shell Construction, Inc., for the amount of \$353,753.18, as recommended by the City Engineer, was made by Council Member Grba and seconded by Council Member Opitz.

The vote:

AYES: Alberts, Smith, Opitz, Grba, McEachern

VOTE: 5-0

MOTION CARRIED

9. **City Manager's Report – Information items only**

A. Sales Tax Report

Mr. Bottom stated tax increase over previous year of 1.59% and the total increase for the year was 5.88%. He also reminded us that the Use Tax was up this month 26.47%. The total gain after reserve was 69.14%. He anticipates a good start this year. The Thunder games filled all hotels and restaurants from Shawnee to Yukon.

B. Brazos Ticketing System update

Mr. Bottom stated Brazos was approved in February and is now implemented. Unfortunately, the transition is not as smooth as hoped, but officers did issue 106 tickets on the first day. He anticipates the bugs will be worked out within the next week or so.

Mr. Bottom talked about the draft map of road improvements under new bond. Money available will not fix all streets, but it's a good start. Asked Council to please review map, drive streets, and make suggestions about improvements.

Mr. Bottom referenced the water leak going on at 3rd and Main under the RR track. The water leak has been stopped as of today. Some of the lines are original and are un-mapped. Data will be gathered for future maps.

10. New Business There was no new business

11. Council Discussion

Council Member Opitz talked about the Blackout Block Party and where to buy tickets.

Council Member Smith had no remarks.

Council Member McEachern was thankful for road improvement map. He noted that lots of improvements were needed in Ward 4.

Council Member Grba stated the Yukon Parks Department has lots of activities for kids, and encouraged everyone to take advantage of them.

Mayor Alberts discussed the 4th of July events. The Veterans Ceremony will be Tuesday evening on July 3rd and July 4th will have activities all day.

City Manager Bottom is anticipating 10-15 thousand people in the park and double that amount of people outside the park.

12. Adjournment



Doug Shivers, City Clerk



John Alberts, Mayor

