

Yukon City Council Minutes March 4, 2014

The Yukon City Council met in regular session March 4, 2014 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 Ron Rasmussen, Christ's Church of Yukon
The flag salute was given in unison.

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

(Absent) Donna Yanda, Council Member

OTHERS PRESENT:

Grayson Bottom, City Manager	Tammy DeSpain, Assistant City Manager
Mark Osby, Assistant City Attorney	Robbie Williams, City Engineer
Doug Shivers, City Clerk	Arnold Adams, Public Works Director
Mitch Hort, Community Development Dir.	Bill Stover, Sanitation Director
Jan Scott, Parks and Recreation Director	Claudia Yager, Parks and Recreation
Gary Cooper, Information Technology Dir.	Larry Mitchell, Economic Dev. Director
Josh Gotcher, Technology Department	Amy Philips, Economic Development
Candy Schwarz, Court Clerk	Jl Johnson, Treasurer
Leslie Batchelor, Development Counsel	Andrew Johnson, Police Department

Presentations and Proclamations

Mayor Smith read the "DeMolay Month" Proclamation and presented it to James Crosby. Mr. Crosby thanked all and had his fellow members, Brennan Parken, David Russell introduce themselves. Mayor Smith thanked them for coming.

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 February 18, 2014**
- B) Payment of material claims in the amount of \$159,276.05**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of February 18, 2014 and payment of material claims in the amount of \$159,276.05, was made by Trustee McEachern and seconded by Trustee Grba.

The vote:

AYES: Smith, McEachern, Alberts, Grba

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 February 18, 2014
- B) Payment of material claims in the amount of \$558,511.49
- C) An agreement with the Yukon Christian Athletic Association for use of Sunrise Softball fields from July 9, 2014 through October 30, 2014 and Hillcrest Softball fields from February 19, 2014 through September 1, 2014
- D) An agreement with the Yukon Optimist Sports Club for use of City Park baseball fields from February 19, 2014 to July 2, 2014
- E) An agreement with Yukon Soccer Club for use of Ranchwood and Taylor Park from February 19, 2014 to December 11, 2014
- F) An agreement with the United Softball Association of Yukon for use of Sunrise Park Softball fields from February 19, 2014 to October 30, 2014
- G) An agreement with the Yukon Horseshoe Club for use of Yukon City Park horseshoe courts from February 19, 2014 to October 30, 2014
- H) Setting the date for the next regular Council meeting for March 18, 2014, 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 February 18, 2014; Payment of material claims in the amount of \$558,511.49; An agreement with the Yukon Christian Athletic Association for use of Sunrise Softball fields from July 9, 2014 through October 30, 2014 and Hillcrest Softball fields from February 19, 2014 through September 1, 2014; An agreement with the Yukon Optimist Sports Club for use of City Park baseball fields from February 19, 2014 to July 2, 2014; An agreement with Yukon Soccer Club for use of Ranchwood and Taylor Park from February 19, 2014 to December 11, 2014; An agreement with the United Softball Association of Yukon for use of Sunrise Park Softball fields from February 19, 2014 to October 30, 2014; An agreement with the Yukon Horseshoe Club for use of Yukon City Park horseshoe courts from February 19, 2014 to October 30, 2014; and Setting the date for the next regular Council meeting for March 18, 2014, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Grba and seconded by Council Member McEachern.

The vote:

AYES: Alberts, McEachern, Grba, Smith

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials - None

3. Consider approving a Preliminary Plat of Yukon Crossing, in order to accommodate future commercial development of a 49.4133 acre tract of land being a part of the South half of the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian; located on the Northwest corner of Yukon Parkway and Main Street (Hwy 66). The property is currently zoned C-3 Restricted Commercial District and R-1 Single-Family Residential, as recommended by the Planning Commission

The motion to approve a Preliminary Plat of Yukon Crossing, in order to accommodate future commercial development of a 49.4133 acre tract of land being a part of the South half of the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian; located on the Northwest corner of Yukon Parkway and Main Street (Hwy 66). The property is currently zoned C-3 Restricted Commercial District and R-1 Single-Family Residential, as recommended by the Planning Commission, was made by Council Member McEachern and seconded by Council Member Alberts.

The vote:

AYES: Alberts, Smith, Grba, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider approving a Final Plat of Yukon Crossing, a gross area of 7.4504 acre tract of land being a part of the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian; located at the Northwest corner of Yukon Parkway and Main Street (Hwy 66), as recommended by the Planning Commission

The motion to approve a Final Plat of Yukon Crossing, a gross area of 7.4504 acre tract of land being a part of the Southeast Quarter (SE/4) of Section Sixteen (16), Township Twelve (12) North, Range Five (5) West of the Indian Meridian; located at the Northwest corner of Yukon Parkway and Main Street (Hwy 66), as recommended by the Planning Commission, was made by Council Member McEachern and seconded by Council Member Alberts.

Steve Feisal, 1008 Tea Rose Dr., is concerned with the traffic problems that will be created at the entrance and exits and intersections. Furthermore, 19 additional parking places were granted and he was wondering if City Council has studied the variances of such. Mr. Feisal further stated residents have not seen any proposed mitigation for concerns, such as noise, water, increase of foot traffic, smells and sounds. As residents, we have had no discussions or involvement with process and concerns. Mayor Smith thanked him for coming and Council will take concerns into vote.

Jeff Behymer, 905 Tea Rose Dr., stated the chief concerns for residents in the neighborhood are the increase in traffic and the safety of children. Please look at intersection. Mayor Smith thanked him as well.

Council Member Alberts asked who can respond to these concerns. Tim Johnson is here on behalf of development. The property has been rezoned many years ago and use is permitted. All the plat does is allows us to divide and sell property. The end user could be anything. Council Member Alberts asked if they could meet with residents. Mr. Johnson stated he is not here on behalf of end user. He represents seller. Council Member Alberts mentioned Albertson's and residents met about concerns. Mr. Johnson stated that was probably zoning issues. This property has already been zoned. However, the City has ordinances and regulations that give guidelines to developers.

Mayor Smith asked for Mr. Hort to come forward. Mayor Smith would like clarification of requirements. Mr. Hort recapped Ordinance requirements and discussed trees and parking spaces. He also stated the City Engineer has looked at drainage and it has been approved. Council Member Alberts asked about traffic flow. Mr. Hort stated Mr. Williams could discuss a future project that would alleviate this. Mayor Smith asked if that was the four lanes from Main St. to Wagner. Mr. Hort stated correct. Council Member Grba asked about buffer between the property and neighborhood. Mr. Hort stated only required when the property abuts residential.

Rod Baker, Yukon Crossing, represents the ownership of property. Mr. Baker stated they have cooperated with the City of Yukon and spent money on the lift station. The intent is to provide good development. Mr. Baker stated when development gets closer to the subdivision they will be willing to meet with residents. Council Member McEachern asked if there was any intent for the remaining 39 acres. Mr. Baker stated there is no specific plan right now, but they do multi-use, retail, restaurants, and offices. Council Member McEachern asked about strip mall like buildings. Mr. Baker stated a variety of uses from retail to service uses that are allowed within zoning. Mayor Smith reminded Council we are only discussing the final plat. Council Member Alberts stated City Council has worked on development for many years. He is hopeful this passes and hopeful developers work with residents and their concerns. Mr. Behymer stated not opposed to development, but please don't overlook traffic issue.

The vote:

AYES: McEachern, Smith, Alberts, Grba

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Public Hearing; Presentation of the Proposed Frisco Road Economic Development Project Plan by Leslie Batchelor, Development Counsel to the City of Yukon, and Larry Mitchell, Director, Yukon Economic Development Authority, at which Any Interested Persons Shall Have the Opportunity to Be Heard in Support of or Opposition to the Proposed Project Plan Prior to Any Council Action with Regard to Adoption of the Proposed Project Plan.

Lynn Soriano, 417 Castle Rock Rd., asked if proposed interchange will have two ramps in Yukon and two in Oklahoma City. Mr. Bottom stated that is not being contemplated. Three out of the four will be in Yukon. Mrs. Soriano clarified this would not be a potential problem with Oklahoma City. Mr. Bottom stated no. Mrs. Soriano asked if all of Frisco Road will be repaired and improved to hold additional traffic. Mayor Smith stated Main to 10th St. Mrs. Soriano asked how to get from Frisco to development. Mr. Bottom stated it is too premature to present that part. Mrs. Soriano asked about funding. Mayor Smith stated 25 year time frame. Mrs. Soriano asked if we were looking at revenue bonds to fund this development. Mr. Bottom stated these are not traditional notes or bonds and not purchased by a bank or by public. "Special Revenue Bonds" will be purchased by developers. Mrs. Soriano asked if interested was paid by developers. Mr. Bottom stated yes. Mrs. Soriano asked about tax anticipation. Mr. Bottom gave explanation of tax collections. Mayor Smith stated as of right now, there are no sales taxes in this area. The dedicated 2% is not part of the increment. Mrs. Soriano stated TIF's are usually used for distressed areas. What if we put \$37 million in east Yukon? The west side is thriving and has horrible traffic. Have we considered this for the east side? Mayor Smith stated this is our first TIF to be used in Yukon. However, there are 18 TIF districts nearby. Distressed areas usually use property taxes. Mr. Mitchell stated primary reason for TIF is, so City can fund Frisco Road improvements. We have been told repeatedly, without Frisco Road improvements, development will not occur.

Ray Wright, 505 Poplar, has been a developer for 38 years. He summarized historical development for retail. This is the last piece of ground available that can make a major impact on sales tax. It can secure a future and is a unique opportunity. The land was not developable previously. If Yukon does not act, Oklahoma City will.

Clint Pearson, I-40 Property LLC, gave summary of involvement. This is a great economic opportunity and happy to be here. We will begin on the east side of the property and move to the west to allow for Frisco Road Interchange. Design is by Charles Hodges and Associates. Glad to have him on board. We got permission to announce Crest Foods has committed to Yukon. This will jump start the project.

Rick Opitz, 1777 W. Vandament, stated the population is increasing. We need new roads to support growth. TIF is a great way to fund. Mr. Opitz asks that the City Council approves project.

Consider approving a 5 minute Recess.

The motion to approve a 5 minute Recess, was made by Council Member McEachern and seconded by Council Member Grba.

The vote:

AYES: McEachern, Grba, Smith, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

Meeting was called to order by Mayor Smith at 7:51pm

- 6. Consider approving Ordinance No. 1297, an Ordinance approving and adopting the Frisco Road Economic Development Project Plan; Designating and adopting the Project Area and Increment District Boundaries; Establishing a date for the creation of Increment District No. one (1), City of Yukon; Authorizing the City of Yukon as the principal entity to carry out and administer the Project Plan; Establishing a Tax Apportionment Fund; Declaring apportioned funds to be funds of the City of Yukon; Authorizing the use of Sales, Use, and Hotel Occupancy Tax Increment Revenues for the payment or financing of certain project costs; Authorizing the use of other resources to pay for or finance project costs; Authorizing the Yukon Economic Development Authority to issue bonds and carry out certain provisions of the Project Plan; Ratifying and confirming the actions, recommendations and findings of the Review Committee and the Planning Commission; Providing for severability and declaring an emergency.**

The motion to approve Ordinance No. 1297, an Ordinance approving and adopting the Frisco Road Economic Development Project Plan; Designating and adopting the Project Area and Increment District Boundaries; Establishing a date for the creation of Increment District No. one (1), City of Yukon; Authorizing the City of Yukon as the principal entity to carry out and administer the Project Plan; Establishing a Tax Apportionment Fund; Declaring apportioned funds to be funds of the City of Yukon; Authorizing the use of Sales, Use, and Hotel Occupancy Tax Increment Revenues for the payment or financing of certain project costs; Authorizing the use of other resources to pay for or finance project costs; Authorizing the Yukon Economic Development Authority to issue bonds and carry out certain provisions of the Project Plan; Ratifying and confirming the actions, recommendations and findings of the Review Committee and the Planning Commission; Providing for severability and declaring an emergency, was made by Council Member Alberts and seconded by Council Member McEachern.

Council Member Alberts questioned if this creates a budget and then we negotiate. Mrs. Batchelor stated yes, negotiate Master Agreement for a plan. Council Member Alberts clarified this creates the boundary and the budget. Mrs. Batchelor stated yes. Council Member Alberts asked if items go through Yukon Economic Development Authority (YEDA) and then to Council. Mrs. Batchelor stated separate day to day from policy. Mayor Smith asked if day to day was overseen by YEDA. Mrs. Batchelor stated yes. Council Member McEachern asked to define what day to day was. Mrs. Batchelor suggested workshop to define balance and communication between Council and YEDA. Council Member McEachern asked what level of funding would be appropriate. Mayor Smith stated details have not been established yet. Council Member McEachern asked if Council or YEDA would provide details. Mr. Mitchell

stated YEDA. Process may take time. Council Member McEachern asked if Council approves budget. Mr. Bottom stated not there yet. Council Member Alberts clarified once it is developed, it will pass through City Council. Mr. Bottom stated yes. Council Member McEachern asked if YEDA comes up with list of day to day things. Council Member Alberts stated still to be defined. Mr. Bottom stated that is why Mrs. Batchelor has proposed a joint workshop. Council Member McEachern stated City Council approves budget. Mrs. Batchelor stated good approach. City Council decides how to do it and it is reflected in the Project Plan. She believes setting it out in writing is a good plan. Mayor Smith stated Council Agenda has an item for Reports of Boards and Commissions. We could use that time for updates. Council Member McEachern stated it is important to have lots of clarity.

The vote:

AYES: Alberts, Grba, Smith, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

6a. Consider approving the Emergency Clause of Ordinance No. 1297

The motion to approve the Emergency Clause of Ordinance No. 1297, was made by Council Member Alberts and seconded by Council Member McEachern.

The vote:

AYES: Grba, McEachern, Alberts, Smith

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider approving a Lease agreement between the City of Yukon and YNB, for advertising space on the Dale Robertson Center sign, for the amount of \$42,500.00, for the term of 10 years from its effective date

The motion to approve a Lease agreement between the City of Yukon and YNB, for advertising space on the Dale Robertson Center sign, for the amount of \$42,500.00, for the term of 10 years from its effective date, was made by Council Member Grba and seconded by Council Member Alberts.

The vote:

AYES: Smith, Alberts, McEachern, Grba

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. City Manager's Report – Information items only

A. Events Report

Mr. Bottom stated Park and Recreation will be hosting a job fair on March 6, 2014 from 4 pm to 8pm at the Dale Robertson Center. Age group is 16 and up and work includes pools, Park instructor, Park Maintenance, etc. It is for summer work.

15th year of Taste of Yukon at the Dale Robertson Center, be early.

9. New Business - There was no new business

10. Council Discussion

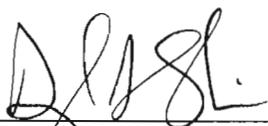
Council Member McEachern is delighted to be moving forward. Realizes issues like traffic will be worked out. Good discussion helps us. Taste of Yukon is a great event. Please keep family of AJ Clements in your heart.

Council Member Grba thanked Ray Wright for comments, if we don't do this, Oklahoma City will, and take our tax dollars there.

Council Member Alberts stated development and grocery are great opportunities. Remember we have worked hard to get to where we are. We will do TIF the right way and move at proper pace. He would like to know status of flood study. Mr. Bottom stated study should be delivered the last two weeks of March. It will be shared with Council, posted on our website and then develop strategies and priorities. Council Member Alberts thanked candidates for discussion and type of election we participated in.

Mayor Smith thanked each candidate. We have unlimited faith in the future City Council. He is excited about development and clarified a TIF can be established in any developable or re-developable area.

11. Adjournment



Doug Shivers, City Clerk



Ken Smith, Mayor

