

Yukon City Council Minutes November 16, 2010

The Yukon City Council met in regular session on November 16, 2010 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 Bob Younts, First United Methodist Church
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
(Absent)

OTHERS PRESENT:

Mike Segler, City Attorney	Tammy Kretchmar, Asst. To the City Manager
Doug Shivers, City Clerk	Pat Garrett, Assistant to the City Engineer
Frosty Peak, Emergency Management Dir.	Jerry Reed, Public Works Director
Mitch Hort, Community Development Director	Gary Wieczorek, Director of Public Safety
Matt Maly, Water Distribution Supervisor	Gary Cooper, Information Technology Director
Kevin Jones, Fire Chief	John Com, Deputy Police Chief

Presentations and Proclamations

Mayor Bradway read the certificates and presented employees Jerry Clevenger and Greg Smith with their 25-year service pins from the Oklahoma Municipal League

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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 November 2, 2010

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 2, 2010, was made by Trustee Tipps and seconded by Trustee Maxey.

The vote:

AYES: Maxey, Alberts, Tipps, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Consider and approve resolution no. YMA 2010-03, a resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") Sales Tax and Utility System Revenue Bonds, series 2010, in an aggregate principal amount not to exceed \$7,500,000 ("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 BOSCO, Inc.; series 2010 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 possible designations of the Bonds for purposes of the Internal Revenue Code; providing that the trust indenture shall be subject to provisions of the general bond indenture as supplemented by the series 2010 supplemental bond

indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the Bonds and direction of disbursements of proceeds from the sale of the Bonds.

The motion to approve resolution no. YMA 2010-03, a resolution authorizing the issuance of the Yukon Municipal Authority ("Authority") Sales Tax and Utility System Revenue Bonds, series 2010, in an aggregate principal amount not to exceed \$7,500,000 ("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 2010 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 possible designations of the Bonds for purposes of the Internal Revenue Code; providing that the trust indenture shall be subject to provisions of the general bond indenture as supplemented by the series 2010 supplemental bond indenture; providing for bond insurance, but not requiring same; and, authorizing the execution, modification and delivery of necessary documents regarding the Bonds and direction of disbursements of proceeds from the sale of the Bonds., was made by Trustee Tipps and seconded by Trustee Maxey.

The vote:

AYES: Tipps, Bradway, Maxey, Alberts,

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 special meeting of October 26, 2010**
- B) The minutes of the regular meeting of November 2, 2010**
- C) Payment of material claims in the amount of \$245,054.22**
- D) Approving the Settlement of Surface Damage and Settlement Agreement and Mutual Release of All Claims for Walter and Iva Tredway, in the amount of \$20,000.00**
- E) Setting the date for the next regular Council meeting for December 7, 2010, 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 special meeting of October 26, 2010; the minutes of the regular meeting of November 2, 2010; payment of material claims in the amount of \$245,054.22; approving the Settlement of Surface Damage and Settlement Agreement and Mutual Release of All Claims for Walter and Iva Tredway, in the amount of \$20,000.00; and setting the date for the next regular Council meeting for December 7, 2010, 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: Bradway, Alberts, Tipps, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

There were no reports.

3. **Consider and approve Resolution No. 2010-11, a Resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (“Authority”) issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, series 2010, in the aggregate principal amount not to exceed \$7,500,000 (“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 possible designations of the bonds for purposes of the Internal Revenue Code; 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.**

The motion to approve Resolution No. 2010-11, a Resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (“Authority”) issuing its Yukon Municipal Authority Sales Tax and Utility System Revenue Bonds, series 2010, in the aggregate principal amount not to exceed \$7,500,000 (“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 possible designations of the bonds for purposes of the Internal Revenue Code; 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, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:

AYES: Alberts, Maxey, Bradway, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. **Consider and approve Ordinance No. 1261, 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 Bonds, series 2010, in the aggregate principal amount not to exceed \$7,500,000 do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency.**

The motion to approve Ordinance No. 1261, 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 Bonds, series 2010, in the aggregate principal amount not to exceed \$7,500,000 do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:

AYES: Maxey, Bradway, Tipps, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 4a. **Consider and approve the Emergency Clause of Ordinance No. 1261**

The motion to approve the Emergency Clause of Ordinance No. 1261 was made by Council Member Tipps and seconded by Council Member Maxey.

The vote:

AYES: Alberts, Tipps, Maxey, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 5. Consider approving Ordinance No. 1263, an Ordinance amending the Employee Retirement System, Defined Benefit Plan for the City of Yukon, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Yukon, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation 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 retirement 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; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code; and declaring an Emergency.**

The motion to approve Ordinance No. 1263, an Ordinance amending the Employee Retirement System, Defined Benefit Plan for the City of Yukon, Oklahoma by adopting a revised and restated retirement plan; providing retirement benefits for eligible employees of the City of Yukon, Oklahoma; providing for purpose and organization; providing for definitions; providing for eligibility and participation; providing for non-alienation 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 retirement 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; providing for repealer and severability; adopting those amendments mandated by the Internal Revenue Code; and declaring an Emergency, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:

AYES: Bradway, Tipps, Alberts, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

5a. Consider and approve the Emergency Clause of Ordinance No. 1263

The motion to approve the Emergency Clause of Ordinance No. 1260, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:

AYES: Alberts, Maxey, Tipps, Bradway

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 6. Consider approving the abatement costs for the following properties and authorizing the City Clerk to place liens on the properties with the Canadian County Treasurer**

LOCATION	OWNER	ABATEMENT COST
401 Annawood Lot 10, Block 22, Ranchwood Hills	Pamela Lee Hicks / Country Wide Home Loan Service	\$583.22
504 Meadow Run Ct. Lot 27, Block 1, Stone Mill Addition	Federal National Mortgage	\$579.76
509 Kingston Place Lot 8, Block 1, Yuhoma Addition	Sonja M. Deveille & Joseph G. Ballard / Bank of America	\$443.70
909 Mabel Fry Blvd. Lot 51, Block 3, Skyview Addition	Country Wide Home Loans	\$691.69
921 Justin Dr. Lot 5, Block 5, Preston Park Addition	Brenda D. Miller / Wells Fargo	\$321.73
1328 Oswego Lot 8, block 9, Von Elm East Section 2	Cyryal K. Pritchett / MERS - Mortgage Electronic Registration Systems	\$633.42
Total:		\$3,253.52

The motion to approve the abatement costs for the following properties and authorizing the City Clerk to place liens on the properties with the Canadian County Treasurer, was made by Council Member Maxey and seconded by Council Member Tipps.

The vote:
AYES: Maxey, Tipps, Bradway, Alberts
NAYS: None
VOTE: 4-0
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
708 Eastview Ct	Van Rosendale	Trash, Grass, & Weeds
435 S 8 th St Dr	John C. Guthrie Jr. and Pam Suttles	Nuisance Vehicle
613 S 8 th St Dr	Wells Fargo	Trash, Grass, & Weeds
1502 Glenda Dr	Pruett	Trash, Grass, & Weeds
712 Maple St	McDowell	Trash, Grass, & Weeds
801 Miller Dr	Sobhani	Trash, Grass, & Weeds
1317 Summerton Pl	Carey	Nuisance Vehicle
Vacant Land (Walnut Ave)	Lee Etal Morris & Judy Brown	Trash, Grass, & Weeds
Vacant Land (Walnut Ave)	Lee Etal Morris & Judy Brown	Nuisance Vehicle
Vacant Land (Walnut Ave)	Lee Etal Morris & Judy Brown	Storage & Parking in Residential Districts
1317 Winnipeg Dr	Sharp	Trash, Grass, & Weeds

Community Development Director Hort read the addresses remaining to be considered: 435 S. 8th St. Dr., 613 S. 8th St. Dr., 1502 Glenda Dr., 801 Miller Dr., and 1317 Summerton Pl. Pictures of the properties were presented for the Council's review.

John Guthrie of 435 S. 8th St. Dr. asked for an extension as he is attempting to move the vehicle and sell his house. He asked for an extension of 45 to 60 days. A motion was made by Council Member Alberts, seconded by Council Member Tipps, to table a decision until the 1st City Council meeting in February (2011).

The vote:
AYES: Tipps, Maxey, Alberts, Bradway
NAYS: None
VOTE: 4-0
MOTION CARRIED

Charles Ravencraft of 1317 Summerton Pl. appeared and stated he had donated the vehicle to the American Cancer Society, but he was unsure of the time frame needed to get the vehicle removed. He asked for a 30-day extension. A motion was made by Council Member Alberts, seconded by Council Member Maxey, to table the item until the 1st City Councilmeeting in January (2011).

The vote:

AYES: Alberts, Bradway, Tipps, Maxey,

NAYS: None

VOTE: 4-0

MOTION CARRIED

Council Member Maxey then made a motion to abate the remaining properties, seconded by Council Member Tipps:

The vote:

AYES: Bradway, Alberts, Maxey, Tipps

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. Consider approving an Agreement By and Between the City of Yukon and Yukon Public Schools regarding the installation and relocation of school signals and signs

The motion to approve an Agreement By and Between the City of Yukon and Yukon Public Schools regarding the installation and relocation of school signals and signs, was made by Council Member Tipps and seconded by Council Member Maxey.

The vote:

AYES: Bradway, Maxey, Tipps, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. New Business None.

10. Council Discussion

Council Member Alberts reminded everyone to enjoy the opening of Christmas in the Park, and to spend their money in Yukon during the holiday season.

Council Member Tipps had no comments.

Council Member Maxey wished everyone a Happy Thanksgiving.

Mayor Bradway thanked everyone for coming.

11. Adjournment



Doug Shivers, City Clerk


Bob Bradway, Mayor

