

Yukon City Council Minutes November 1, 2011

The Yukon City Council met in regular session on November 1, 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 Pastor Gary Reynolds, Yukon First Church of the Nazarene. The flag salute was given in unison.

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

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
Kevin Jones, Fire Chief	Terri Peak, Utility Billing Supervisor
Cheryl Dunn, Deputy City Clerk	Matt Maly, Public Works Director
Jan Scott, Parks and Recreation Director	Quincy Rinkle, Parks and Recreation Supervisor
Sara Schieman, Librarian	John Corn, Acting Police Chief

Presentations and Proclamations

Mayor Alberts read the proclamation for Mobile Meals Sunday and presented it to Joanne Oltmanns. Ms. Oltmanns thanked Yukon citizens for their support, and gave some statistics regarding participation in the Mobile Meals program.

●●● 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 October 18, 2011

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of October 18, 2011, was made by Trustee Grba and seconded by Trustee Smith.

The vote:

AYES: Smith, Grba, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Consider approving an amendment to the current water treatment plant operation agreement with Veolia Water North America Operating Services, LLC, for the purposes of implementing a Consumer Price Index adjustment to the fee resulting in a fee of \$94,127.33 per month; and also implementing a new fee of \$5,000.00 per year for additional testing required by the current discharge permit

The motion to approve an amendment to the current water treatment plant operation agreement with Veolia Water North America Operating Services, LLC, for the purposes of implementing a Consumer Price Index adjustment to the fee resulting in a fee of \$94,127.33 per month; and also implementing a new fee of \$5,000.00 per year for additional testing required by the current discharge permit, was made by Trustee Maxey and seconded by Trustee Smith.

The vote:

AYES: Alberts, Maxey, Smith, 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 October 18, 2011**
- B) Payment of material claims in the amount of \$416,392.03**
- C) A Settlement Agreement with Cox TMI Wireless, L.L.C., to terminate a lease of approximately 100 square feet at 12601 NW 10th Street (Yukon Water Tank)**
- D) The receipt of Oklahoma Department of Environmental Quality Permit No. SL000055110732, for the construction of 1,465 linear feet of 8" sewer line to serve the City of Yukon West 10th Street Office Center Sewer Line Extension Project**
- E) Setting the date for the next regular Council meeting for November 15, 2011, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.**

The motion to approve the Consent Docket, with the correction of a reference to Mayor Alberts as Mayor Bradway, consisting of the minutes of the regular meeting of October 18, 2011; Payment of material claims in the amount of \$416,392.03; A Settlement Agreement with Cox TMI Wireless, L.L.C., to terminate a lease of approximately 100 square feet at 12601 NW 10th Street (Yukon Water Tank); The receipt of Oklahoma Department of Environmental Quality Permit No. SL000055110732, for the construction of 1,465 linear feet of 8" sewer line to serve the City of Yukon West 10th Street Office Center Sewer Line Extension Project; Setting the date for the next regular Council meeting for November 15, 2011, 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 Maxey.

The vote:

AYES: Maxey, Grba, Bradway, Smith, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Mr. Russ Kline, Board of Adjustment Chairman, gave a brief summary of the Board of Adjustment's members, duties, and past year's activities.

3. Consider approving Staff's recommendations regarding operational changes to City-provided sanitation service, including (but not limited to) rates, equipment, and staffing

Council Member Smith asked about the possibility of having certain periods within the year free from an additional charge for bag pick-up, and mentioned the difficulty in making sure commercial services did not receive such a waiver of fees. City Manager Bottom mentioned the possibility of additional cans for residential customers. Council Member Grba asked about the possibility of implementing incentives for recycling. Mayor Alberts was interested in rates and discounts for seniors, and how the proposed Consumer Price Index (CPI) annual increase would work. City Attorney Segler reminded Council that any rate change would be via ordinance at a later date. He also explained that such an ordinance could be written to allow for an automatic CPI increase annually. Mayor Alberts expressed preference for the rate change and the CPI increase to be addressed in separate ordinances. City Manager Bottom stated that all information would be given to Council prior to addressing any ordinances.

The motion to approve Staff's recommendations regarding operational changes to City-provided sanitation service, including (but not limited to) rates, equipment, and staffing, was made by Council Member Smith and seconded by Council Member Maxey.

The vote:

AYES: Alberts, Grba, Bradway, Smith, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving an expenditure of funds in an amount not to exceed \$1,700,000.00, for the lease and purchase of required to implement operational changes to City-provided sanitation service

The motion to approve an expenditure of funds in an amount not to exceed \$1,700,000.00, for the lease and purchase of required to implement operational changes to City-provided sanitation service, was made by Council Member Grba and seconded by Council Member Smith.

The vote:

AYES: Grba, Maxey, Smith, Alberts, Bradway,

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving an amendment to the current water treatment plant operation agreement with Veolia Water North America Operating Services, LLC, for the purposes of implementing a Consumer Price Index adjustment to the fee resulting in a fee of \$94,127.33 per month; and also implementing a new fee of \$5,000.00 per year for additional testing required by the current discharge permit

Council Member Smith asked new and additional testing, and Council Member Bradway noted that upstream and downstream testing was now required, confirmed by City Manager Bottom.

The motion to approve an amendment to the current water treatment plant operation agreement with Veolia Water North America Operating Services, LLC, for the purposes of implementing a Consumer Price Index adjustment to the fee resulting in a fee of \$94,127.33 per month; and also implementing a new fee of \$5,000.00 per year for additional testing required by the current discharge permit, was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Smith, Bradway, Maxey, Grba, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider and approve Ordinance No. 1271, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Chapter 46, Article II of the Code of Ordinances, by amending Section 46-44 to provide for notice to owner of a property which may be determined to present a nuisance; amending Section 46-46 to provide for a hearing by the City Manager or his Designee; amending Section 46-47 to provide a reasonable time within which to abate a nuisance; amending Section 46-48 to provide for an appeal to the City Council of orders by the City Manager or his Designee; amending Section 46-49 to provide that the City Manager or his Designee shall determine costs of abatement; amending Section 46-51 to provide that the City Manager or his Designee may cause recurring nuisances to be summarily abated; and renumbering; and declaring an emergency.

The motion to approve Ordinance No. 1271, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Chapter 46, Article II of the Code of Ordinances, by amending Section 46-44 to provide for notice to owner of a property which may be determined to present a nuisance; amending Section 46-46 to provide for a hearing by the City Manager or his Designee; amending Section 46-47 to provide a reasonable time within which to abate a nuisance; amending Section 46-48 to provide for an appeal to the City Council of orders by the City Manager or his Designee; amending Section 46-49 to provide that the City Manager or his Designee shall determine costs of abatement; amending Section 46-51 to provide that the City Manager or his Designee may cause recurring nuisances to be summarily abated; and renumbering; and declaring an emergency, was made by Council Member Smith and seconded by Council Member Maxey.

Mr. Bradway asked if the public would still have an appeal to Council, and if abatement amounts were based on actual cost incurred, and Mr. Bottom confirmed. Mr. Maxey noted that some administrative cost would be reasonable, and Mr. Bottom noted that such costs were included in the documentation. Mr. Segler said the City was very meticulous with such documentation. Mr. Smith emphasized that the process was not for a profit. Mayor Alberts wanted to know how citizens were to be notified, and Director Hort said that process was the same as before, and if the process was not followed, any lien would not be valid.

The vote:

AYES: Grba, Alberts, Smith, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

6A. Consider and approve the Emergency Clause of Ordinance No. 1271

The motion to approve the Emergency Clause of Ordinance No. 1271 was made by Council Member Maxey and seconded by Council Member Grba.

The vote:

AYES: Maxey, Smith, Grba, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider approving the City Manager to negotiate terms of a credit facility in the amount of \$1,700,000.00 with Arvest Bank, to provide funding for the purchase of vehicles and equipment as outlined in the FY 2011-2012 budget

The motion to approve the City Manager to negotiate terms of a credit facility in the amount of \$1,700,000.00 with Arvest Bank, to provide funding for the purchase of vehicles and equipment as outlined in the FY 2011-2012 budget, was made by Council Member Smith and seconded by Council Member Maxey.

The vote:

AYES: Alberts, Bradway, Grba, Maxey, Smith

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. City Manager's Report – Information items only

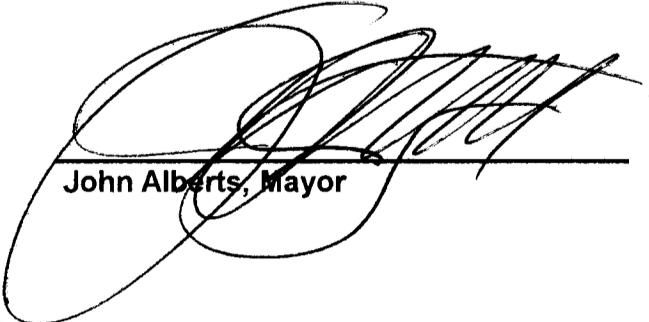
Mr. Bottom mentioned the success of the e-books program at the Library; the 4 current street repair projects; the restart of the Cornwell Booster Station pumps, which will be pressurized slowly to avoid any leaks; the many programs upcoming which are presented by the Parks and Recreation Department, and upgrades to the City's webpage as well as costs associated with placing City information into the AT&T U-verse system.

9. New Business None.

10. Council Discussion

Mr. Maxey had no items. Mr. Smith offered kudos to the Library for e-books, thanked the Street Department for street repairs to the Parkland neighborhood. Mr. Grba thanked the citizens for a drama-free Halloween. Mr. Bradway asked for a reconfigured report on sales tax, along with reserve fund totals to be made more prominent. Mayor Alberts had no items.

11. Adjournment


John Alberts, Mayor


Doug Shivers, City Clerk

