

**Yukon City Council Minutes  
September 16, 2014**

The Yukon City Council met in regular session September 16, 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 Tim Baer, Grace Episcopal Church

The flag salute was given in unison.

ROLL CALL: (Present)      Ken Smith, Mayor  
   Michael McEachern, Vice Mayor  
   John Alberts, Council Member  
   Richard Russell, Council Member  
   Donna Yanda, Council Member

**OTHERS PRESENT:**

Grayson Bottom, City Manager	Doug Shivers, City Clerk
Tammy Despain, Assistant City Manager	Robbie Williams, City Engineer
Mike Segler, City Attorney	Larry Mitchell, Economic Dev. Director
Arnold Adams, Public Works Director	John Corn, Police Chief
Bill Stover, Sanitation Director	Mitchell Hort, Development Services Dir.
Gary Cooper, Information Technology Dir.	Claudia Yager, Parks & Recreation
Jenna Roberson, Public Info. Officer	

**Presentations and Proclamations**

Mayor Smith read the "Constitution Week" Proclamation and presented it to Sharon Hays. Ms. Hays spoke about the Mission of Fort Reno Chapter and thanked the Mayor.

**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 August 19, 2014**
- B. Payment of material claims in the amount of \$27,540.25**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of August 19, 2014 and payment of material claims in the amount of \$27,540.25 was made by Trustee McEachern and seconded by Trustee Russell.

**The vote:**

**AYES: Smith, Alberts, McEachern, Yanda, Russell**

**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 August 19, 2014
- B) Payment of material claims in the amount of \$391,661.40
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade
- D) The renewal of the existing Agreement for Services between the City of Yukon and Oklahoma Czechs, Inc., for the term of July 1, 2014 through June 30, 2015, at a cost of \$1,455.00
- E) Appointment of Nick Grba, to the Park Board, representing Ward 2, as recommended by Council Member John Alberts
- F) Appointment of Dr. Athena Friese to the board of the Spanish Cove Housing Authority, for the remaining term of Office #2 expiring May 31, 2015, as recommended by the Nominating Committee
- G) Setting the date for the next regular Council meeting for October 7, 2014, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.

Mayor Smith asked for Item A to be corrected to September 2, 2014.

The motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of September 2, 2014; Payment of material claims in the amount of \$391,661.40; Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; The renewal of the existing Agreement for Services between the City of Yukon and Oklahoma Czechs, Inc., for the term of July 1, 2014 through June 30, 2015, at a cost of \$1,455.00; Appointment of Nick Grba, to the Park Board, representing Ward 2, as recommended by Council Member John Alberts; Appointment of Dr. Athena Friese to the board of the Spanish Cove Housing Authority, for the remaining term of Office #2 expiring May 31, 2015, as recommended by the Nominating Committee; and Setting the date for the next regular Council meeting for October 7, 2014, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Alberts and seconded by Council Member McEachern.

**The vote:**

**AYES: Russell, McEachern, Alberts, Yanda, Smith**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

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

- 3. Consider approving an expenditure of funds, in an amount not to exceed \$35,000.00, for a Roundhouse Trackless Train from the Roundhouse Trackless Train Company, to be paid from the Master Lease Purchase, as requested by the Parks and Recreation Director

The motion to approve an expenditure of funds, in an amount not to exceed \$35,000.00, for a Roundhouse Trackless Train from the Roundhouse Trackless Train Company, to be paid from the Master Lease Purchase, as requested by the Parks and Recreation Director, was made by Council Member Yanda and seconded by Council Member Alberts.

Council Member McEachern asked if this will replace the old train. Mr. Bottom stated the old train will be put into a secondary role.

**The vote:**

**AYES: Smith, Russell, Yanda, Alberts, McEachern**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. Consider accepting the 2014 Community Development Block Grant from the Oklahoma Department of Commerce, in the amount of \$64,567.00**

The motion to accept the 2014 Community Development Block Grant from the Oklahoma Department of Commerce, in the amount of \$64,567.00, was made by Council Member Russell and seconded by Council Member Yanda.

Council Member McEachern stated the bids were quite a bit lower than the engineers. Mr. Williams stated that pertains to the next item.

**The vote:**

**AYES: Yanda, Alberts, Smith, Russell, McEachern**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**5. Consider awarding the contract for the Yukon Community Center Roof Replacement Project to Universal Roofing and Sheet Metal, Inc., in the amount of \$207,180.00, to be paid from Capital Improvement funds, as recommended by Triad Design Group**

The motion to award the contract for the Yukon Community Center Roof Replacement Project to Universal Roofing and Sheet Metal, Inc., in the amount of \$207,180.00, to be paid from Capital Improvement funds, as recommended by Triad Design Group, was made by Council Member Alberts and seconded by Council Member McEachern.

Council Member McEachern questioned bids being lower than engineers estimate. Mr. Williams stated sometimes we are a little high on our estimates. Council Member McEachern questioned if the additional work anticipated was included in engineers original pricing. Mr. Williams stated other items just established unit price, if work is needed. Council Member McEachern asked if part of anticipated price. Mr. Williams stated no, his estimate is just what roof costs. Mayor Smith stated good news to have cushion. Mr. Williams stated we will amend contract at Council Meeting, if additional work is needed. Council Member Alberts clarified, if we expand or change in the future will the work being done now be able to tie into it later. Mr. Williams stated yes.

**The vote:**

**AYES: McEachern, Russell, Smith, Yanda, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**6. Consider accepting the Maintenance Bonds for the Public Water Line and Sanitary Sewer, for the improvements for Garth Brooks Phase IV, as recommended by the Development Services Director**

The motion to accept the Maintenance Bonds for the Public Water Line and Sanitary Sewer, for the improvements for Garth Brooks Phase IV, as recommended by the Development Services Director, was made by Council Member Alberts and seconded by Council Member Russell.

**The vote:**

**AYES: Russell, Alberts, Smith, Yanda, McEachern**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 7. Consider accepting a request to release the Letter of Credit, for the improvements of the Public Water Line and Sanitary Sewer for Garth Brooks Phase IV, in the amount of \$112,000.00, as recommended by the Development Services Director**

The motion to accept a request to release the Letter of Credit, for the improvements of the Public Water Line and Sanitary Sewer for Garth Brooks Phase IV, in the amount of \$112,000.00, as recommended by the Development Services Director, was made by Council Member Yanda and seconded by Council Member McEachern.

Council Member McEachern questioned if this ends the project. Mr. Bottom stated it does for this part of the development.

**The vote:**

**AYES: McEachern, Smith, Russell, Yanda, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 8. Consider approving the special conditions to the Revocable Permit Application, for Unite Private Networks, regarding the installation of broadband fiber, to serve the Yukon Public School District, to include:**

- **Unite Private Networks will be responsible for the relocation of the fiber optic cable for the widening of Hwy 4 (Piedmont Road) and will be required to bear all costs of the relocation; thus City and State shall bear no expense for this relocation.**
- **Unite Private Networks shall provide a statement from the contractor and OG&E that fiber optic aerial cable has been installed in accordance with standards and codes for the installation and clearances over roadways.**
- **Unite Private Networks' contractor will be required to work with the City of Yukon on the installation. A City of Yukon representative will be assigned to work with the contractor on the installation of fiber optic cable.**
- **All cable coils as listed in the plans for the installation of fiber optic cable, will be required to be reviewed and approved for this installation by the City of Yukon's representative, as recommended by the Development Services Director**

The motion to approve the special conditions to the Revocable Permit Application, for Unite Private Networks, regarding the installation of broadband fiber, to serve the Yukon Public School District, to include: Unite Private Networks will be responsible for the relocation of the fiber optic cable for the widening of Hwy 4 (Piedmont Road) and will be required to bear all costs of the relocation; thus City and State shall bear no expense for this relocation; Unite Private Networks shall provide a statement from

the contractor and OG&E that fiber optic aerial cable has been installed in accordance with standards and codes for the installation and clearances over roadways; Unite Private Networks' contractor will be required to work with the City of Yukon on the installation. A City of Yukon representative will be assigned to work with the contractor on the installation of fiber optic cable; and All cable coils as listed in the plans for the installation of fiber optic cable, will be required to be reviewed and approved for this installation by the City of Yukon's representative, as recommended by the Development Services Director, was made by Council Member McEachern and seconded by Council Member Alberts.

Council Member McEachern asked if it will be all above ground. Mr. Bottom stated some areas, but certain roads will have to be bored. Mr. Hort stated we will use OG&E poles where available. We will be going under bridges, railroad tracks and etc. Council Member McEachern questioned if Right-of-Ways will impact Oklahoma City poles. Mr. Hort stated yes, Unite is permitting thru Oklahoma City, as well. Council Member McEachern questioned who gets it. Mr. Hort stated Unite Private Networks would be required to do that. Mayor Smith re-read part of the item for clarification. Council Member McEachern questioned why we are doing this. Mr. Hort stated anytime they bore a city street, they are required to get a Right-of-Way and Revocable Permit. Mr. Bottom stated our easements are getting full and our thought process needs to become three dimensional. Council Member Alberts stated this is new to me, why this type of agreement. Mr. Hort stated so we know where and what type of cable and projects are underneath. We previously did this at Spanish Cove. Mayor Smith thanked Development Services for their efforts.

**The vote:**

**AYES: Alberts, McEachern, Yanda, Smith, Russell**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 9. Consider approving the Building Permit Application, Applications to Construct within Road Right-of-Way, and the specially-conditioned Revocable Permit Application, and authorize the City Manager to approve such applications from Unite Private Networks, for installation of broadband fiber, to serve the Yukon Public School District, as recommended by the Development Services Director**

The motion to approve the Building Permit Application, Applications to Construct within Road Right-of-Way, and the specially-conditioned Revocable Permit Application, and authorize the City Manager to approve such applications from Unite Private Networks, for installation of broadband fiber, to serve the Yukon Public School District, as recommended by the Development Services Director, was made by Council Member Russell and seconded by Council Member Yanda.

Council Member McEachern clarified this was same thing. Mr. Hort stated yes, just amended permit in Item 8.

**The vote:**

**AYES: Russell, Alberts, McEachern, Smith, Yanda**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

- 10. Consider approving Ordinance No. 1301, an Ordinance amending the Employee Retirement System, Defined Benefit Plan of the City of Yukon, Oklahoma, to incorporate the definition of Spouse; providing for effective date, providing for repealer and severability, and declaring an Emergency**

The motion to approve Ordinance No. 1301, an Ordinance amending the Employee Retirement System, Defined Benefit Plan of the City of Yukon, Oklahoma, to incorporate the definition of Spouse; providing for effective date, providing for repealer and severability, and declaring an Emergency, was made by Council Member Alberts and seconded by Council Member Yanda.

Council Member McEachern questioned why we needed this. Mr. Bottom stated keeps plan federally qualified. We are covered under two laws, Federal and State. Tonight is Federal Law and it keeps us qualified. Council Member McEachern questioned negatives. Mr. Bottom stated negative vote could result in a disqualification of our plan for our retirees. Council Member Alberts clarified this would not change our plan; it just makes it compliant with Federal law. Mr. Bottom stated yes.

**The vote:**

**AYES: Yanda, McEachern, Alberts, Smith**

**NAYS: Russell**

**VOTE: 4-1**

**MOTION CARRIED**

**11. Consider approving the Emergency Clause of Ordinance No. 1301**

The motion to approve the Emergency Clause of Ordinance No. 1301, was made by Council Member Alberts and seconded by Council Member McEachern.

**The vote:**

**AYES: McEachern, Yanda, Smith, Alberts**

**NAYS: Russell**

**VOTE: 4-1**

**MOTION CARRIED**

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

**A. Sales Tax Report**

**B. Czech Day Update**

**C. Main Street Revitalization Update**

Mr. Bottom stated Sales Tax is disappointing. It is down half a point and year to date down .7%. We believe there are numerous reasons for this. We are preparing contingency plans. Historical trend indicates rebound usually happens starting next month.

Mr. Bottom encourages all to come to Czech Day on October 4. We are anticipating great weather. Come early to enjoy kolaches.

There are several projects on Main Street Revitalization. Tammy DeSpain has been the lead. Mrs. DeSpain stated Pam Shelton is working diligently with all the businesses on Main Street. Tomorrow at 4pm is the cash mob and so far we have 55 participants. We will meet at the Economic Development office and go shop at one of the Main St. businesses and spend at least \$20ea. It will be a great turn out. There will be a social hour afterwards at Green Chili Kitchen. There are several projects lined up that have been budgeted in the Capital Improvements at a cost of \$250,000.00. Some of the projects include signage and new roadway lighting, which will be done in three phases; east, west, and central. Lights will include new led lights and black decorative poles. We are moving forward and hope to gain support from our businesses. Yukon Community Support Foundation is providing grants for businesses to paint. Mr. Bottom thanked Tammy.

Mr. Bottom stated each month, the Council is asked to read a lot of information. The commitment of our Council to stay up to date should be acknowledged and appreciated. Thank you.

Council Member Alberts asked what was the budget growth based on. Mr. Bottom stated Sales Tax growth of 4%. It is currently at .7%. Council Member McEachern asked if there was any news on when ODOT will be opening roads. Mr. Bottom stated two weeks on Garth Brooks and three weeks on I-40. Mustang Road bridges are not included on time frame.

Mr. Bottom stated plans and application have been received for McAlister's Deli located by Kirkland's.

**13. New Business-None**

**14. Council Discussion**

Council Member McEachern thanked Dr. Friese for volunteering to serve on Spanish Cove board. He also thanked Tammy and Pam for their hard work. He's looking forward to the next two years.

Council Member Russell is excited about Main Street Revitalization.

Council Member Yanda thanked Mitch and his staff. She also congratulated Dr. Friese and Mr. Grba.

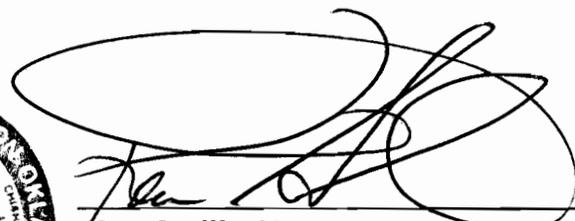
Council Member Alberts thanked Mr. Grba for his continued service. He is glad to see all the school kids in the audience. Thanks to all the City employees for their hard work. Tax will rebound and Mr. Bottom will be able to handle issues.

Mayor Smith thanked Mr. Bottom for recognizing City Council efforts. He also recognized Pam Shelton, we are lucky to have a citizen like her.

**15. Adjournment**

  
Doug Shivers, City Clerk



  
Ken Smith, Mayor