

**Yukon City Council Minutes
August 21, 2018**

The Yukon City Council met in regular session on August 21, 2018 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 Woody Burpo, Passion Church

The flag salute was given in unison.

ROLL CALL: (Present) Michael McEachern, Mayor
 Earline Smaistrila, Vice Mayor
 Donna Yanda, Council Member
 Rick Cacini, Council Member
 Shelli Selby, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager	Doug Shivers, City Clerk
Tammy Kretchmar, Assistant City Manager	Mitchell Hort, Dev. Services Director
Philip Merry, City Treasurer	Robbie Williams, Triad
John Corn, Police Chief	Gary Miller, City Attorney
Gary Cooper, IT Director	Ryan Wells, Police
Jeff Deckard, Asst. Public Works Director	Jason Beal, Deputy City Clerk
Jan Scott, Parks & Recreation Director	Dana Deckard, Admin. Asst.
Jerome Brown, IT	

Presentations and Proclamations

None

Visitors

None

(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 7, 2018**
- B) Payment of material claims in the amount of \$613,980.95**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of August 7, 2018; payment of material claims in the amount of \$613,980.95, was made by Trustee Yanda and seconded by Trustee Smaistrila.

The vote:

AYES: Yanda, Smaistrila, McEachern, Selby, Cacini

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 7, 2018**
- B) Payment of material claims in the amount of \$524,628.86**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) The appointments of Michael McEachern as the member and Rick Cacini as the alternate for the following Association of Central Oklahoma Governments (ACOG) Boards and Committees: ACOG Board of Directors, Intermodal Transportation Policy Committee (ITPC), Garber-Wellington Association Policy Committee (GWPC), and 9-1-1 ACOG Board of Directors**
- E) Setting the date for the next regular Council meeting for September 4, 2018, 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 minutes of the regular meeting of August 7, 2018; payment of material claims in the amount of \$524,628.86; designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; the appointments of Michael McEachern as the member and Rick Cacini as the alternate for the following Association of Central Oklahoma Governments (ACOG) Boards and Committees: ACOG Board of Directors, Intermodal Transportation Policy Committee (ITPC), Garber-Wellington Association Policy Committee (GWPC), and 9-1-1 ACOG Board of Directors; setting the date for the next regular Council meeting for September 4, 2018, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Cacini and seconded by Council Member Selby.

The vote:

AYES: Selby, Smaistrila, McEachern, Cacini, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials – No report given.**3. Consider approving Budget Amendments for Fiscal Year 2019**

The motion to approve Budget Amendments for Fiscal Year 2019, was made by Council Member Yanda and seconded by Council Member Selby.

The vote:

AYES: McEachern, Cacini, Selby, Smaistrila, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider awarding the contract for the Taylor Park Restroom and Community Center Kitchen Remodel and Veterans Museum Remodel Projects to Downey Contracting, L.L.C., in the amount of \$609,400.00, as recommended by the City Engineer

The motion to award the contract for the Taylor Park Restroom and Community Center Kitchen Remodel and Veterans Museum Remodel Projects to Downey Contracting, L.L.C., in the amount of \$609,400.00, as recommended by the City Engineer, was made by Council Member Cacini and seconded by Council Member Selby.

Mr. Crosby confirmed this was the lowest bid.

The vote:

AYES: Yanda, Cacini, McEachern, Selby, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving Ordinance 1363, an ordinance of the City of Yukon, Oklahoma, adding Section 214 to the Yukon City Code (marijuana facilities and establishments); directing codification; and providing for severability and the repeal of conflicting ordinances; and declaring an emergency

The motion to approve Ordinance 1363, an ordinance of the City of Yukon, Oklahoma, adding Section 214 to the Yukon City Code (marijuana facilities and establishments); directing codification; and providing for severability and the repeal of conflicting ordinances; and declaring an emergency, was made by Council Member Cacini and seconded by Council Member Smaistrila.

Mr. Miller explained the proposed ordinance in detail.

Russell Moore, 1505 Birkenhead Road, passed out and detailed information to the Council regarding Statutes. He asked the Council to read the information.

Mike Green, 9032 NW 79th Terrace, stated he loves Yukon and moved his family here. He is working on opening a CBD business in Yukon with hopes of adding medical marijuana. He stated the usefulness of both and asked the Council not to add restrictions on the locations for these kinds of businesses.

Nicolette Weed-Gossett, 500 Tumbleweed Drive, told a story of a child's overdose on Tylenol. She asked why prohibit medical marijuana when 63% of the county voted in favor of it.

Trey Bishop, 12541 W. Reno, stated that 63% of voters passed 788. He stated they will have it. He referred to a recall of Council, referendum or said the council could be reasonable.

Chance Wooldridge, told the story of his elderly mother. He stated he wants her to be able to buy locally and medical marijuana could eliminate 7 of her medications.

Elaine Burris, 315 Novak Circle, stated she is not a user, but her sons are war veterans and they might not be here today without cannabis. She stated the added restrictions on locations are outlandish.

Ms. Yanda asked if this ordinance changes zoning. Mr. Miller stated no changes to zoning. He confirmed the 1,000 feet from a school is taken directly from the language of State Question 788.

Kathy Green, 9032 NW 79th Terrace, stated the city wants all dispensaries south of I-409, SQ 788 does not include the same restrictions. Mr. Miller stated the ordinance does not state establishments must be south of I-40.

Ms. Selby stated she did not appreciate the threat, and she is not a marijuana supporter. She stated her son died of an overdose, so she does not take this matter lightly. She believes Yukon will regulate itself. She stated she is a drug counselor, abuse will happen, she welcomes what is law and has received feedback from the citizens.

Mr. Cacini stated the law and businesses can be opened on both sides of town.

Ms. Yanda stated she is for medical marijuana and confirmed there are places available north of I-40.

Mayor McEachern stated his support of medical marijuana and noted the quality of life in Yukon. He stated the matter can be reviewed and changed in the future if needed. He stated there will be dispensaries in town and believes this ordinance complies with state law.

The vote:

AYES: Cacini, Smaistrila, Yanda, McEachern

NAYS: Selby

VOTE: 4-1

MOTION CARRIED

5a. Consider approving the Emergency Clause of Ordinance No. 1363

The motion to approve the Emergency Clause of Ordinance No. 1363, was made by Council Member Cacini and seconded by Council Member Smaistrila.

The vote:

AYES: McEachern, Selby, Smaistrila, Yanda, Cacini

NAYS: None

VOTE: 5-0

MOTION CARRIED

- 6. Consider approving Ordinance 1364, an ordinance of the City of Yukon, Oklahoma, amending the Code of Ordinance of the City of Yukon, Oklahoma, by adding a new Chapter 60 Communication Towers; adding new Section 60-1 Intent, adding new Section 60-2 Purpose; adding new Section 60-3 Definitions; adding new Section 60-4 Existing Towers or Antennas; adding new Section 60-5 Interpretation and Applicability; adding new Section 60-6 Setback and Height Requirements; Lighting, Advertising and Sign Restriction; adding new Section 60-7 Location Requirements; adding new Section 60-8 Conditional Use Permit required; adding new Section 60-9 Application Requirements; adding new Section 60-10 Appeal to Board; adding new Section 60-11 Removal of Abandoned Tower Requirements and Bond Requirements; adding new Section 60-12 Screening, Landscaping, Fencing and Access Requirements; Installing Overhead or Underground Electrical Power Lines, Fiber Optics or Other Utilities; adding Section 60-13 Permit Requirements; adding new Section 60-14 Inspection and Testing; adding new Section 60-15 Non-Interference; adding new Section 60-16 Insurance and Hold Harmless Provisions; adding new Section 60-17 Penalties; adding new Section 60-18 Enforcement; adding new Section 60-19 Repealer; adding new Sections 60-20-22 Reserved; providing for severability; and declaring an emergency.**

The motion to approve Ordinance 1364, an ordinance of the City of Yukon, Oklahoma, amending the Code of Ordinance of the City of Yukon, Oklahoma, by adding a new Chapter 60 Communication Towers; adding new Section 60-1 Intent, adding new Section 60-2 Purpose; adding new Section 60-3 Definitions; adding new Section 60-4 Existing Towers or Antennas; adding new Section 60-5 Interpretation and Applicability; adding new Section 60-6 Setback and Height Requirements; Lighting, Advertising and Sign Restriction; adding new Section 60-7 Location Requirements; adding new Section 60-8 Conditional Use Permit required; adding new Section 60-9 Application Requirements; adding new Section 60-10 Appeal to Board; adding new Section 60-11 Removal of Abandoned Tower Requirements and Bond Requirements; adding new Section 60-12 Screening, Landscaping, Fencing and Access Requirements; Installing Overhead or Underground Electrical Power Lines, Fiber Optics or Other Utilities; adding Section 60-13 Permit Requirements; adding new Section 60-14 Inspection and Testing; adding new Section 60-15 Non-Interference; adding new Section 60-16 Insurance and Hold Harmless Provisions; adding new Section 60-17 Penalties; adding new Section 60-18 Enforcement; adding new Section 60-19 Repealer; adding new Sections 60-20-22 Reserved; providing for severability; and declaring an emergency, was made by Council Member Selby and seconded by Council Member Cacini.

Mr. Hort gave details of the ordinance for communication towers. HE stated the Planning Commission recommends approval.

The vote:

AYES: Smaistrla, Cacini, McEachern, Yanda, Selby

NAYS: None

VOTE: 5-0

MOTION CARRIED

6a. Consider approving the Emergency Clause of Ordinance No. 1364

The motion to approve the Emergency Clause of Ordinance No. 1364, was made by Council Member Yanda and seconded by Council Member Smaistrla.

The vote:

AYES: Cacini, Yanda, Selby, Smaistrla, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. New Business – No new business

8. Council Discussion

Council Member Yanda had no discussion.

Council Member Smaistrla had no discussion.

Council Member Cacini thanked those you came to the meeting and reiterated the Council is not limiting the ability to open a medical marijuana dispensary.

Council Member Selby thanked all those you attended the meeting.

Mayor McEachern thanked Mr. Cacini for agreeing to serve on the ACOG board.

9. Adjournment



Doug Shivers, City Clerk



Michael McEachern, Mayor

