

**Yukon City Council Minutes
November 7, 2017**

The Yukon City Council met in regular session on November 7, 2017 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 Mark Borseth, Resurrection Lutheran Church

The flag salute was given in unison.

ROLL CALL: (Present) Michael McEachern, Mayor
Earline Smaistrla, Vice Mayor
Richard Russell, Council Member
John Alberts, Council Member
(Absent) Donna Yanda, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager	Doug Shivers, City Clerk
Tammy DeSpain, Assistant City Manager	Robbie Williams, Triad
Mitchell Hort, Dev. Services Director	John Corn, Police Chief
Gary Miller, City Attorney	Gary Cooper, IT Director
Jason Beal, Deputy City Clerk	Arnold Adams, Public Works Director
Jenna Roberson, PIO	Jan Scott, Parks & Recreation Director
Jerome Brown, IT Assistant	Candy Schwarz, Court Clerk

Presentations and Proclamations

Mayor McEachern read and presented the proclamation for "Small Business Saturday" to Terry Martin, Main Street. Mrs. Martin thanked the City of Yukon for their support of Yukon businesses.

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 October 17, 2017**
- B) Payment of material claims in the amount of \$219,179.01**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of October 17, 2017; payment of material claims in the amount of \$219,179.01, was made by Trustee Russell and seconded by Trustee Alberts.

The vote:

AYES: Alberts, Russell, McEachern, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 2A. Consider approving an Agreement for Bond Counsel Services with The Public Finance Law Group PLLC and Williams, Box, Forshee & Bullard, P.C., for professional and legal services regarding the issuance of the Sales Tax Revenue Note, Taxable Series 2017B, pursuant to Resolution YMA 2017-06, passed on October 17, 2017**

The motion to approve an Agreement for Bond Counsel Services with The Public Finance Law Group PLLC and Williams, Box, Forshee & Bullard, P.C., for professional and legal services regarding the issuance of the Sales Tax Revenue Note, Taxable Series 2017B, pursuant to Resolution YMA 2017-06, passed on October 17, 2017, was made by Trustee Smaistrila and seconded by Trustee Russell.

The vote:

AYES: Russell, Smaistrila, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 3A. Consider accepting the Warranty Deeds for the donation of two tracts of land from ODB Investors, LLC for the construction and re-alignment of Vandament Avenue, a tract located at the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.1"; and a tract located in the Northwest Quarter (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3"**

The motion to accept the Warranty Deeds for the donation of two tracts of land from ODB Investors, LLC for the construction and re-alignment of Vandament Avenue, a tract located at the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.1"; and a tract located in the Northwest Quarter (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3", was made by Trustee Alberts and seconded by Trustee Russell.

Mr. Crosby explained that Items 3A & 4A are necessary for the construction and re-alignment of Vandament Avenue around the Frisco Water Tower. Both tracts are donated to the City of Yukon while the City of Yukon is returning some of the excess property.

The vote:

AYES: McEachern, Smaistrila, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 4A. Consider approving the Warranty Deed to donate excess property, located on the north side of the Frisco Road Water Tower, to ODB Investors, LLC, specifically excess property from the construction and re-alignment of Vandament Avenue and Frisco Road, a tract located at the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4"**

The motion to approve the Warranty Deed to donate excess property, located on the north side of the Frisco Road Water Tower, to ODB Investors, LLC, specifically excess property from the construction and re-alignment of Vandament Avenue and Frisco Road, a tract located at the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4", was made by Trustee Smaistrila and seconded by Trustee Alberts.

The vote:

AYES: Smaistrila, Alberts, McEachern, Russell

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 October 17, 2017**
- B) Payment of material claims in the amount of \$570,051.59**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) Entering into a Billboard Advertising Agreement with Central Oklahoma Marketing Group, for digital billboard advertising space from December 7, 2017 to June 1, 2018, in the amount of \$7,200.00**
- E) Accepting the recommendations of the Yukon Park Board to consider future splashpad sites at Kimbell Park and Freedom Trail Playground**
- F) Accepting the recommendations of the Yukon Park Board to consider a more aesthetically pleasing structure to replace the fencing in front of the Yukon Community Center, located on the south side of Holly Avenue adjacent to I-40**
- G) Setting the date for the next regular Council meeting for November 21, 2017, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.**

Mr. Alberts asked that Items D & E be considered separately.

The motion to approve Items A, B, C, F & G of the Consent Docket, consisting of the minutes of the regular meeting of October 17, 2017; payment of material claims in the amount of \$570,051.59; designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; accepting the recommendations of the Yukon Park Board to consider a more aesthetically pleasing structure to replace the fencing in front of the Yukon Community Center, located on the south side of Holly Avenue adjacent to I-40; setting the date for the next regular Council meeting for November 21, 2017, 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 Russell.

The vote:

AYES: McEachern, Alberts, Russell, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

The motion to approve Item D of the Consent Docket, consisting of entering into a Billboard Advertising Agreement with Central Oklahoma Marketing Group, for digital billboard advertising space from December 7, 2017 to June 1, 2018, in the amount of \$7,200.00, was made by Council Member Alberts and seconded by Council Member Russell.

Mr. Crosby stated this item is to renew the agreement from last year and at a considerable discounted rate to advertise city events.

The vote:

AYES: Alberts, Russell, McEachern, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

The motion to approve Item E of the Consent Docket, consisting of accepting the recommendations of the Yukon Park Board to consider future splashpad sites at Kimbell Park and Freedom Trail Playground, was made by Council Member Alberts and seconded by Council Member Russell.

Mr. Alberts confirmed that this item is just a recommendation for the council to consider. Mr. Crosby stated yes.

Mr. Alberts urged support of building future splashpads in Yukon. He stated this is a long time coming and would like to see it happen.

The vote:

AYES: McEachern, Alberts, Smaistrila, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials – No report given.

3. Consider approving a Memorandum of Understanding between the City of Yukon and Yukon Fraternal Order of Police for purchase of police equipment, effective October 1, 2017 thru October 1, 2018, not to exceed \$128,442.00

The motion to approve a Memorandum of Understanding between the City of Yukon and Yukon Fraternal Order of Police for purchase of police equipment, effective October 1, 2017 thru October 1, 2018, not to exceed \$128,442.00, was made by Council Member Russell and seconded by Council Member Smaistrila.

Mr. Crosby stated this item would standardize the rifles and purchase the necessary equipment.

The vote:

AYES: Alberts, McEachern, Smaistrila, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider awarding the contract for the 2017 Roof Replacement Project to Today's Roofing, in an amount not to exceed \$57,737.00, as recommended by the Emergency Manager

The motion to award the contract for the 2017 Roof Replacement Project to Today's Roofing, in an amount not to exceed \$57,737.00, as recommended by the Emergency Manager, was made by Council Member Russell and seconded by Council Member Alberts.

Mr. Russell asked for explanation. Mr. Crosby stated hail damage to roofs occurred, insurance settled, but the repairs were not made. This is the low bid of the rebid.

Ms. Smaistrila asked what buildings this covered. Mr. Crosby stated this covers several including the Centennial Building.

The vote:

AYES: Russell, Alberts, McEachern, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. **Consider approving Ordinance 1350, an Ordinance which provides an amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending certain sections as necessitated by 20 O.S. §1313.2 (Updated Oklahoma Code section effective November 1, 2017) of the Oklahoma Statutes; and declaring an emergency**

The motion to approve Ordinance 1350, an Ordinance which provides an amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending certain sections as necessitated by 20 O.S. §1313.2 (Updated Oklahoma Code section effective November 1, 2017) of the Oklahoma Statutes; and declaring an emergency, was made by Council Member Russell and seconded by Council Member Smaistrila.

Mr. Crosby stated this aligns our fees with the new state law.

The vote:

AYES: McEachern, Russell, Smaistrila, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

- 5a. **Consider approving the Emergency Clause of Ordinance No. 1350**

The motion to approve the Emergency Clause of Ordinance No. 1350, was made by Council Member Alberts and seconded by Council Member Russell.

The vote:

AYES: Alberts, Russell, Smaistrila, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. **Consider approving Ordinance 1351, an Ordinance which provides an amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending certain sections as necessitated by 20 O.S. §1313.3 and §1313.4 (State mandated court fee increases) of the Oklahoma Statutes; and declaring an emergency**

The motion to approve Ordinance 1351, an Ordinance which provides an amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending certain sections as necessitated by 20 O.S. §1313.3 and §1313.4 (State mandated court fee increases) of the Oklahoma Statutes; and declaring an emergency, was made by Council Member Smaistrila and seconded by Council Member Alberts.

The vote:

AYES: Smaistrila, Russell, McEachern, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

6a. Consider approving the Emergency Clause of Ordinance No. 1351

The motion to approve the Emergency Clause of Ordinance No. 1351, was made by Council Member Alberts and seconded by Council Member Russell.

The vote:

AYES: Russell, Alberts, McEachern, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider approving Ordinance 1352, an Ordinance amending Ordinance No. 657, Appendix A of the Code of Ordinances of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the Northwest Quarter of Section 28, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma, be changed from "R-3" (Multi-Family Residential District) to "C-3 PUD" (Restricted Commercial District Planned Unit Development); and declaring an emergency

The motion to approve Ordinance 1352, an Ordinance amending Ordinance No. 657, Appendix A of the Code of Ordinances of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the Northwest Quarter of Section 28, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma, be changed from "R-3" (Multi-Family Residential District) to "C-3 PUD" (Restricted Commercial District Planned Unit Development); and declaring an emergency, was made by Council Member Russell and seconded by Council Member Alberts.

The vote:

AYES: Smaistrila, McEachern, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

7a. Consider approving the Emergency Clause of Ordinance No. 1352

The motion to approve the Emergency Clause of Ordinance No. 1352, was made by Council Member Alberts and seconded by Council Member Smaistrila.

The vote:

AYES: McEachern, Alberts, Smaistrila, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. Consider approving Resolution 2017-18, a Resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one council member from Ward 1 and one council member from Ward 2 for four-year terms ending in May, 2022; and setting the filing period for the election.

The motion to approve Resolution 2017-18, a Resolution authorizing the calling and holding of an election in the City of Yukon, Canadian County, Oklahoma, for the purpose of electing one council member from Ward 1 and one council member from Ward 2 for four-year terms ending in May, 2022; and setting the filing period for the election, was made by Council Member Alberts and seconded by Council Member Russell.

The vote:

AYES: Alberts, Russell, Smaistrila, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. Consider accepting the Permanent Easement from ODB Investors, LLC, for construction of a storm drain for the Frisco Road Project located at the Northwest Quarter (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.1"

The motion to accept the Permanent Easement from ODB Investors, LLC, for construction of a storm drain for the Frisco Road Project located at the Northwest Quarter (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.1", was made by Council Member Russell and seconded by Council Member Alberts.

Mr. Alberts asked if Items 9, 10 & 11 are together. Mr. Crosby stated they are for the construction of Frisco Road and re-alignment of Vandament Avenue. He explained that Item 9 is associated with extending drainage to the east, Item 10 concerns the water line to the new water tower, Items 11 a through d are Temporary Easements necessary during construction as is Item 12.

The vote:

AYES: Russell, McEachern, Alberts, Smaistrila

NAYS: None

VOTE: 4-0

MOTION CARRIED

10. Consider accepting the Permanent Easement from ODB Investors, LLC, for an existing water line on the south side of the water tower between Frisco Road and Vandament Avenue, located in the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, better known as "Parcel No. 4.2"

The motion to accept the Permanent Easement from ODB Investors, LLC, for an existing water line on the south side of the water tower between Frisco Road and Vandament Avenue, located in the Southwest Quarter (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, better known as "Parcel No. 4.2", was made by Council Member Smaistrila and seconded by Council Member Russell.

The vote:

AYES: Smaistrila, Russell, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

11. Consider accepting the Temporary Easements from ODB Investors, LLC, for construction and re-alignment of Vandament Avenue and Frisco Road for:
- a. A tract of land lying in the Northwest Quarter of (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.2"
 - b. A tract of land lying in the Northwest Quarter of (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.3"
 - c. A tract of land lying in the Southwest Quarter of (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.3"
 - d. A tract of land lying in the Southwest Quarter of (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.4"

The motion to accept the Temporary Easements from ODB Investors, LLC, for construction and re-alignment of Vandament Avenue and Frisco Road for: a) A tract of land lying in the Northwest Quarter of (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.2"; b) A tract of land lying in the Northwest Quarter of (NW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 3.3"; c) A tract of land lying in the Southwest Quarter of (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.3"; d) A tract of land lying in the Southwest Quarter of (SW/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, known as "Parcel No. 4.4", was made by Council Member Russell and seconded by Council Member Smaistrila.

The vote:

AYES: Alberts, Smaistrila, Russell, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

12. Consider accepting the Temporary Easement from Butte Land Investments, LLC, to allow for the construction on Frisco Road, located in the Northeast Quarter (NE/4) of Section 24, Township 12 North, Range 6 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, better known as "Parcel No. 2"

The motion to accept the Temporary Easement from Butte Land Investments, LLC, to allow for the construction on Frisco Road, located in the Northeast Quarter (NE/4) of Section 24, Township 12 North, Range 6 West of the Indian Meridian, City of Yukon, Canadian County, Oklahoma, better known as "Parcel No. 2", was made by Council Member Alberts and seconded by Council Member Smaistrila.

Mr. Crosby stated that the intersection of Vandament and Frisco was moved to align with the intersection at Frisco Road with the water park road.

The vote:

AYES: McEachern, Smaistrila, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

13. **New Business** – No new business

14. Council Discussion

Council Member Smaistrla thanked all of the Yukon High School Leadership students in attendance. She invited the public to The Nutcracker on December 2 & 3 at the Fine Arts Center.

Council Member Russell thanked all of the students in attendance.


Council Member Alberts thanked Terry Martin and encouraged everyone to Shop Yukon. Thanked Mr. Andrews and the students in attendance. He stated that he appreciates their interest in local government. He reminded the public that the Chill Your Cheeks 5k is Saturday, November 18.

Mayor McEachern said he is proud of Yukon and the events. He gave a recap of upcoming Christmas in Yukon events and stated he was excited for the new water park.

15. Adjournment



Michael, McEachern, Mayor



~~Doug Shivers, City Clerk~~
Jason Beal, Deputy City Clerk