

# Minutes



## Yukon City Council Minutes February 21, 2006

The Yukon City Council met in regular session on February 21, 2006, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Father Bill Novak, St. John Nepomuk Catholic Church.

The flag salute was given in unison.

ROLL CALL: (Present)      Bob Bradway, Mayor  
                                 Earline Smaistrla, Vice Mayor  
                                 Dewayne Maxey, Council Member  
                                 John Alberts, Council Member  
                                 Ward Larson, Council Member

### OTHERS PRESENT:

Jim Crosby, City Manager  
Pat Hargis, City Clerk  
Mike Segler, City Attorney  
Robbie Williams, City Engineer  
George Middleton, Building Maintenance  
Tammy Kretchmar, Administrative Assistant  
John Corn, Deputy Police Chief  
Jeff Lara, Fire Chief  
J. R. Reed, Public Works Director  
Jan Scott, Park and Recreation Director  
Mitch Hort, Community Development Director  
Tim Rundel, Personnel and Safety Director

● ● ●  
Presentations and Proclamations

● ● ●  
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 one 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 February 7, 2006
- B) Payment of claims in the amount of \$29,038.94

Trustee Maxey made a motion, seconded by Vice Chair Smaistrla, to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of February 7, 2006, and payment of claims in the amount of \$29,038.94.

**The vote:**

**AYES: Smaistrla, Larson, Alberts, Bradway, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

(Recess 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 one 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 February 7, 2006
- B) Payment of salary and material claims in the amount of \$340,780.97
- C) The recommendation of the Nominating Committee of Spanish Cove Housing Authority to appoint Dr. Bill Martin to fill an unexpired term for Office #1
- D) Entering into an agreement with Sister Cities International of Yukon, Oklahoma, for additional appropriations as requested by Council at the January 18, 2005, Council meeting
- E) Setting the date for the next regular Council meeting for March 7, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Alberts asked to hear Item C separately, as several from the audience wanted to have input on this subject.

Council Member Maxey made a motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of February 7, 2006; payment of salary and material claims in the amount of \$340,780.97; entering into an agreement with Sister Cities International of Yukon, Oklahoma, for additional appropriations as requested by Council at the January 18, 2005, Council meeting; and setting the date for the next regular Council meeting for March 7, 2006, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The second to the motion was made by Vice Mayor Smaistrla.

**The vote:**

**AYES: Alberts, Maxey, Larson, Bradway, Smaistrla**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

Item C: Charlotte Holder, 17 East Janice, appeared before the Council and stated she felt there should be a balance on the board and someone who is an independent thinker, even when it is not a comfortable thing to do, and not a "rubber stamp". She stated the person nominated is a good man, but would like for the Council to not consider him for nomination to this position.

John Rife, 17 East Janice, advised he has lived at Spanish Cove over 11 years and they need a board member who takes an active interest and support of the residents and not just the administration. Mr. Rife stated he felt the person nominated is not for the residents.

Walter Tony, 12 East Janice, said he and his wife feel an independent thinker who is mindful of the needs of all residents should be the one to fill this vacant Board position and he does not feel that Dr. Martin would do so. He asked that the Council not ratify this nomination.

Dorothy Tony, 12 East Janice, stated many residents of the Cove feel they would be retaliated against if they publicly spoke against Dr. Martin. Mrs. Tony said their concern was that Dr. Martin would vote as he is told to do, not as an independent thinker. Mrs. Tony said that Mr. Martin seems to be a very pleasant and intelligent man, but feels he will not vote in the best interest of all the residents. She asked that the Council not ratify this nomination.

Lee Holder, 17 East Janice, said that many people at Spanish Cove would be a good candidate for this position, but he does not think that Mr. Martin is one of those people and asked the Council to vote against his placement on the board for all the reasons that have been stated tonight.

Darrell Hill, Chairman of the Spanish Cove Board of Trustees, stated the rules were followed and that there were two individuals appointed by the City sitting on the review board and if they had felt the rules weren't followed, he thought the Council would have heard from them. Mr. Hill said all the candidates were excellent and the votes were very, very close. He stated if there were others that wanted to be considered for this post, they should have turned in a resume.

Mayor Bradway asked the residents in attendance if they were aware of the procedures for nominating someone to this board position and if all the rules were explained to them. All agreed they were. The Mayor said that Mr. Martin was chosen by the review board and he understands the residents' concerns, but Mr. Martin hasn't even voted yet, so they cannot be sure he isn't an independent thinker. Mayor Bradway said they will have to wait and see.

Bill Martin stated at first he didn't think he wanted to be appointed to this board, but decided he wanted to be involved in helping to insure that the long-range goals were met.

Vice Mayor Smaistrla asked Mr. Martin if he was a former school administrator. Mr. Martin said he was for 35 years. Ms. Smaistrla asked if he had to face conflict during those years, and again Mr. Martin said he did. Vice Mayor Smaistrla asked if he had any trouble relating to people. Mr. Martin said he did not; however, in many cases there are no winners in a situation and you must do what you feel is best for everyone.

Ms. Smaistrla asked Mr. Martin if he would be willing to talk to the residents and do what the majority thought best. Mr. Martin said he would.

Council Member Larson asked the residents if they all thought the protocol was followed and they agreed it was. Mr. Larson asked if appointed to this board, if Mr. Martin would be vindictive toward the ones opposed his nomination.

Mr. Martin said he would not be.

Council Member Alberts said that the process was apparently handled correctly and the Council has no reason to go against the committee's recommendation. He said if there is a problem with the Cove, this needs to be handled at the Cove.

A motion was made by Council Member Maxey, seconded by Council Member Larson, to approve the recommendation of the Nominating Committee of Spanish Cove Housing Authority to appoint Dr. Bill Martin to fill an unexpired term for Office #1.

**The vote:**

**AYES: Smaistrla, Bradway, Larson, Maxey, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**2. Report of Boards, Commissions and City Officials**

**3. Consider approving Letter of Credit #918680-003 in the amount of \$690,000 to guarantee the installation of the public improvements for sewer, water, utilities and roadways in the West End Point Addition Phase II, Section I**

The letter of Credit #918680-003 in the amount of \$690,000 to guarantee the installation of the public improvements for sewer, water, utilities and roadways in the West End Point Addition Phase II, Section I, was accepted and approved by the City Council on a motion made by Vice Mayor Smaistrla and seconded by Council Member Larson.

**The vote:**

**AYES: Larson, Bradway, Smaistrla, Maxey, Alberts**

**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**4. Consider accepting the Planning Commission's recommendation to approve the Final Plat for Stone Mill Section III**

A motion was made by Council Member Smaistrla to accept the Planning Commission's recommendation to approve the Final Plat for Stone Mill Section III. The motion was seconded by Council Member Maxey.

**The vote:**  
**AYES: Maxey, Alberts, Bradway, Smaistrla, Larson**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**5. Consider accepting the maintenance bonds and placing such in place for the Stone Mill Addition Phase I**

Vice Mayor Smaistrla moved, with Council Member Larson seconding, the motion to accept the maintenance bonds and placing such in place for the Stone Mill Addition Phase I.

**The vote:**  
**AYES: Bradway, Maxey, Smaistrla, Larson, Alberts**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

6. 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

| ADDRESS                 | PROPERTY OWNER | VIOLATION           |
|-------------------------|----------------|---------------------|
| 2320 Yellowstone        | Portwood       | Nuisance Vehicle    |
| 300 Birch               | Olmstead       | Nuisance Vehicle    |
| 703 Maple               | Bishop         | Open Cistern        |
| 1055 Squire Mansion     | Davis          | Nuisance Vehicle    |
| 1071 Squire Mansion     | Nicholson      | Trash, Grass, Weeds |
| 1506 Glenda Drive       | Krobel         | Nuisance Vehicle    |
| 2508 Sequoia Park Drive | Blackburn      | Trash, Grass, Weeds |
| 504 Vicki Drive         | Benard         | Trash, Grass, Weeds |
| 609 Brandon Place       | Denison        | Trash, Grass, Weeds |

Community Development Director Mitch Hort presented pictures of the properties remaining to be addressed. After review, a motion was made by Council Member Larson and seconded by Council Member Maxey to declare the properties at 2320 Yellowstone, 703 Maple and 1506 Glenda as detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same.

Charlie Bishop appeared before the Council, stating he was the owner of the property at 703 Maple. Mr. Bishop advised there had been rock on top of this cistern covering the opening, but it is gone and he does not know who removed it. He asked to be allowed to cap and seal the opening and place a deck or concrete cap on top rather than completely filling the cistern.

Mr. Hort advised the Council they could accept this recommendation if they feel it is a safe option.

A motion was made by John Alberts, seconded by Ward Larson, to postpone action on the property at 703 Maple for thirty days and to re-heart it at the March 21st Council meeting.

**The vote:**

**AYES: Smaistrila, Bradway, Alberts, Larson, Maxey**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

The original motion and second were amended to exclude 703 Maple.

**The vote:**  
**AYES: Larson, Alberts, Bradway, SMAistrila, Maxey**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**7. New Business**

**8. Council Discussion**

Council Member Alberts thanked the people in the audience for attending.

Vice Mayor Smaistrila thanked the Public Works Department for the good job they did sanding the streets after the recent snow and ice storm.

**9. Adjournment**

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk