

# Minutes



## Yukon City Council Minutes January 16, 2007

The Yukon City Council met in regular session on January 16, 2007, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Council Member Smaistrla.

The flag salute was given in unison.

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

### OTHERS PRESENT:

Jim Crosby, City Manager  
Pat Hargis, City Clerk  
Mike Segler, City Attorney  
Robbie Williams, City Engineer  
Tammy Kretchmar, Administrative Assistant  
Jerry Reed, Public Works Director  
Jeff Lara, Fire Chief  
Ike Shirley, Police Chief  
Tim Rundel, Personnel and Safety Director  
Tony Lum, Property Maintenance Department

### Presentations and Proclamations

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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 January 2, 2007

Trustee Smaistrla made a motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of January 2, 2007. The second was made by Trustee Maxey.

### The vote:

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**2A. Consider approving Resolution No. YMA 2007-01, a resolution authorizing the issuance of the Yukon Municipal Authority 2007 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid**

The motion to approve Resolution No. YMA 2007-01, a resolution authorizing the issuance of the Yukon Municipal Authority 2007 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid was made by Trustee Maxey and seconded by Trustee Smaistrila.

**The vote:****AYES: Smaistrila, Larson, Maxey Bradway****NAYS: None****VOTE: 4-0****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 January 2, 2007
- B) Payment of salary and material claims in the amount of \$228,704.97
- C) The appointment of Dolores Privott to the Spanish Cove Housing Authority Board of Trustees, Office #3, as recommended by the Nominating Committee of Spanish Cove Housing Authority
- D) The destruction of Police incident reports for 2002 and 2003, as requested by the Police Chief and in accordance with State law
- E) Acceptance of the June 30, 2006, Annual Financial Report
- F) Setting the date for the next regular Council meeting for Tuesday, February 6, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

The motion to approve the Consent Docket, consisting of the approval of the minutes of the regular meeting of January 2, 2007; payment of salary and material claims in the amount of \$228,704.97; the appointment of Dolores Privott to the Spanish Cove Housing Authority Board of Trustees, Office #3, as recommended by the Nominating Committee of Spanish Cove Housing Authority; the destruction of Police incident reports for 2002 and 2003, as requested by the Police Chief and in accordance with State law; acceptance of the June 30, 2006, Annual Financial Report; and setting the date for the next regular Council meeting for Tuesday, February 6, 2007, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth, was made by Council Member Maxey and seconded by Council Member Larson.

**The vote:**

**AYES: Bradway, Smaistrila, Larson, Maxey**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

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

**3. Consider the acceptance of the Rose Petal Addition and placing maintenance bonds into effect**

Council Member Smaistrila made a motion to accept the Rose Petal Addition and to place the maintenance bonds into effect. The second to the motion was made by Council Member Maxey.

**The vote:**

**AYES: Bradway, Maxey, Larson, Smaistrila**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**4. Consider accepting the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B (077), J/P 20851 (04), Parcel #13 - Temporary Easement**

Council Member Smaistrila moved, with Council Member Larson seconding, to accept the right-of-way deed for the State Highway 4 Roadway Project, ODOT Project No. STPY-109B (077), J/P 20851 (04), Parcel #13 - Temporary Easement.

**The vote:**

**AYES: Maxey, Larson, Bradway, Smaistrila**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**5. Consider approving Resolution No. 2007-01, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2007 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the code; providing that the trust indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note**

Council Member Larson made a motion to approve Resolution No. 2007-01, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2007 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,300,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the code; providing that the trust indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the Revenue Note. Council Member Maxey seconded the motion for approval.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**6. A) Consider approving Ordinance No. 1201, an ordinance amending Sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority 2007 Revenue Note in an aggregate principal amount not to exceed \$1,300,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency**

The motion for approval of Ordinance No. 1201, an ordinance amending Sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligations, including the Yukon Municipal Authority 2007 Revenue Note in an aggregate principal amount not to exceed \$1,300,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency, was made by Council Member Smaistrla and seconded by Council Member Larson. Mayor Bradway read the ordinance in its entirety.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**B) Consider approving the Emergency Clause of Ordinance No. 1201**

Council Member Maxey moved and Council Member Larson seconded the motion to approve the Emergency Clause of Ordinance No. 1201.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**7. Consider approving Resolution No. 2007-02, a resolution of the City of Yukon authorizing participation in a Federal-Aid Project for the installation of pedestal mounted flashing light signals**

The motion to approve Resolution No. 2007-02, a resolution of the City of Yukon authorizing participation in a Federal-Aid Project for the installation of pedestal mounted flashing light signals was made by Council Member Smaistrla. Council Member Maxey seconded the motion.

Council Member Smaistrla asked for this resolution to be explained, as she felt this was good news for Yukon.

City Manager Jim Crosby stated this resolution is an agreement with the railroad to install crossing arms and flashing lights at some major intersections in town if the City will agree to close one railroad crossing in the downtown area. Mr. Crosby said this was a great deal for us.

**The vote:**

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

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**8. A) Consider approving Ordinance No. 1202, an ordinance amending the Retirement System Defined Benefit Plan of the City of Yukon, Oklahoma, by providing a special retirement option for certain eligible employees based on the age and years of credited service of such**

## employees, providing for severability, and declaring an emergency

Council Member Larson made a motion to approve Ordinance No. 1202, an ordinance amending the Retirement System Defined Benefit Plan of the City of Yukon, Oklahoma, by providing a special retirement option for certain eligible employees based on the age and years of credited service of such employees, providing for severability, and declaring an emergency. Council Member Maxey seconded the motion.

Mayor Bradway asked why we are giving these people five years of service time.

The City Manager stated that this same proposal was offered to several employees a couple of years ago and no one took the offer. Mr. Crosby advised there are 19 people eligible for this retirement proposal. The City Manager said offering this retirement would result in a net savings for our General Fund and would eliminate a few positions that would not be filled. Mr. Crosby stated we are keeping our eye on the funding of our retirement system and it is well funded. Mr. Crosby said that as of this time, only three employees have stated they wish to take this early retirement offer. Mr. Crosby said this is a one-time offer.

### The vote:

**AYES: Maxey, Smaistrila, Larson**

**NAYS: Bradway**

**VOTE: 3-1**

**MOTION CARRIED**

## B) Consider approving the Emergency Clause of Ordinance No. 1202

Council Member Maxey moved to approve the Emergency Clause of Ordinance No. 1202, with the second being made by Council Member Larson.

### The vote:

**AYES: Maxey, Larson, Smaistrila**

**NAYS: Bradway**

**VOTE: 3-1**

**MOTION FAILED**

9. Consider a public hearing to determine whether the following properties should be declared detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same

LOCATION	OWNER	VIOLATION
1307 Summertown Place	Klingelhoets/Cushman	Nuisance Vehicle
937 Linn Lane	Bray	Nuisance Vehicle
905 Linn Lane	Rea/Shelton	Nuisance Vehicle
632 Woodlawn	Campbell	Trash, Grass, Weeds

Pictures of the properties were presented for Council's review. The City Manager stated the home owners have said that the bad weather has kept them from abating the nuisances and they have asked for additional time to bring these into compliance.

Mayor Bradway made a motion to give the home owners an additional thirty (30) days to abate the nuisances and declared the properties at 1307 Summertown Place, 937 Linn Lane, 905 Linn Lane, and 632 Woodlawn as detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, directed the City Manager to take appropriate action to abate same. The second to the motion was made by Council Member Smaistrila.

### The vote:

**AYES: Smaistrila, Maxey, Larson, Bradway**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

## 10. New Business

## 11. Council Discussion

- Council Member Smaistrla thanked the Public Works Department for the good work they have done on clearing the roads after the ice storm.
- Council Member Larson said he knows the Public Works employees have been putting in a lot of work and he appreciates all they have done. Mr. Larson said that we need to stop and take notice of what our employees do for Yukon. He stated he is very proud of our staff and management.
- Mayor Bradway stated the City was prepared for this bad weather and the City Manager has advised that we are ready for the next wave of bad weather that is supposed to be coming in this weekend.

## 12. Adjournment

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Bob Bradway, Mayor

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Patricia G. Hargis, City Clerk