

**Yukon City Council Minutes
December 1, 2015**

The Yukon City Council met in regular session December 1, 2015 at 7:00 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Father Rex Arnold, St. John Catholic Church.
The flag salute was given in unison.

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

OTHERS PRESENT:

Grayson Bottom, City Manager	Doug Shivers, City Clerk
Mike Segler, City Attorney	Robbie Williams, City Engineer
Tammy DeSpain, Assist. City Manager	Mitch Hort, Development Services Dir.
Larry Mitchell, YEDA Director	Bill Stover, Sanitation Director
Jenna Roberson, PIO	John Corn, Police Chief
Gary Cooper, IT Director	Jl Johnson, Treasurer
Philip Merry, 2 nd Deputy Treasurer	Sara Schieman, Librarian
Arnold Adams, Public Works Director	Dana Deckard, Executive Admin. Assist.
Jeff Deckard, Parks Superintendent	Lori Adams, Emergency Management
Cody Sutherland, Utility Billing	

Presentations and Proclamations

There were no Presentations or Proclamations.

Visitors

Rick Cacini, 1140 Landmark, stated the Veteran's Museum has received many donations and we have been able to give back to Veterans. Thanks!

(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 November 17, 2015

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of November 17, 2015, was made by Trustee Russell and seconded by Trustee McEachern.

The vote:

AYES: Russell, Alberts, Yanda, McEachern, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Present, Discuss, and Consider accepting the Fiscal Year 2014-2015 Yukon Municipal Authority/City of Yukon Audited Financial Report, as prepared by FSW&B Certified Public Accountants – PLLC

The motion to accept the Fiscal Year 2014-2015 Yukon Municipal Authority/City of Yukon Audited Financial Report, as prepared by FSW&B Certified Public Accountants – PLLC, was made by was made by Trustee Yanda and seconded by Trustee McEachern.

Daryl White stated the audit opinion is unqualified. No reportable conditions or compliance findings. All of this is a good thing. Purpose of audit should always be to comply more than the minimum with the law. Improvement continues from year to year and staff always cooperates. Not all reports are as well as Yukon's. System overall is timely, correct and absorbs new changes. Payroll is reviewed yearly, but more detailed every three years. We've had no issues. Revenue is up 3%. Sales Tax stronger. Good budgetary controls. Bottom line basically looks worse than it is. Cost of financial restructuring hit this year, but it will be a benefit for many years. GASB 68 is pure timing and is not an issue. Costs are higher on the YMA side due to aging infrastructure. Should be a surplus soon, there were many one-time expenditures. City Council and citizens should be proud. City Manager and City Treasurer's perspectives complement each other. Last year, City needed a grant administrator and it was implemented in-house. It will work nicely moving forward. Next year, we will need single audit due to Corps of Engineer Funds.

Trustee McEachern asked if it was positive overall. Mr. White stated yes we have improved every year with bigger strides. Trustee McEachern asked about the \$13 million. Mr. White stated we have to receive certain things, which reduces net worth on paper. Liability was already on books and will go away next year. Trustee McEachern questioned pensions. Mr. White stated right at 100% funding on funds we can control. Fire Fighters fund is under-funded; question is what liability is the City's. It is really the State that is underfunded.

The vote:

AYES: Alberts, McEachern, Smaistrila, 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 November 17, 2015**
- B) Payment of material claims in the amount of \$578,248.12**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) Setting the date for the next regular Council meeting for December 15, 2015, 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 approval of the minutes of the regular meeting of November 17, 2015; Payment of material claims in the amount of \$578,248.12; Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; and

Setting the date for the next regular Council meeting for December 15, 2015, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member McEachern and seconded by Council Member Smaistrila.

The vote:

AYES: Smaistrila, Yanda, Alberts, Russell, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials – Library Board – Jeanne Riggs, Vice Chairman

Ms. Riggs introduced the Library Board members and gave updates on library projects. Recently the library requested funds from Canadian County and have received them. Additionally, Universal class has been added to the Library and they now have self-checkout. Ms. Riggs finished by giving library operations statistics. She thanked everyone for their support. Mayor Alberts thanked them for their work.

3. Present, Discuss, and Consider accepting the Fiscal Year 2014-2015 Yukon Municipal Authority/City of Yukon Audited Financial Report, as prepared by FSW&B Certified Public Accountants - PLLC

The motion to accept the Fiscal Year 2014-2015 Yukon Municipal Authority/City of Yukon Audited Financial Report, as prepared by FSW&B Certified Public Accountants-PLLC, was made by Council Member McEachern and seconded by Council Member Russell.

The vote:

AYES: Alberts, Yanda, Russell, McEachern, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving changing the speed limit from 45 mph to 40 mph, for ½ mile going west at Cornwell/10th St., as recommended by the Traffic and Transportation Commission

The motion to approve changing the speed limit from 45 mph to 40 mph, for ½ mile going west at Cornwell/10th St., as recommended by the Traffic and Transportation Commission, was made by Council Member Yanda and seconded by Council Member McEachern.

Council Member Smaistrila asked if they could make it lower. Mr. Williams stated recommendation was to lower to 35; Traffic Commission met and did not feel it warranted any lower. So, this is their recommendation. They understand there is development coming, but should wait until it is needed. Otherwise they felt the speed is fine. Mr. Williams then stated what the original recommendation Triad had made. Council Member Smaistrila doesn't believe this will help.

The vote:

AYES: McEachern, Alberts, Russell, Yanda

NAYS: Smaistrila

VOTE: 4-1

MOTION CARRIED

5. **Consider approving the Agreement for Library Funding in the amount of \$22,702.14, between the City of Yukon and Canadian County Educational Facilities Authority, expiring June 30, 2016, as recommended by the Library Director**

The motion to approve the Agreement for Library Funding in the amount of \$22,702.14, between the City of Yukon and Canadian County Educational Facilities Authority, expiring June 30, 2016, as recommended by the Library Director, was made by Council Member Yanda and seconded by Council Member McEachern.

The vote:

AYES: Smaistrla, McEachern, Alberts, Yanda, Russell

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. **Consider approving Ordinance No. 1331, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the northwest quarter (NW/4) of section twenty-nine (29), township twelve (12) north, range five (5) west of the Indian Meridian, Canadian County, Oklahoma (1221 Garth Brooks), be changed from "C-4" (Planned Shopping Center District) to "C-3" (Restricted Commercial District); and Declaring an Emergency**

The motion to approve Ordinance No. 1331, an ordinance amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for a part of the northwest quarter (NW/4) of section twenty-nine (29), township twelve (12) north, range five (5) west of the Indian Meridian, Canadian County, Oklahoma (1221 Garth Brooks), be changed from "C-4" (Planned Shopping Center District) to "C-3" (Restricted Commercial District); and Declaring an Emergency, was made by Council Member Russell and seconded by Council Member Smaistrla.

Council Member McEachern asked if it was approved by the Planning Commission. Mr. Bottom stated yes.

The vote:

AYES: Yanda, McEachern, Alberts, Russell, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

- 6a. **Consider approving the Emergency Clause of Ordinance No. 1331**

The motion to approve the Emergency Clause of Ordinance No. 1331, was made by Council Member Smaistrla and seconded by Council Member Yanda.

The vote:

AYES: Smaistrla, Russell, McEachern, Yanda, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. **Consider approving the Preliminary Plat for LG Yukon, LLC/Martha Ann Schulte, for a tract of land lying in and being a part of the Northwest Quarter (NW/4) of Section Twenty-nine (29), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, (1221 Garth Brooks), as recommended by the Planning Commission**

The motion to approve the Preliminary Plat for LG Yukon, LLC/Martha Ann Schulte, for a tract of land lying in and being a part of the Northwest Quarter (NW/4) of Section Twenty-nine (29), Township Twelve (12) North, Range Five (5) West of the Indian Meridian, (1221 Garth Brooks), as recommended by the Planning Commission, was made by Council Member Russell and seconded by Council Member McEachern.

The vote:

AYES: McEachern, Smaistrila, Russell, Yanda, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. **Consider approving a proposed deviation from the PUD of LeeLas Plaza, a tract of land situate within a portion of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian in the City of Yukon, Canadian County, Oklahoma, (LeeLas Plaza/1800 Garth Brooks), changing the requirement of the Pylon and General Signage at the shopping center and adjoining properties, as recommended by the Planning Commission**

The motion to approve a proposed deviation from the PUD of LeeLas Plaza, a tract of land situate within a portion of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian in the City of Yukon, Canadian County, Oklahoma, (LeeLas Plaza/1800 Garth Brooks), changing the requirement of the Pylon and General Signage at the shopping center and adjoining properties, as recommended by the Planning Commission, was made by Council Member McEachern and seconded by Council Member Russell.

The vote:

AYES: Smaistrila, Russell, McEachern, Alberts, Yanda

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. **Consider approving a proposed deviation from the PUD, for the Commons LLC, a tract of land situated in the Southeast Quarter (SE/4) of Section Thirty (30), Township Twelve North (12N), Range Five West of the Indian Meridian (R5W.I.M.), Canadian County, Oklahoma, (NW Corner of Health Center Parkway and Professional Circle), to review the requirement for architectural design; such as dormers, shutters, additional parking spaces and exterior features and components to coincide with current trends for the entire development, as recommended by the Planning Commission**

The motion to approve a proposed deviation from the PUD, for the Commons LLC, a tract of land situated in the Southeast Quarter (SE/4) of Section Thirty (30), Township Twelve North (12N), Range Five West of the Indian Meridian (R5W.I.M.), Canadian County, Oklahoma, (NW Corner of Health Center Parkway and Professional Circle), to review the requirement for architectural design; such as dormers, shutters, additional parking spaces and exterior features and components to coincide with current trends for the entire development, as recommended by the Planning Commission, was made by Council Member McEachern and seconded by Council Member Yanda.

The vote:

AYES: Alberts, Smaistrila, Yanda, Russell, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. City Manager's Report – Information items only
A. Events Report

Mr. Bottom stated Community Coffee is at City Hall on December 4 at 8:00am. Mayor's Christmas party for kids is at the DRC on December 5 at 9:30am. The essay contest winners will be announced. Santa Calling will be at the Yukon Community Center on December 12 from 11am to 3pm. Sounds of the Season at the Fine Arts building will be December 17 at 7:30pm. Tickets are \$10 and can be purchased at any of the Parks and Recreation facilities or YNB.

11. Consider a motion to recess as Yukon City Council and convene into Executive Session, for discussing the employment of the City Manager, as provided for in 25 OS 2003, Section 307 (B) (1)

The motion to recess as Yukon City Council and convene into Executive Session, for discussing the employment of the City Manager, as provided for in 25 OS 2003, Section 307 (B) (1), was made by Council Member McEachern and seconded by Council Member Russell.

The vote:

AYES: McEachern, Alberts, Yanda, Russell, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. Consider a motion to adjourn from Executive Session and reconvene as Yukon City Council

The motion to adjourn from Executive Session and reconvene as Yukon City Council, was made by Council Member Smaistrila and seconded by Council Member Russell.

The vote:

AYES: Russell, Smaistrila, Alberts, Yanda, McEachern

NAYS: None

VOTE: 5-0

MOTION CARRIED

Mayor Alberts then read the minutes of the Executive Session, stating, "While in Executive Session, only the items on the agenda were discussed, no action was taken, and no votes were cast."

13. Consideration, discussion, and possible action regarding the City Manager's employment contract

The motion to postpone indefinitely the City Manager's employment contract, was made by Council Member McEachern and seconded by Council Member Russell.

Ken Smith, 113 E. Snowmass, asked for clarification of postponement. Is it to take no action on the contract? Mr. Segler stated yes, if motion passes. Mr. Smith stated he would love to see the contract remain. Our City has been vastly improved. Our audit report is great. Infrastructure is stronger and all salaries are above poverty. Bond refinancing has saved millions in finance charges. Equipment has been upgraded, technology upgraded and Police Department and Fire Fighters are better than ever. City Manager and City Council have put Yukon high in rankings. Any other action is a horrible mistake. City Council Members were elected to put the City first. Everyone has been complimentary of management, until the last two recent

contentious items. Mr. Smith is unsure why. Citizens have confidence Council Members are going to make the right decision.

The vote:

AYES: Smaistrla, Yanda, Alberts, McEachern, Russell

NAYS: None

VOTE: 5-0

MOTION CARRIED

14. New Business – None

15. Council Discussion

Council Member Yanda commended Grayson Bottom, JI Johnson, and the entire staff on the audit. Thanks to Library Board. She appreciates citizens' understanding regarding storm.

Council Member Smaistrla thanked the City Employees for taking care of Yukon. Thanks to Fire Department for good work. We are proud.

Council Member Russell thanked Library Board and congratulations on audit report.

Council Member McEachern is proud of Library. He thanked the City for all their hard work during the storm. Pray for those who still are without power.

Mayor Alberts echoed sentiments for Library and City. Remember to shop Yukon.

16. Adjournment


Doug Shivers, City Clerk




John Alberts, Mayor