

Minutes



YUKON CITY COUNCIL and YUKON MUNICIPAL AUTHORITY Minutes October 20, 1998

The Yukon City Council met in regular session on October 20, 1998, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Reverend Linda Pope, Associate Pastor of the First United Methodist Church.

Flag salute was given in unison.

ROLL CALL:

(Present) Larry Taylor, Mayor
Denny Myers, Vice Mayor
DeWayne Maxey, Council Member
Genie Vinson, Council Member
Steve Friesen, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager
Mary Huckaba, City Clerk
Mike Segler, City Attorney
Joe Davis, Engineer
Lynn Hynes, Engineer
Dustin McElhaney, Building Maintenance
Dwyane Whitener, Public Works Director
Susie Patton, Park/Community Development Director
Cheryl Dunn, City Clerk's Office
Bill Bullard, Assistant Police Chief
David Chesher, Community Enhancement Director
Louis Lavoie, Police Department
John Knuppel, Historical Society

VISITORS

PRESENTATIONS-PROCLAMATIONS

Proclamation proclaiming October 21-25, 1998 as "Head Start Week" was presented and read in full by Mayor Taylor.

Proclamation was presented to Cookie Nickols, teacher at the Head Start School. Mrs. Nickols stated they serve 54 families and children and the Yukon schools provide the building for them to have the school, Mrs. Nickols introduced Susan Reed, a parent of one of the

children that attended the Head Start School.

Mayor Taylor advised that the Bureau of Crime Prevention advised that there were only 31 entities in the state of Oklahoma during the period of 1993-1996 that a reduction in crime for three consecutive years and Yukon was one of those 31 entities to receive this special award. Mayor Taylor stated that Assistant Chief Bullard, Council Member Vinson, Officer Lavoie and himself went to the State Capitol today and received this certificate of achievement. Mayor Taylor stated that the Yukon Police Department should be Commended for this award.

(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 Trustees, that item will be heard in regular order.

The City Manager recommends:

A) Approval of minutes of October 6, 1998

B) Consider approval of pay requisitions for capital improvement projects as follows:

1997 CONSTRUCTION FUND:

A) #222, payable to Triad Design Group in the amount of \$1,490.70 for architectural/engineering services through September 25 for 1 MG elevated tank (97-01-510)

B) #223, payable to Triad Design Group in the amount of \$645.97 for architectural/engineering services through September 25, 1998, for aeration basin project (97-01-509)

C) #224, payable to Weatherman Mechanical in the amount of \$548 for heat strip and fuses for the Dale Robertson Center (97-01-508)

1998 CONSTRUCTION FUND

A) #78, payable to 3C Construction Company, Inc. in the amount of \$1,375 for pushing fill dirt on hill at new park (98-01-511)

B) #79, payable to Triad Design Group in the amount of \$546.59 for inspection services through September 25 for retaining wall on Cornwell, Chisholm Trail Park sidewalks (98-01-507)

C) #80, payable to Triad Design Group in the amount of \$3,552.84 for inspection channel improvements -Von Elm Addition (98-01-505)

D) #81, payable to Rudy Construction Company, Inc. in the amount of \$102,232 for estimate #2, Von Elm drainage project (98-01-505)

E) #82, payable to TerraCon in the amount of \$475.80 for services in conjunction with construction testing for the Von Elm channel project from 8/27/98 to 9/12/98 (98-01-505)

F) #83, payable to Terracon in the amount of \$776.40 for services in conjunction with construction testing services for Chisholm Trail Park from 4/9/98 to 5/23/98 (98-01-507)

A motion was made by Trustee Vinson, seconded by Trustee Maxey, approving the consent docket, being the minutes of the meeting of October 6, 1998; approving pay requisitions for capital improvement project; 1997 Construction Fund: #222, payable to Triad Design Group, in the amount of \$1,490.70 for architectural/engineering services through September 25 for 1 MG elevated tank; #223, payable to Triad Design Group in the amount of \$645.97 for architectural/engineering services through September 25 for aeration basin project; #224,

payable to Weatherman Mechanical in the amount of \$548 for heat strip and fuses for the Dale Robertson Center (97-01-508); 1998 CONSTRUCTION FUND: #78, payable to 3C Construction Company, Inc. in the amount of \$1,375 for pushing fill dirt on hill at new park (98-01-511); #79, payable to Triad Design Group in the amount of \$546.59 for inspection services through September 25 for retaining wall on Cornwell, Chisholm Trail Park sidewalks (98-01-507); #80, payable to Triad Design Group in the amount of \$3,552.84 for inspection channel improvements - Von Elm Addition (98-01-505); #81, payable to Rudy Construction Company, Inc. in the amount of \$102,232 for estimate #2, Von Elm drainage project (98-01-505); #82, payable to Terracon in the amount of \$475.80 for services in conjunction with construction testing for the Von Elm channel project from 8/27/98 to 9/12/98 (98-01-505); #83, payable to Terracon in the amount of \$776.40 for services in conjunction with construction testing services for Chisholm Trail Park from 4/9/98 to 5/23/98 (98-01-507).

The vote:

AYES: Taylor, Myers, Maxey, Vinson, Friesen

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) Approval of minutes of meeting of October 6, 1998

B) Consider approval of salary and material claims

C) Consider granting permission to the Mayor and City Clerk to enter into agreement by and between the City of Yukon and Oklahoma Junior Miss Scholarship program for services from July 1, 1998 through the 30th day of June, 1999

D) Consider resignation of Jim Snyder from the Spanish Cove Housing Authority, effective September 22, 1998

E) Consider the Spanish Cove Housing Authority's nominating committee's recommendation to appoint Jane Shedeck as Trustee to fill the un-expired term of Jim Snyder to May 31, 2002

F) Consider application for a temporary use permit for a portable building to be used as an office for a portable building sales business located on the southeast corner of East Main (Highway 66) and Ranchwood Boulevard.

G) Consider a regenerative air power street sweeper specifications and grant permission to advertise to receive competitive bids

H) Consider granting permission to the Mayor and City Clerk to enter into contract for services by and between the City of Yukon and 3C Construction, Inc. with respect to use of 3C's equipment and services from July 1, 1998 through the 30th day of June, 1999, not to exceed \$50,000 for the term of this contract

I) Consider granting permission to purchase an additional 150 loads of top soil at 20 cubic yards per load at a cost of \$4 per cubic yard for a total of \$12,000 from Eldon Wilds for Chisholm Trail Park hill

J) Set date for the next regular meeting for November 3, 1998, 7:30 p.m., Council Chambers, Centennial Building 12 South Fifth

Council Member Friesen advised he would like to pull Item G to be heard in regular order and as a separate motion from the consent docket.

Vice Mayor Myers stated he would like clarification on Item H.

Mayor Taylor advised that this is equipment on an "as needed" basis. Mayor Taylor stated that we use them for heavy equipment and it is a continuation of the contract that we entered into last year that we took bids on. Mayor Taylor stated that the name had changed to 3C Construction from Crescent Construction Company.

A motion was made by Council Member Maxey, seconded by Council Member Vinson, approving the consent docket; being the minutes of the meeting of October 6, 1998; approval of salary and material claims in the amount of \$546,672.33; granting permission to the Mayor and City Clerk to enter into agreement by and between the City of Yukon and the Oklahoma's Junior Miss Scholarship program for services from July 1, 1998 through June 30, 1999; accepting resignation of Jim Snyder from the Spanish Cove Housing Authority, effective September 22, 1998, and approving the Spanish Cove Housing Authority's nominating committee's recommendation to appoint Jane Shedeck as Trustee to fill the un-expired term of Jim Snyder to May 31, 2002; approving application for a temporary use permit, for a portable building to be used as an office for a portable building sales business located on the southeast corner of East Main (Highway 66) and Ranchwood Boulevard; granting permission to the Mayor and City Clerk to enter into contract for services by and between the City of Yukon and 3C Construction Company, Inc. with respect to use of 3C's equipment and services from the 1st of July, 1998, through the 30th day of June, 1999; not to exceed \$50,000 for the term of the contract; granting permission to purchase an additional 150 loads of top soil at 20 cubic yards per load at a cost of \$4 per cubic yard for a total of \$12,000 from Eldon Wilds for Chisholm Trail Park hill and setting the date for the next regular meeting for November 3, 1998, 7:30 p.m., Council Chambers, Centennial Building, 12 South Fifth.

The vote:

AYES: Friesen, Taylor, Vinson, Myers, Maxey

NAYS: None

VOTE: 5-0"

MOTION CARRIED

Mayor Taylor stated that we appreciate Jim Snyder serving as Trustee on the Spanish Cove Housing Authority Mayor Taylor stated that Jim served seven or eight years. Mayor Taylor stated that we welcome Mrs. Shedeck and she will be an asset to the Authority.

ITEM G: CONSIDER A REGENERATIVE AIR POWER STREET SWEEPER SPECIFICATIONS AND GRANT PERMISSION TO ADVERTISE TO RECEIVE COMPETITIVE BIDS

A motion was made by Council Member Maxey, seconded by Council Member Vinson, to approve the specifications for a regenerative street sweeper and grant permission to advertise to receive competitive bids

The vote:

AYES: Maxey, Taylor, Vinson, Myers

NAYS: Friesen
VOTE: 4-1
MOTION CARRIED

2. REPORT OF BOARDS, COMMISSIONS AND CITY OFFICIALS

A) City Manager advised that weather permitting, 10th Street from Mustang to Cornwell will be closed Wednesday, Thursday, and Friday to replace and repair a drainage project in the Drakestone Addition. City Manager advised that there will be a detour through that addition for you to get to Mustang Road.

B) Don Easter, City of Yukon's Solid Waste Trustee appointee, appeared before the Council and advised that he would like to bring the Council up on the activities of the Solid Waste Disposal Authority. Mr. Easter stated that an employee of the Authority, Bill Mailloux, was the Authority's Manager and he was let go. Mr. Easter stated since that time, Union City appointed Mr. Mailloux as their representative and he sits on the Authority Board and is also a candidate for County Commissioner.

Mr. Easter stated that Mr. Mailloux had complained that it was unlawful to amend the Trust of the Authority some ten years ago. Mr. Easter stated that the amendment stated that each member city could appoint someone to be their Trustee other than a council member Mr. Easter stated that Mr. Mailloux says it is against the law to amend the Trust.

Mr. Easter stated that we have had a judge rule on this and the judge states that the trust amendment was lawful.

Mr. Easter stated that Mr. Mailloux states that we hired a private hauler without bids. Mr. Easter stated we have found that bidding was not required. Mr. Easter stated that Mr. Mailloux said we had an improper expenditure of money. Mr. Easter stated from time to time we have asked Mr. Mailloux where he is coming up with these ideas and Mr. Mailloux assures that this is his own idea and denied that someone was telling him what to say and to ask.

Mr. Easter advised that the truth came to life in a deposition from Mr. Mailloux in which he admits that an employee of Allied Waste that bids against us and that also has sued the Authority and was defeated, and that all these are allegations of Allied Waste System and Council Member Mark Swartz from Oklahoma City is his attorney.

Mr. Easter stated that Mr. Mailloux has stated that the Authority caused him to have to file bankruptcy. Mr. Easter stated that last year, Mr. Mailloux had a personal income of \$50,000 and made more than he ever had made in his life, and he doesn't believe we caused him to file bankruptcy.

Mr. Easter stated that Mr. Mailloux stated that we had use of a credit card. Mr. Easter stated that Mr. Mailloux made application for the card in the Authority's name and he used it personally, but paid the bill and the bills never came to the Authority.

Mr. Easter stated that Mr. Mailloux questioned \$100 spent at the LaRouge by Mr. Griesel. Mr. Easter stated that Mr. Mailloux spent \$280 at two night clubs, "buying drinks," he said.

Mr. Easter stated that Union City has joined the suit against the Authority. Mr. Easter stated that they found out that Union City and Mr. Mailloux had hired Ted Poole to represent them

and Mr. Poole represents Mustang and Mustang said "wait -- we are part of the Authority," so Union City and Mr. Mailloux hired another attorney. The attorney they hired is Allied Waste's attorney and Allied has agreed to pay the legal fees.

Mr. Easter stated that it is the goal of Allied to put the Authority out of business, so they will have complete control of our Authority.

Mr. Easter stated that we are scheduled to take the deposition of Mr. Hunter Carrothurs on the 27th of this month. Mr. Easter advised that this case was supposed to go before Judge Cunningham on the 22nd, but it has been continued.

Mr. Easter advised that the state auditor advised that they will put the audit on hold until some of these legal issues are decided and also Mr. Scott stated that we had an auditor to audit our books and he felt an audit by him was not necessary.

Mr. Easter stated that he will keep the Council informed.

Mayor Taylor stated that we appreciate Mr. Easter and his representation for the City of Yukon. Mayor Taylor stated that Don is always looking out for the betterment of Yukon, which we appreciate.

3. (A) CONSIDER FIRST READING OF ORDINANCE NO. 1023, AMENDING SECTION 607.4, PERMITS, BY PROVIDING AN APPLICATION FEE OF \$50 INSTEAD OF \$100; AMENDING SECTION 607.9, PERMIT PROCEDURES, BY PROVIDING THE DELETION OF PARAGRAPH B (7) AND RENUMBERING THE REMAINING SUBPARAGRAPHS, AMENDING SECTION 607.10(b) PROVIDING THE ELIMINATION OF A REFUND AND TRANSMISSION OF THE RECORD BY THE CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE TO THE CITY COUNCIL

(B) CONSIDER FIRST READING OF AMENDED ORDINANCE NO. 1023, PRESENTED BY VICE MAYOR MYERS, AMENDING SECTION 607.4, PERMITS, ADDING ADDITIONAL SENTENCE "THIS PROVISION SHALL NOT APPLY TO THE PAINTING OF ANY BUILDING OR PORTION THEREOF," AMENDING SECTION 607.5, CENTRAL BUSINESS HISTORICAL DISTRICT COMMITTEE, BY REPLACING ALL EXISTING PARAGRAPHS AND PROVIDING FOR CREATION AND TERMS OF OFFICE: AMENDING SECTION 607.9, PERMIT PROCEDURE, B(2), WHICH JUST READS "SAMPLES OF ALL MATERIALS, DELETING PAINT CHIPS OF PROPOSED EXTERIOR COLORS" AND DELETING B OF PARAGRAPH 10 ALTOGETHER

Mayor Taylor advised that the council has set a new policy regarding ordinances. Mayor Taylor stated, that the ordinance will be approved by title and then it will come back in two weeks for the second reading and with the emergency for approval or denial.

City Manager advised that tonight these ordinances will be approved by title and no amendments or discussions will be held until the second reading for approval.

A motion as made by Council Member Vinson, seconded by Council Member Friesen, to approve Ordinance No. 1023 by title

The vote:

AYES: Taylor, Myers, Maxey, Vinson, Friesen

NAYS: None

VOTE: 5-0

MOTION CARRIED

A motion was made by Vice Mayor Myers, seconded by Council Member Maxey, to approve the amended Ordinance No. 1023 by title.

The vote:

AYES: Friesen, Vinson, Maxey, Myers, Taylor

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. NEW BUSINESS

5. OPEN DISCUSSION

A) Council Member Friesen advised that he will miss his first meeting in 3 1/2 years at the next meeting. Council Member Friesen stated he is very proud of our Police Department.

B) Vice Mayor Myers stated he felt Susie and the Park Department should be commended for their outstanding job they are doing in getting grants for us. Vice Mayor Myers stated we have grants for trees, parks; etc. and he would like to compliment her and say thank you and keep up the good work.

C) Council Member Vinson stated she would like to congratulate Head Start and the Police Department. Council Member Vinson stated she would like to say that Jane Shedeck will certainly be an asset to the Spanish Cove Housing Authority. Council Member Vinson stated she would like to commend Don Easter in his fine representation on the Solid Waste Disposal Authority Board for Yukon.

D) Mayor Taylor stated he served on the Council with Don and a lot of the stuff we do now regarding contracts, etc. began when he was on the council.

Mayor Taylor stated we appreciate Mr. Easter and the good job he does in representing our city.

Mayor Taylor stated he has been a great admirer of Jane Shedeck for some time and she will be a great addition to the Spanish Cove Housing Authority.

Mayor Taylor stated once again, congratulations to the Police Department on their award.

6. ADJOURNMENT

There being no further business, a motion was made by Council Member Maxey, seconded by Council Member Vinson, to adjourn the meeting.

The vote:

AYES: Taylor, Myers, Maxey, Vinson, Friesen

NAYS: None

VOTE: 5-0
MOTION CARRIED

Larry Taylor, Mayor

Mary Lee Huckaba, City Clerk

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