

Minutes



Yukon City Council Minutes June 20, 2000

The Yukon City Council met in regular session on June 20, 2000, at 7:30 PM in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by council Member Tim Rundel.

Flag salute was given in unison.

ROLL CALL: (Present) Steve Friesen, Mayor
Genie Vinson, Vice Mayor
John Weller, Council Member
Tim Rundel, Council Member
Ron Jurgensen, Council Member

OTHERS PRESENT:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Dustin McElhaney, Building Maintenance
Jan Scott, Park and Recreation Department
Tammy Nemecek, Administrative Assistant
Ike Shirley, Police Chief
Dwyane Whitener, Public Works Director
J.R. Reed, Fleet Maintenance Director
David Chesher, Community Enhancement Director
Mitch Hort, Planning Director
John Knuppel, Historical Society

Presentations and Proclamations - Parks & Recreation Month proclamation

Jan Scott, park Director, accepted the proclamation naming the month of July as "Park and Recreation Month" in the City of Yukon.

Mayor Friesen presented Oklahoma Community Policing Awards to Deputy Chief Bill Bullard and volunteer officer Mike King.

Vice Mayor Vinson stated that Officer King is a reserve officer and this the only reserve officer in the state to receive this award.

Visitors

Ted McIlwain stated that the City Council has publicly embraced "buying in Yukon" and has spent over \$90,000 advertising to buy locally. However, he stated, trophies and plaques have been purchased by the City from out of town vendors, although there are two businesses that provide these in Yukon; the 4th of July shirts that cost over \$1,000 was purchased over the internet when we have monogram businesses in town. Mr. McIlwain advised that sod was bought from a Norman company when there are at least two companies that could supply sod in Yukon, and one company said they were not even called for a price quote. He stated a Toro mower was purchased for \$27,000, but not from a local dealer. He asked if the Council could explain a \$14,250 golf cart purchase being bought prior to council approval. Also, he stated he felt the city should be buying "Oklahoma." He stated he felt this was really extravagant for city officials to ride around in. He asked why the city is keeping the land for the sports complex. He said this was somewhere from \$120,000 to \$90,000 in land that is tied up. He stated we could sell this and use the money to purchase rights-of-way.

Mayor Friesen stated that we will be discussing the park land later on, and the Council will vote on the issue on July 18th. He advised that Staff's recommendation will be to sell it, but there is a private entity that was to lease the sports complex and we are waiting to hear from them, but one year is long enough to wait, so the Council is ready to act on this issue.

City Manager advised Mr. McIlwain that he can answer some of the questions now. Mr. Crosby stated that we do use local firms when we can, but in the case of the sod purchase, it was 12.5 cents from the Norman company and 16 cents from Yukon and that amounts to a lot of difference in cost.

Mr. McIlwain said that Sod by Sherry said the city did not contact him regarding this purchase, but they do occasionally buy a pallet or so from him.

Mr. Crosby said that a local firm was contacted, but he did not know if it was Sherry or not.

After discussion with City Attorney, Mike Segler, it was decided to pull Item 1D regarding Taylor Park. Mr. Crosby said that the check was sent back to Mr. Butler and that Mr. Segler will draw up a document to allow for advertising to receive bids for lease of this property. The bids will be on the July 6th agenda; however, staff will be recommending to sell or lease the property in the long term.

Mr. McIlwain said he had heard there is already a deal cut and he wants to know if it is true or not.

Mr. Crosby stated that Item ID, as stated, has been pulled from the agenda and Mr. Butler's check was returned to him. Mr. Segler felt this would be best, although Mr. Butler wanted to continue his lease. This item will be on the July 18th agenda.

Mayor Friesen stated the golf cart purchase had a 4-0 vote in November or December and was approved by the Council.

Karen Graves appeared before the Council and stated she had lived in Yukon 28 years and felt this was a fine community. She stated she was concerned about the decrease in the budget for the Chamber of Commerce and the increase in luxury spending. She stated that the Chamber Director is very positive and ethical and she doesn't understand why the budget was cut in half. She said since the Chamber is working on economic development, she didn't understand why we cut their budget in half and then spent \$14,000 for a golf cart.

Mayor Friesen stated this was a recommendation by Staff and it was voted on by Council. Mayor Friesen stated city-wide budget cuts were made, and it is after the fact now.

Mrs. Graves asked if the citizens can ask for a change in a budget item after the fact. She stated maybe more funds could be allocated to the Chamber.

Mayor Friesen advised she should write a letter to both the City Manager and himself stating what she has just said and we will see what can be done.

Council member Rundel stated he would like to point out that the city also supports the Chamber with a building and maintenance, including replacing a sidewalk for them, as well as gives them financial support.

Les Zigler asked why cut the budget in half for the chamber and pay twice that amount for a golf cart and 4th of July t-shirts.

City manager Crosby advised the t-shirts are not purchased with taxpayers money - the city does not pay for the shirts, Philharmonic, etc. City Manager stated that when these funds are solicited, the donor knows exactly what they are donating for - the funds are earmarked.

Mr. McIlain said these are "city" funds and asked why these items were bought out of town. Mr. Crosby stated he will get the answer for these questions.

Mayor Friesen asked about the trophies. City Manager stated he will get with the purchasing agent and find out about this.

Jim Dahl stated he had a question regarding the 87-acre tract that the city paid \$120,000 for and then leased for \$700 a year. He stated he went to the County Assessor's office and there's a question of the \$120,000 cost. It stated that according to the papers on file, there are only 75.5 acres at a cost of \$92,500. He asked where the \$27,500 difference is. He stated "we always hear it cost \$120,000."

City Manager said he could not say why the amount was wrong in the paper.

Mr. Dahl stated he assumed Conrad Dudderar gets his information from City Hall, but he only knows what he read in the paper.

Mr. Zigler stated the golf cart, clock, etc. would pay for the sanitation short-fall, and the citizens spoke at the last election saying no more tax increases.

Mayor Friesen stated we don't increase taxes; only the citizens can do that and they decide by voting. He said this is the democratic way of America.

Joe Oglesby stated he wants lights on the new water tower to light up the town like we have on the other towers.

Mr. Crosby stated he and the engineer have been discussing this and due to the engineer leaving that was working on this project, it fell through, but will be done soon.

(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) Approval of minutes of regular meeting of June 6, 2000

B) Consider approval of Invoice 95 in the amount of \$12,805 for an electric cargo utility vehicle

C) Consider approval of 1999 Construction Fund claims in the total amount of \$12,167.42

Trustee Jurgensen stated he would like to pull Item B for discussion.

Trustee Vinson made a motion, seconded by Trustee Weller, to approve items A and B of the YMA Consent Docket.

The vote:

AYES: Weller, Friesen, Rundel, Vinson, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Trustee Jurgensen said he still has a question regarding this purchase that bothers him. He stated at the last meeting, we had a \$1,400 higher invoice. He stated he received the bid he asked for on Wednesday, the next day after the meeting. He asked if there was an explanation why the credit was not attached - we would have overpaid if he had not questioned it. Mr. Crosby stated that the Purchasing Agent didn't attach it. She said she had forgotten it and the company was to refund the \$1,400. Trustee Jurgensen asked why we would want this type of vehicle and why this one was so important. He asked if research was done to see if this vehicle was street legal. He read Title 47 regarding street-legal vehicles and said he had talked with some troopers, and that a "car" must look like a "car" and otherwise, it is just a golf cart. Mr. Jurgensen stated we need responsible government and responsible spending and asked why not spend less for a lesser vehicle. He stated this vehicle is so quiet, it runs over people. He said another concern was safety, as the golf cart has no strength versus a car.

City Manager stated this vehicle was shown to the Council members at the National League of Cities convention and discussed what all it could be used for. We compared this vehicle with ACOG's vehicle, and Assistant Chief Corn can explain to you the difference between the vehicle and a golf cart. Mr. Crosby stated that Mike Segler, City Attorney, had also been contacted regarding the purchase of this vehicle.

Mr. Segler stated there was a question at the last meeting on how the bid was arrived. Mr. Segler stated the codes say that anything over \$12,500 has to go out for competitive bid unless the company is the sole provider. Mr. Segler stated the purchasing agent can waive bidding if there is a sole source supplier, and there is documentation sufficient to show this is the only firm capable of providing the item. If the Council believes there is suitable documentation shown for exclusivity, vote yes; otherwise, vote no. He stated this part of the purchasing ordinance is vague and he would request the Council authorize him to update this part of the ordinance.

John Corn, Deputy Police Chief, stated there were safety issues at ACOG during their “clean cities” meeting. Mr. Corn stated this vehicle has all the requirements as defined under Title 47. He stated some items exceed Title 47, such as the seat belts. He stated these seat belts are safety sensitive and better than other electric vehicles that have only seat belts. The cage top is larger than others he has inspected, and more safe.

Council Member Jurgensen asked if they had looked at Lamborghinis.

Mr. Corn stated they did not, but that a carry-all, true golf cart style does not have the safety items that the Planet Electric vehicle does. If you take a plain golf cart and add the safety items, you are back up over the cost of this cart.

Mayor Friesen stated he doesn’t want to knowingly vote for something wrong, and asked the City Attorney if he felt we did this purchase properly.

City Attorney stated that if this is a single source, yes, it is.

Council Member Jurgensen stated that Lamborgini does make an item like this for their state police and he wants this on record.

Vice Mayor Vinson made a motion to purchase the electric cargo utility vehicle from Planet Electric, as a single source vendor, in the amount of \$12,805. Council Member Weller seconded.

The vote:

AYES: Weller, Friesen, Vinson, Rundel

NAYS: Jurgensen

VOTE: 4-1

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 approval of:

A) Minutes of the regular meeting of June 6, 2000

B) Salary and material claims

C) Consider declaring items listed in memo from Fire Department as surplus and authorizing their sale at the city auction

D) Consider authorizing Ken Butler to lease the "Taylor Park" property and entering into agreement for same

E) Consider entering into Prison Public Works Project Contract by and between the Oklahoma Department of Corrections, Clara Waters Community Corrections Center and the City of Yukon, and authorizing Mayor and City Clerk to enter into agreement

F) Consider entering into Transportation Agreement by and between the City of Yukon and Southern Corrections Systems, Inc., and authorizing Mayor and City Clerk to enter into contract

G) Setting date for next regular meeting for July 6, 2000, 7:30 P.M., in the Council Chambers

of the Centennial Building, 12 South Fifth

Mayor Friesen stated that Item D had been pulled, as discussed earlier. He also reminded everyone that the next Council meeting will be July 6th, as the next regular date is on the 4th of July.

A motion was made by Council Member Weller, seconded by Council Member Rundel, to approve the consent docket, with exception of Item D.

The vote:

AYES: Jurgensen, Friesen, Vinson, Weller, Rundel

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider 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

LOCATION	OWNER	VIOLATION
213 East Beech	Diggs	Trash, Grass, Weeds
118 Utah	Vogt	Trash, Grass, Weeds
205 East Cherry	Wilcox	Trash, Grass, Weeds
337 Chickasaw	Warren	Trash, Grass, Weeds

Mayor Friesen stated the only residences left are 213 East Beech and 205 East Cherry.

Mitch Hort, Community Development Director, presented pictures of these two addresses to the Council. He advised he would like to give these people until June 26th to come into compliance.

A motion was made by Council Member Weller to declare these two addresses as detrimental to the health, benefit, and welfare of the public and community, and direct staff to abate same. Council Member Jurgensen seconded the motion.

The vote:

AYES: Rundel, Vinson, Jurgensen, Weller, Friesen

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. New Business

5. Open Discussion

Council Member Rundel stated he had eight people respond to the survey on his website. He advised that five people were for user fees and three for the \$1 monthly increase in sanitation rates. He also advised Mr. Zigler it was a new council member, Mr. Jurgensen, not a senior one, that proposed the increase as a way to help cut the sanitation deficit.

Mr. Rundel asked if we should set a precedence by voting to purchase an item, then find it cheaper somewhere else, and just not pay our bill for the first one? He said that as a businessman, if he sold a city \$120,000 worth of radios and when he got ready to deliver them they said, no, they had found them cheaper elsewhere, he would be upset.

Mr. Rundel read the dictionary meaning of “conservative” and said that stating that you are a conservative does not mean that you make up your mind without talking to other members, the city attorney, or anyone else. He stated, “I am new and can’t pretend to know everything. I need them.”

Council Member Rundel stated he has heard a lot of talk regarding televising the study sessions. He stated that all meetings are posted – they are not secret. Mr. Rundel said that it would cost more to televise the study sessions, too, as we would have to also pay for the employee’s time when he is taping the session. He stated he is glad to see new people at the meeting tonight. He advised a gentleman told him he found the meeting was a learning experience.

Mr. Rundel stated that being conservative does not mean cutting yourself off from others, nor does it mean someone who grandstands and calls attention to themselves.

Vice Mayor Vinson stated she and others had planted shrubs at the Chisholm Trail Park, and that the concerts in the park have been great. Mrs. Vinson stated she attended the 25th anniversary of Mobile Meals, and it is incredible how this all-volunteer organization (they have one paid cook and one paid director) goes so much done. She stated these people are to be commended for their dedication.

Mrs. Vinson offered her thank to all those who helped with the Flag Day ceremony.

Mrs. Vinson stated we need some type of cover for the Czech Christmas display at the Dale Robertson Center. Vice Mayor Vinson also reminded the audience that Yukon’s Junior Miss, Traci Addington, will be on TV at the National program on June 28th and to be sure and watch and support her.

Council Member Jurgensen stated it does not bother him that the cart was bought and came back. He stated it appears the code book was not followed.

Mr. Jurgensen said regarding the study sessions, a lot of people don’t get home from work until 5:30 or 6:00 and can’t get here in time and if it was televised, they could watch it from home. Mr. Jurgensen said “don’t buy pizza and it will pay for his salary.”

Mr. Jurgensen said he is not grandstanding – he is outspoken and always will be. He advised he took an oath that said he would do this job to the best of his ability.

Council Member Weller asked Mr. Segler to update the portion of the purchasing ordinance that is vague.

Mayor Friesen stated that he thanks Genie Vinson for putting together the Flag Day ceremony. He advised he was not able to be there, but he has heard only good things about it.

Mayor Friesen stated he thought it odd that all of a sudden everyone is against the purchase of this golf utility cart. He said he has voted "no" to a lot more than this, and no one called, came in or made a scene over it. Mayor Friesen stated "we (City Council) have not been a rubber stamp." He stated he feels he does the best he can, has no agenda, and likes living here for the quality of life Yukon offers. He stated he makes no money for being on the Council, but over the last five years, he feels the Council has done a good job, that we have a great city staff, and there are lots of people wanting to move here and that says a lot of good things about Yukon.

He stated when he first was elected to the Council, we had a fire truck that couldn't even make it to the fire, cop cars that broke down all the time, the T & S plant was in a bad state - and not all these things are in much better shape. He stated he and the rest of the council members have done the best of their ability and there is nothing for him to feel bad about. Mayor Friesen said he was proud to be a Yukon citizen.

6. Consider Adjourning into Executive Session to discuss Contract Negotiations for the Fraternal Order of Police Lodge #173

A motion was made by Council Member Weller, seconded by Vice Mayor Vinson, to adjourn into executive session.

The vote:

AYES: Friesen, Vinson, Weller, Rundel, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider Motion to Reconvene as Yukon City Council

Council Member Weller made a motion to readjourn as Yukon City Council. Vice Mayor Vinson seconded the motion.

The vote:

AYES: Vinson, Jurgensen, Friesen, Rundel, Weller

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider the First Amendment to Collective Bargaining Agreement Between the City of Yukon and the Fraternal Order of Police Lodge #173, Fiscal Year 1999-2000

vice Mayor Vinson made a motion, seconded by Council Member Weller, to approve and accept the first amendment to the collective bargaining agreement between the City of Yukon and the FOP Lodge #173, fiscal year 1999-2000.

The vote:

AYES: Jurgensen, Friesen, Vinson, Weller, Friesen

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Adjournment

Steve Friesen, Mayor

Patricia G. Hargis, City Clerk

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