

Minutes



City Council - Municipal Authority Agendas July 17, 2001

The Yukon City Council met in regular session on July 17, 2001, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Pastor Roger Woodrome, Town and Country Christian Church.

Flag salute was given in unison.

Roll Call: (present) Genie Vinson, Mayor
 John Weller, Council Member
 Dewayne Maxey, Council Member
 Earline Smaistrla, Council Member
(absent) Ron Jurgensen, Vice Mayor

Others Present:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mark Osby, Acting City Attorney
Robbie Williams, City Engineer
Tony Lum, Building Maintenance
Jan Scott, Park and Recreation Director
Tammy Nemecek, Administrative Assistant
Ike Shirley, Police Chief
J. R. Reed, Public Works Director
Mitch Hort, Community Development Director
Jeff Lara, Fire Chief
Russell Still,
John Knuppel, Historical Society

Presentations and Proclamations

Visitors

James McIntyre, 504 Palais Drive, asked why the school lights are on along Garth Brooks Boulevard. He stated he felt this was an "unnecessary speed trap."

City Manager advised that the school tells us when to have the school lights on.

Mayor Vinson stated that summer school is in session and they are also having drivers' education training at the mid high.

Liz Tippin, 4505 Cypert, said she wanted to address the Council regarding the transfer

station. Mrs. Tippin stated she felt placing the transfer station on Highway 66 is a "travesty" to the area and the businesses. Mrs. Tippin stated there has been no public notification of this other than "small squibbs in the newspaper, but no real advertisement." Mrs. Tippin stated the Council had done a great injustice and that she doesn't believe any one of the Council would want this in their back yard. Mrs. Tippin said the Council should re-think what they have done. Mrs. Tippin said that the City Manager had reassured her this was not finalized on May 28th, then on Saturday, read in the paper that it was, and now something must be done. She also stated that the "new" people that pick up the trash are doing a horrible job, letting paper and debris fly everywhere.

Mary Bley, 1182 Moose, presented a petition against the transfer station. Mrs. Bley gave many reasons why it should not be there and said that Mr. Crosby had assured her about 30 days ago that this was not finalized.

City Manager assured the citizens that the City of Yukon still picks up the trash, that this has not changed.

Mrs. Tippin said the paper said differently.

Mr. Crosby stated he was sorry if the paper said that, but it is just not true. City Manager said the City is still picking up the trash and we do not have any new trucks. He further stated that all sanitation employees are still working for and being paid by us. Mr. Crosby explained that the OEMA is a trust, which is a non-profit organization.

Mrs. Tippin said that "somebody is making some money."

Denny Myers, Yukon's representative on the OEMA Board, stated that as a trust, they are not allowed to make money.

Mrs. Bley presented a list of questions regarding the proposed transfer station, which Mr. Myers answered.

After much discussion and debate, Council Member Maxey stated that OEMA does not have their building permit or engineering plans, and it is still about 18 months out, so we have time to answer citizens' questions and explain what will happen. Mr. Maxey stated they must also meet the requirements of DEQ, EPA and City ordinances.

City Manager asked Mr. Myers to set up a community meeting so residents could voice their concerns and hear the correct answers from the OEMA. Meeting will be set and announced to the public.

(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:

- A) Approve minutes of the regular meeting of July 2, 2001
- B) Approve payment in the total amount of \$1,440.00 to Rudy Construction

Company for the construction of speed humps on McConnell Drive

C) Approve payment to McConnell Construction, Inc. in the amount of \$61,958.95 for 27" of storm sewer sliplining at 153 Parkland and emergency channel liner repair at Faye Avenue

A motion was made by Trustee Maxey, seconded by Trustee Weller, to approve the YMA consent docket, being the minutes of the regular meeting of July 2, 2001; payment in the total amount of \$1,440.00 to Rudy Construction Company for the construction of speed humps on McConnell Drive, and payment to McConnell Construction, Inc. in the amount of \$61,958.95 for 27" of storm sewer sliplining at 153 Parkland and emergency channel liner repair at Faye Avenue.

The vote on the motion:

AYES: Vinson, Weller, Maxey, Smaistrle

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Consider a Resolution, No. YMA 01-03, to be introduced and adopted, authorizing the issuance of the Yukon Municipal Authority (The "Authority") Sales Tax and Utility System Revenue Bonds, Series 2001 (The "Bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176; appointing a Trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Oppenheim, a division of BOSC, Series 2001 Supplemental Bond Indenture, Security Agreement, Preliminary Official Statement, Official Statement, Closing Order, Contracts, and any and all other documents necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the Authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon (the "City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; designating the Bonds as Qualified Tax-exempt Obligations with respect to the financial institutions' interest deduction provisions contained in the Internal Revenue Code of 1986 (The "Code") and providing exception for small governmental units as contained in the Code; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the Series 2001 Supplemental Bond Indenture; providing for Bond insurance, but not requiring same; authorizing the approval, execution, modification and delivery of necessary documents regarding the bonds and direction of disbursements of proceeds from the sale of the bonds, and matters related thereto

Trustee Weller made a motion, seconded by Trustee Maxey, to approve Resolution No. YMA 01-03, a resolution authorizing the issuance of the Yukon Municipal Authority (The "Authority") Sales Tax and Utility System Revenue Bonds, Series 2001 (The "Bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176; appointing a Trustee; approving the following documents and authorizing the Chairman of the Authority (or Vice Chairman of

the Authority in the absence of the Chairman) to execute and deliver same, to-wit: bond purchase agreement with Oppenheim, a division of BOSC, Series 2001 Supplemental Bond Indenture, Security Agreement, Preliminary Official Statement, Official Statement, Closing Order, Contracts, and any and all other documents necessary to consummate issuance of the bonds, to include certifications as to continuing disclosure by the Authority; ratifying a lease agreement and operation and maintenance contract between the City of Yukon (the "City") and the Authority and agreeing that the term of the lease shall extend so long as any of the bonds remain outstanding and unpaid; ratifying a General Bond Indenture; designating the Bonds as Qualified Tax-exempt Obligations with respect to the financial institutions' interest deduction provisions contained in the Internal Revenue Code of 1986 (The "Code") and providing exception for small governmental units as contained in the Code; providing that the Trust Indenture shall be subject to provisions of the General Bond Indenture as supplemented by the Series 2001 Supplemental Bond Indenture; providing for Bond insurance, but not requiring same; authorizing the approval, execution, modification and delivery of necessary documents regarding the bonds and direction of disbursements of proceeds from the sale of the bonds, and matters related thereto.

The vote on the motion:

AYES: Weller, Vinson, Maxey, Smaistrle

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) Minutes of the regular meeting of July 2, 2001
- B) Salary and material claims in the amount of \$215,679.88
- C) Entering into a contract with Chisholm Trail Counseling Services, Inc. for the Employee Assistance Program for the fiscal year 2001-2002
- D) Entering into an agreement by and between the Oklahoma District Court serving Canadian County and the Municipal Court of the City of Yukon to assume jurisdiction of cases involving children under eighteen (18) years of age charged with violating any municipal ordinance, pursuant to agreements with the District Courts
- E) Entering into an Interlocal Cooperation Agreement by and between the City of Yukon and Canadian County pertaining to maintenance, construction and repair to certain streets which were originally county section line roads and the responsibility of the City of Yukon
- F) Consider accepting the resignation of W. F. Hazelbaker from the Traffic Commission and appointing Terry Beavers to fill the vacancy for the duration of the term (term expires June, 2002)
- G) Consider appointing Peggy Turner to the Ward 3 vacancy on the Park Board for the duration of the term (term expires June, 2002)
- H) Setting date for the next regular Council meeting for August 7, 2001, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Maxey made a motion to approve the consent docket as presented, being the approval of the minutes of the regular meeting of July 2, 200; salary and material claims in the amount of \$215,679.88; entering into a contract with Chisholm Trail Counseling Services, Inc. for the Employee Assistance Program for the fiscal year 2001-2002; entering into an agreement by and between the Oklahoma District Court serving Canadian County and the Municipal Court of the City of Yukon to assume jurisdiction of cases involving children under eighteen (18) years of age charged with violating any municipal ordinance, pursuant to agreements with the District Courts; entering into an Interlocal Cooperation Agreement by and between the City of Yukon and Canadian County pertaining to maintenance, construction and repair to certain streets which were originally county section line roads and the responsibility of the City of Yukon; accepting the resignation of W. F. Hazelbaker from the Traffic Commission and appointing Terry Beavers to fill the vacancy for the duration of the term (term expires June, 2002); appointing Peggy Turner to the Ward 3 vacancy on the Park Board for the duration of the term (term expires June, 2002); and setting date for the next regular Council meeting for August 7, 2001, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. Second was made by Weller.

The vote:

AYES: Maxey, Weller, Smaistrla,

Vinson NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

City Manager stated the utility relocation has started on Holly and Vandament and we will be going out for bids once that is finished.

3. A) Introduce, consider and approve Ordinance No. 1084, 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 Sales Tax and Utility System Revenue Bonds, Series 2001 in the aggregate principal amount of not to exceed \$4,995,000 do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

Ordinance No. 1084 was read in full by Mayor Vinson and Acting City Attorney Mark Osby.

Council Member Maxey made a motion to approve Ordinance No. 1084, 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 Sales Tax and Utility System Revenue Bonds, Series 2001 in the aggregate principal amount of not to exceed \$4,995,000 do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency. Council Member Weller seconded the motion.

A roll call vote resulted:

AYES: Weller, Vinson, Smaistrla, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approval of emergency clause of Ordinance No. 1084

Council Member Maxey moved to approve the emergency clause of Ordinance No. 1084; Council Member Weller seconded.

The vote:

AYES: Maxey, Vinson, Weller, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider approval of a Resolution, No. 01-07, to be introduced and adopted approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its Sales Tax and Utility System Revenue Bonds, Series 2001 (the "Bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a bond purchase agreement with Oppenheim, a division of Bosc; approving a security agreement between the City and the Authority; ratification of a 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 any of the bonds remain unpaid; designating the bonds 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 Bond Indenture; and, providing for the approval, execution and delivery of necessary documents, certifications and modifications

Council Member Weller made a motion, seconded by Council Member Maxey, to approve Resolution No. 01-07, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its Sales Tax and Utility System Revenue Bonds, Series 2001 (the "Bonds"), in the aggregate principal amount not to exceed \$4,995,000; waiving competitive bidding and authorizing the bonds to be sold at a price less than par value by negotiated sale within the limits provided by Title 60 Oklahoma Statutes, Section 176, pursuant to a bond purchase agreement with Oppenheim, a division of Bosc; approving a security agreement between the City and the Authority; ratification of a 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 any of the bonds remain unpaid; designating the bonds 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 Bond Indenture; and, providing for the approval, execution and delivery of necessary documents, certifications and modifications.

The vote:

AYES: Vinson, Weller, Smaistrla, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider approving Resolution No. 01-06, establishing the Nine-One-One Emergency Telephone Fee Rate for calendar year 2002

Council Member Weller made a motion to approve Resolution No. 01-06, establishing the

Nine-One-One emergency telephone fee rate for calendar year 2002 to be 3% (three percent).

The vote on the motion:

AYES: Maxey, Weller, Vinson, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. A) Consider approval of Ordinance No. 1083 which provides amendment to the code of ordinances of the City of Yukon, Oklahoma by amending §98-19(a), (b), and (c) by providing disposal rates for utilizing the transfer station; free usage of transfer station; changing months, day and hours of operation; and declaring an emergency

A motion was made by Council Member Maxey; seconded by Council Member Weller to approve Ordinance No. 1083, which provides amendment to the code of ordinances of the City of Yukon, Oklahoma by amending §98-19(a), (b), and (c) by providing disposal rates for utilizing the transfer station; free usage of transfer station; changing months, day and hours of operation; and declaring an emergency.

Mr. McIntyre, Yukon resident, asked if this would only allow three free days a year to dump.

Mayor Vinson stated that was correct, if this is approved tonight.

Council Member Weller stated that Vice Mayor Jurgensen had requested that this item be tabled so that he could be in attendance for the vote, therefore, he was making the motion to table this item until the first meeting in August. Council Member Smaistrla seconded the motion.

The vote:

AYES: Weller, Smaistrla

NAYS: Vinson, Maxey

VOTE: 2-2

MOTION FAILED

The vote on the original motion to approve was taken.

AYES: Vinson, Weller, Smaistrla, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving emergency clause to Ordinance No. 1083

Council Member Maxey made a motion, seconded by Council Member Maxey, to approve the emergency clause to Ordinance No. 1083.

The vote:

AYES: Vinson, Smaistrla, Weller, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider approval of entering into an agreement with the Commissioners of the Land Office of the State of Oklahoma for water rights

Council Member Weller made a motion, seconded by Council Member Maxey, to approve entering into an agreement with the Commissioners of the Land Office of the State of Oklahoma for water rights.

The vote:

AYES: Maxey, Smaistrla, Vinson, Weller

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. 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
120 East Parkland	Jacob	Trash, Grass, Weeds
201 East Beech	McDowell/Scott	Trash, Grass, Weeds
201 East Beech	McDowell/Scott	Nuisance Vehicle
812 Ridgeway	Mueller	Nuisance Vehicle
620 South 8 th	Weaver/Sanders	Nuisance Vehicle
509 Linda Lane	Adams	Trash, Grass, Weeds
1417 Viola Drive	Hyatt	Trash, Grass, Weeds
201 Oak	WDB, Inc.	Trash, Grass, Weeds
403 Briarwood	Habrock	Trash, Grass, Weeds
Lots 19-25, Block 6, Smoking Oaks	Church	Trash, Grass, Weeds
NE Corner Mustang/Vandament	United Investment	Trash, Grass, Weeds

Mayor Vinson stated the only residences left to be considered are 120 East Parkland and 509 Linda Lane. Community Development Director Mitchell Hort presented pictures of the yards. Council Member Weller moved to declare 120 East Parkland and 509 Linda Lane as nuisances and directed staff to abate same. Motion was seconded by Council Member Maxey.

The vote:

AYES: Vinson, Weller, Maxey, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. New Business

10. Open Discussion

Council Member Weller stated he wanted to thank Junior Hazelbaker for the time he spent on the Traffic Commission and appreciates Terry Beaver and Peggy Turner for agreeing to

serve on the Traffic Commission and Park Board, respectively. He stated he knows they will do well.

Mr. Weller stated he is pretty proud to live here in Yukon, and he is very unhappy with the extremely racist views expressed by the owner of the newspaper last week and he hopes that everyone realizes that Yukon was founded by minorities coming from Czechoslovakia and he feels that we must all work to live together.

Mayor Vinson stated she would like to commend Jan Scott and J. R. Reed and all the other city employees and volunteers that helped make the 4th of July such a great event. She stated she knows they worked at least a month before the event to get things ready. Mayor Vinson read a letter from C. R. and Kathryn Wright, who donated the land for the Chisholm Trail Park, stating their delight in the 4th of July activities and the work that Jim Crosby, City Manager, has done with the land.

Mrs. Vinson stated that the Junior Police academy had 170 students graduate last week, making a total of 374 students to graduate from this academy. She stated that over 700 kids wanted to attend, but we did not have space for all of them. Mayor Vinson also thanked the teen volunteers that have been working through Community Education helping plant crepe myrtles.

11. Adjournment

Genie Vinson, Mayor

Patricia G. Hargis, City Clerk