

# Minutes



## City Council Minutes September 18, 2001

The Yukon City Council met in regular session on September 18, 2001, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Mayor Vinson.

Flag salute was given in unison.

ROLL CALL: Present: Genie Vinson, Mayor  
Ron Jurgensen, Vice Mayor  
Dewayne Maxey, Council Member  
Earline Smaistrla, Council Member  
Absent: John Weller, Council Member

### Others Present:

Jim Crosby, City Manager  
Pat Hargis, City Clerk  
Mike Segler, 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  
Louise Hickman, Community Development Director  
Jeff Lara, Fire Chief  
John Knuppel, Historical Society  
John Bridges, Yukon Police Department  
Cherie Sullivan, Yukon Police Department  
Buddy Guth, Yukon Police Department

### Presentations and Proclamations

Mayor Vinson advised before the meeting starts, she would like to introduce our guests from Germany. The three individuals, Hans Peter Marshall, Klause Andresen and Christina Gwiazda are participants of the Star International Police Exchange program. Mr. Marshall and Mr. Andresen are patrol officers and Ms. Gwiazda is a detective. The three stated this is their first visit to Oklahoma and they have enjoyed being in Yukon, and said we were very fortunate to have such modern equipment and vehicles.

Presentation by Murphy Products, Inc.

Mark Murphy, 2715 N. W. 69th, Oklahoma City, stated his family has been in the agricultural

business 40+ years and they are looking at purchasing land near Gregory Road. They want to remove some topsoil, but can't do so under our current ordinances, as doing so would be deemed as mining.

Mayor Vinson reminded Mr. Murphy that we cannot take action on this tonight, that discussion only would be allowed.

City Manager stated that is correct. He further stated this request would be strip mining and Mr. Murphy is here to request the City Council to change the ordinance. No action can be taken tonight, however.

Mr. Murphy stated they want to remove a couple of inches of top soil and turn this into a tree nursery.

Philip Maune of 4501 Deer Creek Court asked where Gregory Road is.

Mayor Vinson advised it is four miles west of here.

Mr. Maune stated if topsoil is removed, water will stand. He stated he felt it would be bad to rescind this ordinance. He said he could see them planting trees there, but not removing any topsoil.

Jack Pryor, 4090 North Gregory Road, stated he concurs, since you don't know for sure what you are going to do with the land once the soil is removed. He stated this would cause flooding, as this is a floodway and the road is already muddy when it rains.

Mr. Murphy stated the land at the farm is now being harvested for wheat and he doesn't know how to guarantee they won't remove so much soil that it causes flooding other than they have not caused a problem in Oklahoma City.

#### Visitors

James McIntyre stated there is a light out in his neighborhood and the Street Department told him he had to call OG&E himself. He asked if this is the way it is supposed to be. He said he had suffered vandalism of his vehicle while it was parked at his home and he felt it was partly due to it being dark there. He also wanted to report that at 405 Briarwood, there is a small pickup with a flat sitting in the street.

Mayor Vinson asked Mr. McIntyre if he called the police.

He said he had not and that the police drive by these burned out lights at night and asked why they can't turn them in when they see them.

(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 September 4, 2001

B) Approve payment to Triad Design Group in the amount of \$15,364.91 for architectural/engineering services for the Vandament and Holly sewer and waterline relocation

A motion was made by Trustee Maxey, seconded by Trustee Smaistrla, to approve the YMA consent docket, being the minutes of the regular meeting of September 4, 2001, and payment to Triad Design Group in the amount of \$15,364.91 for architectural/engineering services for the Vandament and Holly sewer and waterline relocation.

**The vote:**

**AYES: Smaistrla, Vinson, Jurgensen, Maxey**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

(Recess as YMA and Reconvene as Yukon City Council)

Recess as Yukon City Council and Reconvene  
for 2001 CDBG Process Hearing

Presentation of the Yukon Citizen Participation Plan  
Description of CDBG project to be funded  
Public Input

Adjourn from 2001 CDBG Process Hearing and Reconvene as Yukon City Council

Aaron Adel, Planner for Triad Design Group, Inc., made a presentation for the CDBG hearing. Mrs. Adel stated the City of Yukon is applying for a small cities set-aside through a Community Development Block Grant for low to moderate-income families. This will be a 100% matching grant, with the City furnishing \$73,763 per year for three years to match the grant funds.

Mrs. Adel said the area being considered is north of Main Street, south of Ash, west of Cornwell and east of 11th Street. The projects will be water, sewer, street and storm drainage improvements.

Triad will provide an employee to go door to door in this area asking the size of the household and if their income is above or below a certain amount. Mrs. Adel said this hearing is to provide information about the CDBG grant and to encourage citizens in this area to use this.

(Adjourn from CDBG Process Hearing and Reconvene as Yukon City Council)

**1. Consider motion adopting the Yukon Citizen Participation Plan**

Council Member Maxey made a motion to adopt the Yukon Citizen Participation Plan for the Community Development Block Grant. Motion was seconded by Vice Mayor Jurgensen.

**The vote:**

**AYES: Jurgensen, Smaistrla, Maxey, Vinson**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**2. Consider selecting the project to be funded with the CDBG monies**

Council Member Maxey made a motion to approve the project to be funded with the CDBG monies; motion seconded by Council Member Smaistrla.

Council Member Maxey asked how we can approve a project if we don't know what it is.

Mrs. Adel stated this is for infrastructure improvements of water, sewer, street and storm improvements in the designated area.

**The vote on the motion:**

**AYES: Maxey, Vinson, Jurgensen, Smaistrla**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**3. Consider authorizing the Mayor to sign the CDBG application**

The Mayor was authorized to sign the CDBG application on a motion made by Council Member Maxey and seconded by Council Member Smaistrla.

**The vote:**

**AYES: Vinson, Jurgensen, Maxey, Smaistrla**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**4. 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 September 4, 2001
- B) Salary and material claims in the amount of \$116,531.30
- C) Agreement by and between the City of Yukon and the Oklahoma Czechs, Inc.
- D) Setting date for the next regular Council meeting for October 2, 2001, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion to approve the consent docket as presented was made by Council Member Maxey, with a second to the motion made by Council Member Smaistrla.

Vice Mayor Jurgensen asked that Item B be removed for a separate vote.

A vote to approve items A, C and D was taken.

**The vote:**

**AYES: Maxey, Jurgensen, Smaistrla, Vinson**

**NAYS: None**

**VOTE: 4-0**  
**MOTION CARRIED**

Vice Mayor Jurgensen advised he had asked for an item to be pulled from the claims list, and that was a two-page ad run in the Yukon Review at a cost of \$1,512.

City Manager stated this item was pulled from the claims list, but after the agenda was printed and delivered.

Mr. Jurgensen stated he has a problem with running this type of ad in the paper when there are so many other things needed. He said he had asked the City Manager to check into how much we had spent on advertising in the Yukon Review last fiscal year and to date this fiscal year. In FY 2000, \$46,000+ was paid to the Yukon Review and \$9,780 was paid to the Piedmont Post. To date, \$17,263 has been paid to the Review and \$4,536 to the Post.

A motion to approve Item B, less the claim to the Yukon Review for \$1,512, invoice Y66429, was made by Vice Mayor Jurgensen; seconded by Council Member Maxey. (Total claims list adjusted to reflect nonpayment of this invoice.)

**The vote:**  
**AYES: Vinson, Smaistrila, Jurgensen, Maxey**  
**NAYS: None**  
**VOTE: 4-0**  
**MOTION CARRIED**

## **5. Report of Boards, Commissions and City Officials**

Jim Crosby, City Manager, advised that the hospital will receive their occupancy permit this Friday and will begin training, etc. for their November 1st opening.

Jeff Lara, Fire Chief, stated he has received a lot of phone calls regarding relief efforts for the New York tragedy, so he wanted to inform the public that they are accepting teddy bears, water and work gloves at Station 1, and these items will go to Feed the Children, who will transport them to New York and Washington. Any cash received will go to the Red Cross, so checks should be made to them; not the City or Fire Department.

In conjunction with the relief efforts, a blood drive has been set for October 5th from 2-7 p.m. at the Dale Robertson Center. Mr. Lara stated he was proud of this community, as there have been so many bears donated, they have filled the living area at the fire station.

## **6. Consider request from Greg Webb, Shaw's Gulf, Inc., appealing the Planning Commission decision of denial for their rezoning application for the NE corner of NW 10th**

Mayor Vinson stated this item will not be heard at the request of Mr. Webb.

A motion was made by Vice Mayor Jurgensen, seconded by Council Member Maxey, to indefinitely postpone this item.

**The vote:**  
**AYES: Smaistrila, Jurgensen, Vinson, Maxey**  
**NAYS: None**

**VOTE: 4-0**  
**MOTION CARRIED**

**7. Consider entering into a Settlement Agreement settling all claims in Spanish Cove Preservation Group; et al., Plaintiffs vs. Blayne Cole; et al., Defendants; District Court of Canadian County; Case No. CV-98-43-01**

Council Member Maxey made the motion to approve entering into a Settlement Agreement settling all claims in Spanish Cove Preservation Group; et al., Plaintiffs vs. Blayne Cole; et al., Defendants; District Court of Canadian County; Case No. CV-98-43-01. Motion was seconded by Council Member Smaistrla.

Vice Mayor Jurgensen asked the City Attorney to explain what this is.

City Attorney Mike Segler stated in 1974 the Retired Teachers Authority was created and in 1999, a new agency was created to operate the Cove and the City of Yukon was a beneficiary to both operating groups. There was then a dispute between the two groups and the City was part of the suit due to being beneficiary to the agencies. He stated he would recommend approval of this item.

**The vote:**  
**AYES: Jurgensen, Maxey, Vinson, Smaistrla**  
**NAYS: None**  
**VOTE: 4-0**  
**MOTION CARRIED**

**8. Consider approval of Hanover Compression Company's request for a temporary use permit to place a portable office building inside their complex located at 1600 West Vandament**

Maxey made a motion, seconded by Jurgensen, to approve Hanover Compression Company's request for a temporary use permit to place a portable office building inside their complex located at 1600 West Vandament.

**The vote:**  
**AYES: Maxey, Vinson, Smaistrla, Jurgensen**  
**NAYS: None**  
**VOTE: 4-0**  
**MOTION CARRIED**

**9. Consider approving Ordinance No. 1091, repealing Ordinance No. 1078, as requested by Mayor Vinson, Council Member Maxey and Council Member Jurgensen**

Vice Mayor Jurgensen made a motion to approve Ordinance No. 1091, repealing Ordinance No. 1078, as requested by Mayor Vinson, Council Member Maxey and Council Member Jurgensen. Second was made by Council Member Maxey.

Vice Mayor Jurgensen asked if this land would be grandfathered or if the zoning would fall from this.

City Attorney stated there was never a change of use, that Ordinance 1078 only changed

who could operate a transfer station, and C-5 was always a proper use for a transfer station.

Vivian Housh, 613 St. James Place, said the ordinance says the transfer station has to be owned and operated by the City and asked if this ordinance is repealed, does it mean that no one else can operate a transfer station in the City of Yukon?

Mayor Vinson advised that was correct.

Bob Privett, 1170 Moose, stated he would like a public hearing even if the city builds in C-5.

**10. Consider allowing the Mayor to appoint a committee to help the Oklahoma Environmental Management Association (OEMA) select a site for a transfer station**

Mayor Vinson stated she has asked one person to serve on this committee, and this person will choose others to complete the committee.

Council Member Maxey made a motion to allow the Mayor to appoint a committee to help the Oklahoma Environmental Management Association (OEMA) select a site for a transfer station. Council Member Smaistrle seconded the motion.

**The vote:**

**AYES: Vinson, Smaistrle, Maxey**

**NAYS: Jurgensen**

**VOTE: 3-1**

**MOTION CARRIED**

Vice Mayor Jurgensen asked why we had to form a committee, as this location is not convenient or the best location for a transfer station.

Mayor Vinson said it may be the best location, but the committee can decide.

Philip Maune, 4501 Deer Creek Court, suggested the City Manager, OEMA and one person from each ward be on the committee. He also stated that this group needs to have some "teeth" in their recommendation.

Mayor Vinson stated that Kenneth Baker has agreed to be on the committee and there is one other who has been asked, but has not advised if he will serve yet.

**11. Consider approving abatement charges as follows and authorize filing lien against the properties with the Canadian County Clerk:**

- A) 800 Cedar, Gary and Linda Newsom - \$390.08
- B) 1063 Cumberland Mansion, Charlene Hurd - \$265.35
- C) 1071 Castlebury Mansion, William Caldwell - \$250.77

Council Member Maxey made a motion to approve assessing abatement charges to 800 Cedar, Gary and Linda Newsom - \$390.08; 1063 Cumberland Mansion, Charlene Hurd - \$265.35 and 1071 Castlebury Mansion, William Caldwell - \$250.77 and filing lien against the properties with the Canadian County Clerk. Second was made by Vice Mayor Jurgensen.

**The vote:**

**AYES: Smaistrla, Maxey, Jurgensen, Vinson**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**12. 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**

<b>LOCATION</b>	<b>OWNER</b>	<b>VIOLATION</b>
437 South 7 <sup>th</sup>	Bouteller	Trash, Grass, Weeds
116 Utah	Devoll	Trash, Grass, Weeds
602 Oakcreek	Venable	Trash, Grass, Weeds
311 Vicki	Jenkins	Trash, Grass, Weeds
825 Mabel Fry	Dean	Trash, Grass, Weeds
541 West Main	Puckett	Trash, Grass, Weeds
Mustang Road, south of bank, north of Skyview Office Park	Capital Baptist	Trash, Grass, Weeds
3201 North Mustang Road	Re/Max Advantage	Trash, Grass, Weeds
Lots 19-26, Smoking Oaks oil lease	Church	Trash, Grass, Weeds

Mayor Vinson stated only 3201 North Mustang Road, 116 Utah and Lots 19-26, Smoking Oaks oil lease remain to be abated.

Council Member Maxey made a motion to declare 3201 North Mustang Road, 116 Utah and Lots 19-26, Smoking Oaks oil lease as detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same. Vice Mayor Jurgensen made the second to the motion.

**The vote:**

**AYES: Vinson, Maxey, Jurgensen, Smaistrla**

**NAYS: None**

**VOTE: 4-0**

**MOTION CARRIED**

**13. Consider approving Resolution No. 01-09, allocating \$73,763.00 from the General Fund as a match for a Community Development Block Grant of \$73,763.00 for installation, replacement and repair of infrastructure; and authorizing execution of documents necessary to the transaction**

Council Member Maxey made a motion, seconded by Council Member Smaistrla, to approve Resolution No. 01-09, allocating three (3) annual payments of \$73,763.00 from the General Fund as a match for a Community Development Block Grant of \$73,763.00 (annually, for three years) for installation, replacement and repair of infrastructure; and authorizing execution of documents necessary to the transaction.

**The vote:**

**AYES: Jurgensen, Smaistrla, Vinson, Maxey**

**NAYS: None**  
**VOTE: 4-0**  
**MOTION CARRIED**

**14. New Business**

**15. Open Discussion**

Vice Mayor Jurgensen said he first wanted to say he would like to ask the public to support our President and to pray for America. Secondly, he wanted to address the letter to the editor in the Review written by C. B. Anderson. Mr. Jurgensen said he hoped that Mr. Anderson is watching and he would like to talk to him. Mr. Jurgensen said he called the newspaper in an effort to get Anderson's phone number, but could not get it from them, and in checking with the County, found that Anderson is not a registered voter. Mr. Jurgensen said the letter says "Hey, Ron, quit showboating." Vice Mayor Jurgensen said it is okay with him if you want to call this showboating, but he would like to discuss the issue and invited Mr. Anderson to call him or City Hall or to come to the Council meetings. Mr. Jurgensen said that "Ward 2 is glad to have a council member who will speak up for them."

Council Member Smaistrla stated we should be supporting our local and national governments, and things we have discussed tonight seem so little in comparison to what we are going through in America right now, and that we are lucky to be here. She further stated we are very fortunate to have such a good Council and should not be fighting or cutting and need to be positive. Ms. Smaistrla said we are all adults and we need to be thankful for our town and its people.

Council Member Maxey second he would like to second Council Member Smaistrla's remarks. He also said, "Get well, John Weller."

Mayor Vinson said we do take so much for granted and we are lucky to live in Yukon and America.

**16. Adjournment**

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Genie Vinson, Mayor

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Patricia G. Hargis, City Clerk