

Minutes



City Council Minutes February 6, 2002

The Yukon City Council met in regular session on February 6, 2002, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Tim Rundel, Administrative Officer.

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, Triad Design Group
George Middleton, Building Maintenance
Loretta Hale, Building Maintenance
Jan Scott, Park and Recreation Director
Tim Rundel, Personnel/Safety Director
Jeff Lara, Fire Chief
Ike Shirley, Police Chief
J. R. Reed, Public Works Director
Mitch Hort, Community Development Director

Presentations and Proclamations

"Children's Dental Health Month" Proclamation

Mayor Vinson presented a proclamation proclaiming February as "Children's Dental Health Month" to local dentists Drs. David Deason, Steve McCullough and David Reiter. Dr. Deason said since the inception of this program, in which all Yukon and Piedmont dentists participate, they have seen 16,500 third graders in Yukon schools.

Visitors

Judy Chancellor, Kingston Drive resident, stated she is still concerned about the 44 acres that were cleared on Garth Brooks Boulevard and so are several other citizens.

Susan Hebblethwaite, Cimarron Road, asked why there was not a meeting on Tuesday night. She said the paper stated that money was allocated to help pay the County for the first phase

of the sports park - she asked how many phases are there and how much money will be spent in total on this project? She also asked how much road improvement will be done, and what will be done about fencing.

The City Manager stated he did not have the plans with him and invited Ms. Hebblethwaite to make an appointment to come to his office so he could show her the plans and provide her with correct information. He stated the work to be done with the County is only for drainage and dirt movement.

Jim McIntyre, 504 Palais Drive, stated he was perturbed at the last meeting by the Mayor saying our votes counted, yet four of the Council members make decisions contrary to the citizens' votes. He stated, "You proved votes don't count."

Jim Dahl, Westport West resident, said he has lived here six years and he wanted to thank everyone involved for the work that was done during the ice storm. He stated he knew that was a lot of work and he appreciated it. Mr. Dahl asked if the interlocal agreement with the County was a "done deal."

The City Manager advised it was approved at the last Council meeting, but that if the work is not completed by June 30th of this year, it will need to be re-approved by the Council.

Mr. Dahl asked if the citizens were notified before the land was purchased.

Mr. Crosby said the purchase would have been an agenda item, so the public was notified in that manner.

Mr. Dahl asked what the original use of the land was.

Mr. Crosby said the land was purchased for park land.

Mr. Dahl asked why Staff did not do as former Mayor Larry Taylor directed and prepare to sell the land. Mr. Dahl said that about three weeks after Mr. Taylor said to sell it, he read that the City might not sell. He asked why Staff did not do as the Mayor instructed.

Council Member Maxey said that Mr. Taylor was only one vote and that he was voicing his opinion. Mr. Maxey said there had to be a majority vote for action to be taken.

Mr. Dahl, addressing Mayor Vinson, said "This is probably stepping on your toes, but at 7th and Cedar, there's a structure I would hate to have to look at every day." Mr. Dahl said the City spent \$13,000 on this structure and it is just a "piece of junk."

Mayor Vinson said the house he was referring to belongs to the Historical Society.

Mr. Dahl said it was his understanding that it belonged to the City.

Mrs. Vinson and Mr. Crosby both assured Mr. Dahl the house belonged to the Historical Society.

Ray Wright, Oak Street resident, approached the Council and said that the town has seen a lot of devastation due to the recent ice storm, and he commends the City for what they have done as far as clean up efforts. Mr. Wright reported that his parents drove around the town this past week looking at all the damage to the trees on both city and private property, and

they wanted to do something to help Yukon. He said that his mother, Kathryn Kroutil Wright, on behalf of she and her grandchildren, wanted to donate \$10,000.00 to help replace the trees at the park and medians and hopes this will go a long way toward helping. Mr. Wright stated he would like to challenge the negative people to stop writing letters complaining about things and to donate money to help purchase a tree, or do something positive to help. He said we cannot do anything about what landowners or storms do, but we can help to re-build our town.

(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 January 15, 2002
- B) Approve payment to Triad Design Group in the amount of \$120,693.75 for architectural/engineering services on the NW 10th Street, Mustang Road to State Highway 92 project
- C) Approve payment to Triad Design Group in the amount of \$5,525.00 for architectural/engineering and construction administration on SH 92 and 10th Street
- D) Approve payment to Twin City Electric for relocation of underground feeders and light pole in the amount of \$2,500.00 (intersection of Vandament and Holly)

A motion was made by Trustee Maxey, seconded by Vice Chair Jurgensen, to approve the YMA consent docket, being the minutes of the regular meeting of January 15, 2002; approval of payment to Triad Design Group in the amount of \$120,693.75 for architectural/engineering services on the NW 10th Street, Mustang Road to State Highway 92 project; approval of payment to Triad Design Group in the amount of \$5,525.00 for architectural/engineering and construction administration on SH 92 and 10th Street; and approval of payment to Twin City Electric for relocation of underground feeders and light pole in the amount of \$2,500.00 (intersection of Vandament and Holly).

The vote:

AYES: Jurgensen, Maxey, Vinson, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

(Recess as YMA and Reconvene as Yukon City Council)

1. Consent Docket

1

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 January 15, 2002
- B) Salary and material claims in the amount of \$281,541.30

- C) Amendment to contract for legal services with City Attorney Mike Segler
- D) Entering into a contract and agreement with K&W Maintenance for rehabilitation of Kimbell Park pool in an amount not to exceed \$67,091.00.
- E) Entering into a contract by and through the Yukon Park and Recreation Department allowing the Yukon Optimist Sports Club Association to use the Yukon Community Center ballfields and the Hillcrest Park ballfield March 1 through November 1, 2002
- F) Entering into a contract by and through the Yukon Park and Recreation Department allowing the Yukon Soccer Club to use Ranchwood Park from February 1 through May 31, 2002
- G) Setting date for the next regular Council meeting for February 19, 2002, 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. Second was made by Council Member Smaistrla.

Vice Mayor Jurgensen asked for Item C to be pulled for separate consideration. Motion and second was amended to approve Items A, B, D, E, F, and G.

The vote:

AYES: Vinson, Smaistrla, Maxey, Jurgensen

NAYS: None

VOTE: 4-0

MOTION CARRIED

ITEM C: Amendment to contract for legal services with City Attorney Mike Segler

Vice Mayor Jurgensen said that in light of our current financial status, he would like to wait until the new budget year to consider any pay increases and made a motion to postpone consideration of this contract until closer to July 1. He said that he felt an approximate 56% pay increase is excessive at this time.

Motion died for lack of a second.

Council Member Maxey made a motion to approve Item C, amendment to contract for legal services with City Attorney Mike Segler, increasing his monthly retainer from \$1,250 per month to \$1,950 per month. Motion was seconded by Council Member Smaistrla.

Vice Mayor Jurgensen said that after the auditor's report showing we are down in our reserves, he thought we should hold this until later and that this increase was a little much at this time.

Council Member Smaistrla said that she believes the attorney is very important to the city and that is why she is voting for a raise.

Vice Mayor Jurgensen said the City Attorney will still receive \$125 per hour for other duties he performs, and he isn't saying that Mr. Segler is not doing a good job or that he doesn't deserve the raise. Vice Mayor Jurgensen said he would love to give each city employee a 56% raise, but we can't do it.

The vote:

AYES: Maxey, Smaistrla, Vinson

NAYS: Jurgensen

VOTE: 3-1
MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Jan Scott, Park and Recreation Director, said they are hosting a Mardi Gras party on the 12th for kids, and Mrs. Scott said she would like to commend the Park and Rec staff for running a shelter and cooking three meals a day for people staying there during the electrical outage.

Vice Mayor Jurgensen asked the Mayor to read the Auditor's letter.

The letter read:

"To: Mayor and City Council of Yukon, Oklahoma
From: L.D. Heim for Havern, Behrens and Heim, CPA's
Date: February 12, 2002
Subject: Operating results through December, 2001

Attached are the statements of revenues and expenditures for the operating funds (General, Water and Sewer, and Sanitation) for the six months ended December, 2001.

As you know, we encourage the City to maintain reserves of 10% in the operating funds. At June 30, 2001, the City's reserves dropped to 5.2%. While they have increased to 6.2% at December 31, 2001, they are still 3.8% below our recommended level. This equates to around \$456K below our recommended reserves.

At this point it also appears that the City's projection for sales tax collections for 2001-2002 will fall short of what was anticipated, possibly as much as \$400K to \$500K.

Anticipated revenue shortfalls and anemic reserves signal a need for budget reductions for the fiscal year 2001-2002. As you might expect, 61% of the City's budget in its operating funds is dedicated to personnel costs, so it is our opinion that any serious discussions about budget reductions will have to include ways to reduce these costs. It should also be noted that certain departments of the City make up the lion's share of its budget. For example, Police (27%) and Fire (19%) make up 46% of the General Fund budget. There are also budget expenditures such as insurance that are fixed and therefore difficult to reduce. Of course these are just some facts to consider when discussing budget reductions.

In summary, it is our opinion that the City should strive to overcome current year projected revenue shortfalls before attempts are made to increase reserves. The process of building reserves is an ongoing one that is usually undertaken over several years. We recommend setting a minimum amount of reserve."

City Manager Crosby said the Public Works Department has done a great job working on the tree and ice clean up. Mr. Crosby said that although most of Yukon has electricity now, some areas are being told they have a 6-8 week wait. He said that our crews will continue to work, and we that he and the Public Works Director met with FEMA and they are working with the City to try to help with the parks and drainage ditches. He thanked OEMA and the Wrights for allowing residents to use their sites as drop off sites for the limb debris. Mr. Crosby reminded everyone that the city is not allowed to work on private property. The City Manager also said that we may be asking for volunteers and organizations to help with clean up efforts, as there is very much that must be done and there are people who cannot do the work themselves.

3. A) Consider approval of Ordinance No. 1095, adding Section 114-90, providing for hydrant flush meter; reading meters; hydrant flush meter security deposit; failure to return hydrant flush meter; usage regulation of hydrant flush meter; and declaring an emergency

A motion was made by Council Member Maxey, seconded by Vice Mayor Jurgensen, to approve Ordinance No. 1095, adding Section 114-90, providing for hydrant flush meter; reading meters; hydrant flush meter security deposit; failure to return hydrant flush meter; usage regulation of hydrant flush meter; and declaring an emergency.

The vote:

AYES: Maxey, Vinson, Jurgensen, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving emergency clause to Ordinance No. 1095

Council Member Maxey made a motion to approve the emergency clause to Ordinance No. 1095. Second was made by Vice Mayor Jurgensen.

The vote:

AYES: Smaistrla, Maxey, Jurgensen, Vinson

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. A) Consider approval of Ordinance No. 1096, providing amendment to the Code of Ordinances of the City of Yukon, Oklahoma by closing a public way, being a part of Lots 19 and 19A, Block 6, Canadian Heights 4th Addition to the City of Yukon, and declaring an emergency

A motion was made by Council Member Maxey to approve Ordinance No. 1096, providing amendment to the Code of Ordinances of the City of Yukon, Oklahoma by closing a public way, being a part of Lots 19 and 19A, Block 6, Canadian Heights 4th Addition to the City of Yukon, and declaring an emergency. Second was made by Council Member Smaistrla.

The vote:

AYES: Jurgensen, Smaistrla, Vinson, Maxey

NAYS: None

VOTE: 4-0

MOTION CARRIED

B) Consider approving emergency clause to Ordinance No. 1096

Council Member Maxey made a motion, seconded by Council Member Smaistrla, to approve the emergency clause to Ordinance No. 1096.

The vote:

AYES: Vinson, Jurgensen, Maxey, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider accepting and approving the application by Claud Cypert to rezone from R-1 (Single Family Residential District) to C-1 (Office District) for part of the SW/4 of Section 22, T12N, R5W of the Indian Meridian, Canadian County, Oklahoma, as recommended by the Planning Commission

Council Member Maxey made a motion to accept and approve the application by Claud Cypert to rezone from R-1 (Single Family Residential District) to C-1 (Office District) for part of the SW/4 of Section 22, T12N, R5W of the Indian Meridian, Canadian County, Oklahoma, as recommended by the Planning Commission. Second was made by Vice Mayor Jurgensen.

The vote:

AYES: Maxey, Vinson, Smaistrla, Jurgensen

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. Consider accepting and approving accepting and approving the application by Claud Cypert to rezone from R-1 (Single Family Residential District) to C-1 (Office District) for part of the SW/4 of Section 22, T12N, R5W of the Indian Meridian, Canadian County, Oklahoma, as recommended by the Planning Commission

Council Member Smaistrla made a motion, seconded by Council Member Maxey, to approve and accept the application by Claud Cypert to rezone from R-1 (Single Family Residential District) to C-1 (Office District) for part of the SW/4 of Section 22, T12N, R5W of the Indian Meridian, Canadian County, Oklahoma, as recommended by the Planning Commission.

The vote:

AYES: Jurgensen, Maxey, Smaistrla, Vinson

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. Consider accepting and approving a final plat for Yukon Parkway West, Phase III, with Staff comments 1-4 and 6-13, and modify #5, access to Lot 1, with the eastern 100' having limits of no access and allowing two drives, and modify the legal description point of beginning, as recommended by the Planning Commission

Vice Mayor Jurgensen made a motion, seconded by Council Member Maxey, to accept and approve a final plat for Yukon Parkway West, Phase III, with Staff comments 1-4 and 6-13, and modify #5, access to Lot 1, with the eastern 100' having limits of no access and allowing two drives, and modify the legal description point of beginning, as recommended by the Planning Commission.

The vote:

AYES: Jurgensen, Vinson, Maxey, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. Consider accepting and approving a replat of Parkland Heights 2nd Addition with consideration of all Staff comments, especially #5, to reference homeowners will be responsible for maintenance, #6 will be stricken, #7 add maximum 1200 square feet single story structure, and #8 to be stricken, as recommended by the Planning Commission

Vice Mayor Jurgensen made a motion to accept and approve a replat of Parkland Heights 2nd Addition with consideration of all Staff comments, especially #5, to reference homeowners will be responsible for maintenance, #6 will be stricken, #7 add maximum 1200 square feet single story structure, and #8 to be stricken, as recommended by the Planning Commission. Second was made by Council Member Maxey.

The vote:

AYES: Vinson, Maxey, Smaistrila, Jurgensen

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. 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
312 Chickasaw	Juergens/Gilbert	Trash, Grass, Weeds
400 Greenwood	Scott	Trash, Grass, Weeds
629-633 Cedar	Bishop	Trash, Grass, Weeds
1008 Montreal	Abbott	Nuisance Vehicles

Mayor Vinson stated all properties' violations have been abated and no action is necessary for this item.

10. New Business

11. Council Discussion

Vice Mayor Jurgensen thanked the city employees and utility workers for all the hours and work they have put in to help us get through the ice emergency.

Council Member Smaistrila reminded everyone to help their neighbors during this time and if you need help, to call the city and we will find someone to help you. She also thanked the police, fire and city workers for all they have done and said that it is "great the way everyone works together."

Mayor Vinson offered her thanks to the Trinity Baptist Church for opening their building to the residents who were displaced from Cottonwood Manor. She said the Church were "really good neighbors." Mayor Vinson said that the Community Center had been open during these days without electricity and that Red Cross had brought food to help feed the stranded citizens.

Mayor Vinson offered her thanks to the Wright family for their generous donation for tree replacement. Mayor Vinson said she "really appreciates this family."

James McIntyre approached the Council and said that although he couldn't match the Wright's donation, he would like to donate toward tree replacement also, to show that he cares about this town.

12. Adjournment

Genie Vinson, Mayor

Patricia G. Hargis, City Clerk