

Minutes



City Council Minutes March 5, 2002

The Yukon City Council met in regular session on March 5, 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, after presentation of the colors by local Girl Scout and Brownie Troops.

Roll Call: Genie Vinson, Mayor
 Ron Jurgensen, Vice Mayor
 John Weller, Council Member
 Dewayne Maxey, Council Member
 Earline Smaistrle, 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
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

"Girl Scout Week"

Mayor Vinson read a proclamation proclaiming March 10-16 as "Girl Scout Week."

"Manna Pantry Month"

Representatives from the Manna Pantry accepted the proclamation declaring April, 2002 as "Manna Pantry Month".

"Municipal Government Week"

March 11-15, 2002 was declared as "Municipal Government Week" in the City of Yukon and proclamation was presented to Public Works Director Jerry Reed.

Visitors

Connie Gadberry, 1106 McConnell Drive, appeared before the Council and stated she would like to read a letter she had written to the newspaper regarding the sports park and the Council's actions. Mrs. Gadberry said the paper had declined to print her letter to the editor. Mrs. Gadberry asked why the citizens should vote when the majority of the Council is going to vote against the wishes of the citizens. She remarked that four out of five council members made the decision for the citizens. She asked how many of the sports kids actually live in the city limits. Mrs. Gadberry stated if these parents had voted for this complex, it would easily have passed. She advised that we need to repair roads before we build a sports complex. Mrs. Gadberry asked how much more money will be needed after this initial amount that was given to the complex.

Robert Gadberry, 1106 McConnell Drive, stated he wanted to discuss Section 13 of the City Charter regarding Council vacancies. He said that he "respectfully disagrees" with City Attorney Mike Segler's interpretation of this section. Mr. Gadberry said that former mayor Larry Taylor said that after his appointment, he was made to file and run for the position at the next election. Mr. Gadberry said that Section 13 needs to be re-written so people of the ward can choose their representative. He stated he could have challenged this interpretation in court, but it would have cost about \$20,000 in attorney fees, plus \$5,000 for an election and he did not think the city should spend money for that.

Judy Chancellor, Kingston Drive, thanked City Manager Jim Crosby for providing information on the City Attorney's monthly charges, which shows he averages \$5,000 a month, including his retainer.

City Manager stated that was not what his letter said. Mr. Crosby said the \$2,931 quoted included Mr. Segler's retainer.

Ms. Chancellor said that was not the way she read the letter. She also thanked Mr. Crosby for advising that no city money was spent on the trip to Dallas.

James McIntyre, 504 Palais, thanked the City Manager for his letter, and said he would "praise you when you're good, but watch out when you're bad."

(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 approve:

- A) Minutes of the regular meeting of February 19, 2002
- B) Payment in the amount of \$4,625.00 to Triad Design Group for architectural/engineering services for the booster station
- C) Payment in the amount of \$4,656.25 to Triad Design Group for architectural/engineering services/construction administration for the SH 92 and 10th Street project
- D) Payment in the amount of \$120.00 to Standard Testing for soil standards - booster station project
- E) Payment in the amount of \$55,762.42 to Crossland Heavy Contractors, Inc. for

booster station project - pay application #1

- F) Payment in the amount of \$28,093.01 to Arbor Masters Tree Service for storm clean up
- G) Payment in the amount of \$2,700.00 to Central Ford New Holland for rental on loader
- H) Payment in the amount of \$3,620.00 to Crossland's Rental for rental of bobcat and trailer
- I) Payment in the amount of \$1,920.00 to G&R Equipment for bobcat rental
- J) Payment in the amount of \$22,500.00 to Vermeer sales for rental of tub grinder
- K) Payment in the amount of \$950.00 to Rudy Construction for asphalt speed humps on McConnell Avenue

A motion was made by Trustee Weller, seconded by Trustee Maxey, to approve the Consent Docket of the Yukon Municipal Authority, being the minutes of the regular meeting of February 19, 2002; payment in the amount of \$4,625.00 to Triad Design Group for architectural/engineering services for the booster station; payment in the amount of \$4,656.25 to Triad Design Group for architectural/engineering services/ construction administration for the SH 92 and 10th Street project; payment in the amount of \$120.00 to Standard Testing for soil standards - booster station project; payment in the amount of \$55,762.42 to Crossland Heavy Contractors, Inc. for booster station project - pay application #1; payment in the amount of \$28,093.01 to Arbor Masters Tree Service for storm clean up; payment in the amount of \$2,700.00 to Central Ford New Holland for rental on loader; payment in the amount of \$3,620.00 to Crossland's Rental for rental of bobcat and trailer; payment in the amount of \$1,920.00 to G&R Equipment for bobcat rental; payment in the amount of \$22,500.00 to Vermeer sales for rental of tub grinder; and payment in the amount of \$950.00 to Rudy Construction for asphalt speed humps on McConnell Avenue.

The vote on the motion:

AYES: Weller, Jurgensen, Smaistrila, Maxey, Vinson

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 motion that will approve:

- A) Minutes of the regular meeting of February 19, 2002
- B) Salary and material claims in the amount of \$242,940.13
- C) Entering into a contract by and through the Yukon Park and Recreation Department and United Softball Association of Yukon for use of Sunrise Park from March 18 - July 12, 2002
- D) Entering into a contract by and through the Yukon Park and Recreation Department and Yukon Women's Volleyball Association for use of the Yukon Community Center gymnasium from March 26 - May 30, 2002, contingent upon receiving copy of their current insurance policy
- E) Allowing National Properties, Inc. to connect to the City of Yukon's sewer lines
- F) Entering into a ground lease agreement with Cingular Wireless to place an antenna

on city property at Hillcrest Park

G) Setting date for the next regular Council meeting for March 19, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Council Member Maxey, seconded by Vice Mayor Jurgensen, to approve the Consent Docket as presented, that being Minutes of the regular meeting of February 19, 2002; salary and material claims in the amount of \$242,940.13; entering into a contract by and through the Yukon Park and Recreation Department and United Softball Association of Yukon for use of Sunrise Park from March 18 - July 12, 2002; entering into a contract by and through the Yukon Park and Recreation Department and Yukon Women's Volleyball Association for use of the Yukon Community Center gymnasium from March 26 - May 30, 2002, contingent upon receiving copy of their current insurance policy; allowing National Properties, Inc. to connect to the City of Yukon's sewer lines; entering into a ground lease agreement with Cingular Wireless to place an antenna on city property at Hillcrest Park; and setting date for the next regular Council meeting for March 19, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Smaistrla, Vinson, Maxey, Jurgensen, Weller

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider request from Habitat for Humanity to waive any permit fees required by the city to build a house at 540 Eighth Street Drive, as well as waiving platting requirements

Council Member Weller made a motion to approve the request from Habitat for Humanity to waive any permit fees required by the city to build a house at 540 Eighth Street Drive, as well as waiving platting requirements. Second was made by Vice Mayor Jurgensen.

Council Member Weller said we have made this exception in the past and he felt it was the "right thing to do."

A vote on the motion was taken:

AYES: Jurgensen, Weller, Vinson, Maxey, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider accepting \$2,000.00 in lieu of detention for the Ranchwood Commercial Addition, as recommended by the City Engineer

Vice Mayor Jurgensen made a motion, seconded by Council Member Smaistrla, to approve accepting \$2,000.00 in lieu of detention for the Ranchwood Commercial Addition, as recommended by the City Engineer.

The vote:

AYES: Maxey, Vinson, Weller, Smaistrla, Jurgensen

NAYS: None

VOTE: 5-0
MOTION CARRIED

5. Consider accepting and approving Planning Commission's recommendation to approve the preliminary plat for Ranchwood Commercial with Staff recommendations #1-14 and change #11 from 50 feet to 45 feet right-of-way

Council Member Weller made a motion to accept and approve the Planning Commission's recommendation to approve the preliminary plat for Ranchwood Commercial with Staff recommendations #1-14 and change #11 from 50 feet to 45 feet right-of-way. Second was made by Council Member Maxey.

The vote:
AYES: Vinson, Maxey, Weller, Jurgensen, Smaistrla
NAYS: None
VOTE: 5-0
MOTION CARRIED

6. Consider approving the final plat for Ranchwood Commercial Addition, with Staff comments, and changing #4 from 50 foot right-of-way to a 45 foot right-of-way, as recommended by the Planning Commission

The final plat for Ranchwood Commercial Addition, with Staff comments, and changing #4 from 50 foot right-of-way to a 45 foot right-of-way, as recommended by the Planning Commission, was approved on a motion made by Council Member Weller, seconded by Council Member Maxey.

The vote on the motion:
AYES: Smaistrla, Maxey, Vinson, Jurgensen, Weller
NAYS: None
VOTE: 5-0
MOTION CARRIED

7. Consider approving the zoning change from A (Agriculture) to C-3 (Restricted Commercial District) for the 3800 to 4100 Blocks of North Mustang Road, with staff comments, as recommended by the Planning Commission

Council Member Maxey made a motion, seconded by Council Member Smaistrla, to approve the zoning change from A (Agriculture) to C-3 (Restricted Commercial District) for the 3800 to 4100 Blocks of North Mustang Road, with staff comments, as recommended by the Planning Commission.

The vote: AYES: Maxey, Jurgensen, Smaistrla, Weller, Vinson
NAYS: None
VOTE: 5-0
MOTION CARRIED

8. Consider approval of a preliminary plat for Yukon Holdings Addition, as recommended by the Planning Commission

Vice Mayor Jurgensen made a motion to approve the preliminary plat for Yukon Holdings Addition, as recommended by the Planning Commission. Council Member Maxey seconded

the motion.

The vote:

AYES: Weller, Maxey, Smaistrla, Vinson, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Consider approving specifications for an Early Warning Siren System and authorizing Staff to advertise for proposals

A motion was made by Council Member Weller, seconded by Council Member Maxey, to approve the specifications for an Early Warning Siren System and authorizing Staff to advertise for proposals.

The vote on the motion:

AYES: Jurgensen, Maxey, Smaistrla, Vinson, Weller

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. New Business

11. Council Discussion

Vice Mayor Jurgensen said he noticed the wood piles are smaller in the neighborhoods.

Council Member Weller said the streets are cleaner, but the piles are higher.

Council Member Maxey thanked the city employees for the long hours they have put in to clean up after the ice storm. He said they have done a great job.

Council Member Smaistrla advised the Mayor that she was the Girl Scout cookie chairman for Yukon in 1977.

Mayor Vinson offered her thanks to the Girl Scouts and Brownies and also to Manna Pantry for their contributions to the city.

12. Adjournment

Genie Vinson, Mayor

Patricia G. Hargis, City Clerk