

Minutes



City Council Minutes April 16, 2002

The Yukon City Council met in regular session on April 16, 2002, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by John Miller, Pastor of Christ's Church.

Flag salute was given in unison.

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

Others Present:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
George Middleton, Building Maintenance
Loretta Hale, Building Maintenance
Tim Rundel, Personnel/Safety Director
Mitchell Hort, Community Development Director
Tammy Nemecek, Administrative Assistant
Jan Scott, Park and Recreation Director
Chris Coleman, Event Coordinator
Joanne Oltmanns, Parks Department and Mobile Meals
Jeff Lara, Fire Chief
Ike Shirley, Police Chief
J. R. Reed, Public Works Director

Public Hearing to Solicit Citizen Input on the FY 2002-2003 Budget

No one spoke regarding the proposed FY 2002-2003 budget.

Presentations and Proclamations

A proclamation proclaiming May 4, 2002 as "Festival of the Child Day" was presented to Event Coordinator Chris Coleman.

Visitors

Judy Chancellor, Kingston Drive resident, spoke regarding her concern with the clearing of land on Garth Brooks Boulevard and the harm she feels was done to animals that lived there. She asked the Council what the plans were for discontinuing the destruction "forests" in our town.

Joanne Oltmanns presented the year-end report for Mobile Meals and advised Council they are now serving senior citizens meals seven days a week. She introduced Mobile Meals' Board President George Sparks, and thanked him and all the volunteers, as well as the Council for their support.

David Landes, 900 Creekwood Drive, thanked Council Member Weller and Mayor Vinson for their years of service to the City of Yukon and stated they had done an outstanding job.

(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 April 2, 2002
- B) Entering into a long-term lease agreement with the Yukon Athletics Foundation for use of the Lewis Carroll Taylor Park
- C) Payments to:
 - Triad Design Group - \$65,399.98
 - Crossland Rentals - \$93.00
 - Locke Supply - \$14.63
 - OK Contractors Supply - \$3,324.15
 - Standard Testing - \$90.00
 - Southern Police Equipment - \$4,200.00
 - Tapco - \$180.00

A motion was made by Trustee Weller, seconded by Trustee Maxey, to approve the consent docket, being the minutes of the regular meeting of April 2, 2002; entering into a long-term lease agreement with the Yukon Athletics Foundation for use of the Lewis Carroll Taylor Park; payments to: Triad Design Group - \$65,399.98; Crossland Rentals - \$93.00; Locke Supply - \$14.63; OK Contractors Supply - \$3,324.15; Standard Testing - \$90.00; Southern Police Equipment - \$4,200.00 and Tapco - \$180.00.

Vice Chairman Jurgensen asked that Item B be pulled for separate discussion.

Weller and Maxey amended the motion and second to exclude Item B.

The vote on Items A and C was taken:

AYES: Weller, Vinson, Jurgensen, Maxey, Smaistrle

NAYS: None

VOTE: 5-0

MOTION CARRIED

Item B: Vice Chair Jurgensen asked if the sports organization has received their 501(c)3

status yet.

Jeff Bohanan, sports organization representative, stated they do not have it at this time, but expect it soon.

Mr. Jurgensen asked the City Attorney if they do not have it yet, if that mean they were not tax exempt.

Mike Segler, City Attorney, stated they would "retro back" once the paperwork is received. Mr. Segler said that we could approve this contract with the provision that they receive the tax exempt status.

Mr. Jurgensen asked if not being tax exempt would affect their ability to receive grants.

Mr. Bohanan stated it could on some, but most places were more interested in them being incorporated.

Mayor Vinson stated there was not a motion on the floor at this time, so discussion should not be held until there was a motion.

Trustee Weller made a motion to approve Item B of the consent docket, entering into a long term lease agreement with the Yukon Athletic Foundation for the use of the Lewis Carroll Taylor Park. Trustee Maxey seconded.

Vice Chairman Jurgensen asked if the Foundation has a financial statement or insurance.

Mr. Bohanan stated they cannot get insurance without a contract with the city, but he can supply a copy of the financial information that was sent to the IRS.

Trustee Weller amended his motion to include that proof of insurance and a copy of the Yukon Athletics Foundation's financial information must be included as part of the contract, as well as stipulating that they must receive their 501(c)3 tax exempt status for this contract to become effective. Trustee Maxey amended his second.

Mr. Bohanan advised that each individual sports organization under the Yukon Athletics Foundation has their own individual insurance.

Trustee Weller stated that Mr. Treadway has a real concern with noxious weeds getting into his field and rightly so, as this affects his finances. Mr. Weller stated that County Commissioner Hedrick has advised that the EPA is looking at this area in regard to the blade work to be done. He stated that the Yukon Park Board, as well as the Athletic Foundation, will look at proposed improvements to ensure that everyone is in agreement with work to be done and to also protect the property owner.

Mr. Jurgensen said we require everyone else to have paperwork in place before we approve their contract.

James McIntyre, 504 Palais, said that this item should be tabled because of the liability involved. He said nothing should be done until all the paperwork is in place.

Mr. Jurgensen asked why this had to be approved tonight.

Mr. Weller said one reason is that this is his last meeting and he would like to see it done while he is on the Council.

Mayor Vinson said that we have made motions with contingencies many times in the past.

Kelle Freels, 605 Brandon Place, stated she was Vice President of the Yukon Athletic Foundation and also a former City employee. Mrs. Frees said that having worked for the City for 19 years, she is well aware that we have entered into agreements with stipulations that the organization bring back additional information.

Archie Treadway, owner of the property north of the proposed site, stated the field still has very high grass and weeds and asked when it would be mowed.

City Manager Jim Crosby stated that as part of this item, the Park Board as requested that we treat Taylor Park the same as all other city parks, which would mean that the City will mow this field. Mr. Crosby said this would be taken care of fairly soon.

The vote on the motion to approve the item, including the stipulations as stated above, was taken.

AYES: Maxey, Vinson, Smaistrila, Weller

NAYS: Jurgensen

VOTE: 4-1

MOTION CARRIED

(Adjourn 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 April 2, 2002
- B) Salary and material claims in the amount of \$98,822.36
- C) Entering into an agreement with Imperial Fireworks in an amount not to exceed \$8,000 for the 4th of July fireworks display
- D) Change Order No. 1 for Kimbell Park pool project in an amount not to exceed \$2,560.00
- E) Payment of Pay Application No. 2 to K&W Maintenance for pool repair in the amount of \$37,818.45
- F) Acceptance of Amendment #3 to City Manager's contract
- G) Acceptance of Amendment #7 to the Amended Restatement Agreement for Operation and Maintenance Services for the Treatment and Supply Plant operations
- H) Setting date for installation of new council members for Monday, May 6, 2002 at 7:30 p.m. in the Centennial Building
- I) Setting date for next regular Council meeting for May 7, 2002, 7:30 p.m. in the Centennial Building

A motion was made by Council Member Weller, seconded by Council Member Maxey, to approve the consent docket, being the minutes of the regular meeting of April 2, 2002; salary and material claims in the amount of \$98,822.36; entering into an agreement with Imperial Fireworks in an amount not to exceed \$8,000 for the 4th of July fireworks display; change

Order No. 1 for Kimbell Park pool project in an amount not to exceed \$2,560.00; payment of Pay Application No. 2 to K&W Maintenance for pool repair in the amount of \$37,818.45; acceptance of Amendment #3 to City Manager's contract; acceptance of Amendment #7 to the Amended Restatement Agreement for Operation and Maintenance Services for the Treatment and Supply Plant operations; setting date for installation of new council members for Monday, May 6, 2002 at 7:30 p.m. in the Centennial Building and setting date for next regular Council meeting for May 7, 2002, 7:30 p.m. in the Centennial Building.

Vice Mayor Jurgensen asked that Item F be removed for discussion and a separate vote.

Council Members Weller and Maxey amended their motion and second to reflect this request.

The vote:

AYES: Jurgensen, Smaistrila, Maxey, Weller, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

ITEM F: Acceptance of Amendment #3 to City Manager's contract

A motion was made by Weller, seconded by Maxey, to approve the acceptance of Amendment #3 to the City Manager's contract.

Vice Mayor Jurgensen asked the City Attorney if the term "any reason" in this contract under Item 3 could be amended to say if the manager is terminated for any reason, because the way it is stated, if the "City Manager just decided not to show up for work anymore," this clause would still apply.

The City Attorney stated that was basically right.

The vote on the motion was taken.

AYES: Smaistrila, Maxey, Weller, Vinson

NAYS: Jurgensen

VOTE: 4-1

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Jan Scott, Park and Recreation Director, stated that they will be having "Shakespear off the Shelf" this Sunday afternoon at the park. Mrs. Scott said this was made possible by an Arts grant. She also reported that the Thursday night concerts in the park would begin in June.

Jim Crosby, City Manager, advised that the road project bids come in at good costs and approval to accept the bid will be on the next agenda. Also, the agreement with Oklahoma City for the work at Mustang and 10th Street will be forthcoming within the next thirty days.

Mayor Vinson asked the City Attorney to prepare the recommendation of the transfer committee for Council approval.

3. Consider approving Ordinance No. 1097 which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Appendix A -

Zoning Ordinances, Section 603.2 Uses Permitted, by providing that dry cleaning shop (processing) be a use allowable in zoning district C-3 upon obtaining a conditional use permit; and declaring an emergency

A motion to approve Ordinance No. 1097, which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Appendix A - Zoning Ordinances, Section 603.2 Uses Permitted, by providing that dry cleaning shop (processing) be a use allowable in zoning district C-3 upon obtaining a conditional use permit; and declaring an emergency, was made by Council Member Maxey. Council Member Smaistrla seconded.

The vote:

AYES: Maxey, Smaistrla, Weller, Vinson, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

Council Member Maxey made a motion to approve the emergency clause of Ordinance No. 1097, with Council Member Weller seconding.

The vote:

AYES: Jurgensen, Vinson, Weller, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider assessing abatement cost of \$447.75 for clean up work done by the City of Yukon at 808 Glenwood (David and Teresa McKellar)

A motion was made by Council Member Weller, seconded by Council Member Smaistrla, to approve assessing the abatement cost of \$447.75 for clean up work done by the City at 808 Glenwood.

Mrs. McKellar stated she wanted to let the Council know that Washita Construction Company is actually the people who should be paying for this clean up, because they emptied their trash cart and left this horrible mess. She stated she felt this was a very reasonable clean up charge and wouldn't have attempted to clean it for that amount.

The vote:

AYES: Smaistrla, Jurgensen, Weller, Vinson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider awarding bid in the amount of \$152,275.43 to SafetyCom, Inc. for an Outdoor Warning Siren System and entering into contract for same

Vice Mayor Jurgensen made a motion that was seconded by Council Member Maxey to award the bid for the outdoor warning siren system in the amount of \$152,275.43 to SafetyCom, Inc.

Police Chief Ike Shirley stated our current system is antiquated and some parts are unavailable for repairing the current sirens. Mr. Shirley advised that the proposed sirens

will work in conjunction with Oklahoma City's new system. He also said that this cost includes the removal and disposal of the current poles, etc.

The vote:

AYES: Maxey, Weller, Smaistrla, Vinson, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approving specifications for a 60,000 lb. GVWR Truck with centrifugal compressor sewer cleanup and authorizing Staff to solicit bids

Vice Mayor Jurgensen made a motion to approve the specifications for a 60,000 lb. GVWR truck with centrifugal compressor sewer cleanup and authorized Staff to solicit bids for this item. Second was made by Council Member Maxey.

The vote:

AYES: Jurgensen, Vinson, Smaistrla, Maxey, Weller

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider approving specifications for a truck chassis and rear-loader sanitation mini-packer and authorizing Staff to solicit bids

Council Member Weller made a motion, seconded by Council Member Smaistrla, to approve the specifications for a truck chassis and rear-loader sanitation mini-packer and authorized Staff to solicit bids.

The vote:

AYES: Vinson, Jurgensen, Weller, Maxey, Jurgensen

NAYS: None

VOTE: 5-0

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
205 Briarwood	Payne	Trash, Grass, Weeds
632 Woodlawn	Campbell	Nuisance Vehicle

Mayor Vinson advised the only location that needs to be addressed is 632 Woodlawn, as the other has abated their problem.

A motion was made by Council Member Maxey, seconded by Council Member Weller, to declare the property at 632 Woodlawn as detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same.

Mitch Hort, Community Development Director, supplied the Council with a picture of the property.

The vote:

AYES: Vinson, Jurgensen, Weller, Maxey, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. New Business

10. Council Discussion

Vice Mayor Jurgensen said that he looked forward to working with John Alberts, council-member elect for Ward 3. He further stated he wished that the Council could have waited on the vote on the park, as he is concerned about spending tax dollars without taxpayers' permission.

Mr. Jurgensen stated it was "nothing personal regarding the city manager," that it was only the contract that he did not want, as he felt it was too open-ended.

Council Member Weller offered his thanks to everyone in the city that helped him during his tenure and said it has been a pleasure to serve. Mr. Weller welcomed Mr. Alberts to the Council. He said it was with some regrets that he leaves, but that he does approve of all that has been done, and that everyone really wants to "go in the same place."

Council Member Maxey stated he hates to see John and Genie leave and hopes that John will come back to visit after his move.

Council Member Smaistrla said that she will miss Genie and John, and looks forward to working with John Alberts. She stated she also appreciates everyone's help.

Mayor Vinson stated Yukon is a busy place, and that Special Olympics is well on their way to their \$100,000 goal. Mrs. Vinson said that the Parks and Recreation Department does such an outstanding job with all their activities and encouraged everyone to participate in them.

Mayor Vinson concluded with she has "had a great time."

11. Adjournment

Genie Vinson, Mayor

Patricia G. Hargis, City Clerk