

Minutes



City Council Minutes June 18, 2002

The Yukon City Council met in regular session on May 18, 2002, at 7: 30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Chaplin George Bigley.

Flag salute was given in unison.

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

Others Present:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Tony Lum, Building Maintenance
Dana Deckard, City Manager's Office
Ike Shirley, Police Chief
J. R. Reed, Public Works Director
Mitch Hort, Community Development Director
Jeff Lara, Fire Chief
John Knuppel, Historical Society
Russell Still, U.S. Filters

Presentations and Proclamations

Visitors

(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 June 4, 2002

- B) Approve payments to:
Central Ford New Holland - \$450.94
Brewer Construction Company - \$2,887.59

Trustee Jurgensen made a motion, seconded by Vice Chair Maxey, to approve the YMA Consent Docket, being the minutes of the regular meeting of June 4, 2002, payments to Central Ford New Holland in the amount of \$450.94 and Brewer Construction Company in the amount of \$2,887.59.

The vote:

AYES: Vinson, Alberts, Smaistrla, Maxey, Jurgensen

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 June 4, 2002
- B) Salary and material claims in the amount of \$202,639.98
- C) Entering into an agreement for Municipal Court Jurisdiction concerning juveniles
- D) Entering into an agreement by and between the City of Yukon and the Oklahoma Department of Corrections, New Direction Foundation, Inc., for use of prisoners for public works projects
- E) Entering into a transportation agreement by and between the City of Yukon and Avalon Correctional Services, Inc. for transportation of prisoners from the Oklahoma Department of Corrections
- F) Rejecting the bids received for a flushing truck and authorize Staff to re-advertise for bids
- G) Accepting the bid from Waste Research for a Sanitation truck in an amount not to exceed \$74,348.86
- H) Approving the medical disability retirement of John Carter
- I) Approving budget adjustments for FY 2001-2002
- J) Setting date for the next regular Council meeting for July 2, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Vice Mayor Maxey stated he would like to pull Item H for a separate vote, and made a motion to approve Items A-G and I-J. Second was made by Council Member Jurgensen.

The vote:

AYES: Jurgensen, Alberts, Vinson, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

ITEM H: Consider Approving the Medical Disability Retirement of John Carter

Vice Mayor Maxey stated "now that he has caused John to have the big one," he would like to make a motion to approve the medical disability retirement of John Carter. Council Member Vinson seconded the motion.

The vote:

AYES: Maxey, Smaistrla, Vinson, Alberts, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider approving appointments to the following Board and Commissions vacancies; terms to expire June 30, 2005:

Planning Commission:	Ward 3
Board of Adjustment:	Ward 3
Park Board:	Ward 3
Library Board:	Ward 3
Traffic Commission:	Ward 3
Oklahoma Environmental Management:	
Central Oklahoma Water Resources Authority:	

City Manager Jim Crosby stated he would like to correct this item, as the appointments to the OEMA and COWRA are only for one year, so these terms would expire the end of June, 2003.

Ward 3 Council Member John Alberts made a motion to nominate Terry Beaver for the Planning Commission vacancy and reappoint the following: Joe Horn, Board of Adjustment; Peggy Turner, Park Board; and Melota Orr, Library Board.

Council Member Vinson seconded the motion.

The vote:

AYES: Smaistrla, Jurgensen, Maxey, Vinson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

Council Member Alberts made a motion to table the appointment of a Ward 3 representative to the Traffic Commission until the July 2, 2002 meeting. Second was made by Council Member Jurgensen.

The vote:

AYES: Alberts, Vinson, Maxey, Jurgensen, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

Council Member Vinson made a motion, seconded by Council Member Jurgensen, to appoint Dwayne Maxey as Representative and Jim Crosby as Alternate to the Oklahoma

The vote:

AYES: Jurgensen, Vinson, Alberts, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

Council Member Jurgensen moved to table the COWRA representative indefinitely, with the second being made by Vice Mayor Maxey.

The vote:

AYES: Maxey, Alberts, Smaistrla, Jurgensen, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving the maintenance bonds for the sanitary sewer for Yukon Parkway West Phase III and placing them into effect

Vice Mayor Maxey made a motion approving the maintenance bonds for the sanitary sewer for Yukon Parkway West Phase III and placing them into effect. Council Member Jurgensen seconded.

The vote:

AYES: Alberts, Maxey, Vinson, Smaistrla, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving a replat of a replat of Lots 1, 3, 4, and 5 of a part of Lot 8, Block 1, West End Pointe, as recommended by the Planning Commission

Council Member Vinson moved to approve a replat of a replat of Lots 1, 3, 4, and 5 of a part of Lot 8, Block 1, West End Pointe, as recommended by the Planning Commission; Vice Mayor Maxey seconded.

The vote:

AYES: Maxey, Alberts, Jurgensen, Smaistrla, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider a Conditional Use Permit for a dry cleaning in C-3 zoning, as recommended by the Planning Commission

A motion was made to approve a Conditional Use Permit for a dry cleaning in C-3 zoning, as recommended by the Planning Commission, by Vice Mayor Maxey with Council Member Vinson making the second.

The vote:

AYES: Vinson, Jurgensen, Maxey, Smaistrla, Alberts

NAYS: None
VOTE: 5-0
MOTION CARRIED

7. A) Consider entering into a state-city project agreement with the Oklahoma Department of Transportation for the railroad corridor project at 5th and 8th Streets in Yukon with the Union Pacific Railroad Company's crossing AARDOT #596849S and #596850L

Council Member Jurgensen made a motion to approve entering into a state-city project agreement with the Oklahoma Department of Transportation for the railroad corridor project at 5th and 8th Streets in Yukon with the Union Pacific Railroad Company's crossing AARDOT #596849S and #596850L. Second was made by Vice Mayor Maxey.

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

B) Consider approving Resolution No. 2002-13, agreeing to participate in Federal-aid Project STP-109D(062)RR, J/P #19744(04) for construction with Federal participation for the installation of pedestal mounted flashing light signals at 5th Street and the barricading and permanent closure on 8th Street

Vice Mayor Maxey motioned, with a second by Council Member Jurgensen, to approve Resolution No. 2002-13, agreeing to participate in Federal-aid Project STP-109D(062)RR, J/P #19744(04) for construction with Federal participation for the installation of pedestal mounted flashing light signals at 5th Street and the barricading and permanent closure on 8th Street.

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

8. Consider approving Resolution No. 2002- 12, a resolution authorizing the calling and holding of a special election in the City of Yukon, Canadian County, Oklahoma, for the purpose of submitting proposed Charter amendments to be voted on by the qualified electors of the City of Yukon, Oklahoma

A motion was made by Council Member Jurgensen to approve Resolution No. 2002-12, a resolution authorizing the calling and holding of a special election in the City of Yukon, Canadian County, Oklahoma, for the purpose of submitting proposed Charter amendments to be voted on by the qualified electors of the City of Yukon, Oklahoma. Second was made by Vice Mayor Maxey.

Council Member Jurgensen said we need to get this election taken care of so that we can continue with the other charter changes we need and to get a council member in place. He stated as it is now "our hands are tied by the system."

Tom Shay, resident of Ward I, appeared before the Council and stated he was concerned with the proposed ballot wording, as he felt that if the people vote "no" we will be where we are now. Mr. Shay said we should have alternate, or multiple choice, language on the ballot.

Council Member Alberts asked the City Attorney if this was possible.

Mike Segler, City Attorney, said we cannot have alternatives on the ballot. He stated the proposed language will provide for a primary election so that in the general election we will be guaranteed a winning candidate.

Council Member Alberts stated the Council is aware there are several problems with the charter and we are trying to clear them up so that a new council member can be seated. He stated it is very important that this proposal be approved by the citizens.

A roll call vote was taken on the motion:

AYES: Jurgensen, Alberts, Vinson, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. (A) Consider approving Ordinance No. 1100, amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that a part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma (area north of the old Moose Lodge) be changed from "A" (Agriculture) to "C-3" (Restricted Commercial District); and declaring an emergency

Vice Mayor Maxey made a motion to approve Ordinance No. 1100, amending Ordinance No. 657, Appendix A of the Code of the City of Yukon, Oklahoma, by providing that a part of the Southwest Quarter of the Southwest Quarter of Section 15, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma (area north of the old Moose Lodge) be changed from "A" (Agriculture) to "C-3" (Restricted Commercial District); and declaring an emergency. Second was made by Council Member Jurgensen.

Council Member Vinson asked what the proposed use for this is.

City Attorney stated we approved this rezoning in April and that this item is only to get the rezoning in the code book.

The vote:

AYES: Vinson, Jurgensen, Alberts, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

(B) Consider approving the emergency clause of Ordinance No. 1100

A motion to consider approving the emergency clause of Ordinance No. 1100 was made by Vice Mayor Maxey; second was made by Council Member Jurgensen.

The vote:

AYES: Jurgensen, Maxey, Vinson, Alberts, Smaistrla

NAYS: None
VOTE: 5-0
MOTION CARRIED

10. Consider authorizing the Mayor and City Clerk to enter into an agreement with Aetna Group Health Insurance for group employee medical insurance for the period July 1, 2002 through June 30, 2003

Council Member Vinson made a motion, seconded by Vice Mayor Maxey, to authorize the Mayor and City Clerk to enter into an agreement with Aetna Group Health Insurance for group employee medical insurance for the period July 1, 2002 through June 30, 2003.

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

11. Consider setting the cost of abatement at 800 Cedar, Lots 15 and 16, Block 9, Original Yukon (Gary and Linda Newsome) at \$430.23 and assessing lien through Canadian County Treasurer

Vice Mayor Maxey made a motion to set the cost of abatement at 800 Cedar, Lots 15 and 16, Block 9, Original Yukon (Gary and Linda Newsome) at \$430.23 and assessing lien through Canadian County Treasurer. Council Member Jurgensen seconded the motion.

The vote:
AYES: Maxey, Smaistrla, Alberts, Vinson, Jurgensen
NAYS: None
VOTE: 5-0
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

LOCATION	OWNER	VIOLATION
208 East Grand Teton	Webb	Trash, Grass, Weeds
835 Cedar	O'Neil	Trash, Grass, Weeds
825 Cedar	Helton	Trash, Grass, Weeds
110 Asbill	Thompson	Trash, Grass, Weeds
207 East Beech	Patty	Nuisance Vehicle
215 East Beech	Hudson	Nuisance Vehicle
605 Oakcreek	Kravick	Trash, Grass, Weeds
405 S. Ranchwood	Chapman	Trash, Grass, Weeds
109 Birch	Mason	Trash, Grass, Weeds
201 East Beech	McDowell/Scott	Trash, Grass, Weeds
908 East Beam	Isbell	Nuisance Vehicle
810 Camden	Zacher/Harry Mortgage	Trash, Grass, Weeds

Mayor Smaistrla stated the only remaining locations to address were 825 Cedar, 605

Oakcreek and 810 Camden, as the others have abated their situations.

Community Development Director Mitchell Hort presented pictures of the three remaining locations to Council for their review.

Council Member Vinson made a motion to declare 825 Cedar, 605 Oakcreek and 810 Camden as public nuisances and authorized staff to take appropriate action.

The vote:

AYES: Vinson, Smaistrla, Maxey, Jurgensen, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

13. New Business

14. Council Discussion

Council Member Jurgensen stated he would like to encourage the citizens to vote on the proposed charter language in August so we can get this problem taken care of. He said if anyone has questions, not to hesitate to call him.

Council Member Alberts stated he would echo Mr. Jurgensen's comments, adding that a "no" vote would only cause more problems. He stated this change needs to be approved so the City can move forward.

Vice Mayor Maxey stated he hopes that John Carter will have a great retirement.

Council Member Vinson stated she appreciates the years of service that John Carter has given the City of Yukon.

Mayor Smaistrla reminded of the concerts in the park each Thursday in June at 7 p.m., the upcoming fireworks on both July 3, when the City will honor its veterans, and again on the 4th of July with the Oklahoma City Philharmonic.

Ms. Smaistrla also encouraged the citizens to approve "Plan A" of the charter changes so we can move on to "Plan B."

15. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk