

Minutes



City Council Minutes July 2, 2002

The Yukon City Council met in regular session on July 2, 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: Earline Smaistrle, 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
Loretta Hale, Building Maintenance
Dana Deckard, City Manager's Office
Jan Scott, Park and Recreation Director
Ike Shirley, Police Chief
J. R. Reed, Public Works Director
Jeff Lara, Fire Chief
John Knuppel, Historical Society
Russell Still, U.S. Filters

Presentations and Proclamations

"Ranchwood Nursing Center Day" proclamation

Mayor Smaistrle said that this proclamation was actually presented on June 25th during a ceremony at Ranchwood Nursing Center. The proclamation was read in full.

Visitors

Jim McIntyre, 504 Palais Drive, said he appreciates the work that Ike Shirley does and he has slowed down the speeders on Garth Brooks Boulevard, but they need officers back in the neighborhoods now. He asked why the lights in the school zones are still on.

Public Works Director Jerry Reed stated the lights are on from 7:30 a.m. until 11:30 a.m. in

the school zones until summer school is over.

Mr. McIntyre asked if there is going to be a charge for picking up a second garbage cart.

Mr. Crosby stated there will not be and that he has asked the City Attorney to prepare an ordinance dismissing the charge for a second cart. This will be on the July 16th agenda for Council's approval. Mr. Crosby stated this is more fair than having lots of bags to be picked up and not being charged for them.

Rod Sharpe, 215 Cherokee, asked Mr. Crosby if he was aware of a recent incident where an officer pulled his service weapon on an individual.

Mr. Crosby said he was and that an internal investigation is on-going at this time.

Mr. Sharpe said his 10 and 4 year old granddaughters were afraid at their apartment after this happened, and the 10 year old said the cops didn't believe her, and she said she told them the truth. He said he would like for someone to explain the situation to her. He also said he hopes there will be action taken against this officer.

City Manager Crosby assured Mr. Sharpe we are looking into this and will be glad to give him a copy of the report when it is finalized.

(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 18, 2002
- B) Approve payments to:
 - Crossland Heavy Contractors - \$58,653.11 (Booster Station)
 - Triad Design - \$100.00 (Signalization Project)
 - Triad Design - \$2,775.00 (Vandament/Holly Sewer and Waterline Relocation)
 - Triad Design - \$2,850.00 (Booster Station)
 - U. S. Filter - \$19,582.74 (Ice Storm Repairs)
 - Gilles Brothers - \$7,399.50 (Mower)

A motion was made by Vice Chair Maxey, seconded by Trustee Jurgensen, to approve the YMA Consent Docket, being the minutes of the regular meeting of June 18, 2002, and payments to Crossland Heavy Contractors - \$58,653.11 (Booster Station); Triad Design - \$100.00 (Signalization Project); Triad Design - \$2,775.00 (Vandament/Holly Sewer and Waterline Relocation); Triad Design - \$2,850.00 (Booster Station); U. S. Filter - \$19,582.74 (Ice Storm Repairs); and Gilles Brothers - \$7,399.50 (Mower).

The vote:

AYES: Maxey, Alberts, Smaistrila, Jurgensen, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. A Resolution authorizing the issuance of the Yukon Municipal Authority 2002 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$475,000; waiving competitive bidding and authorizing the Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "Qualified Tax Exempt Obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the internal revenue code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; and, ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the authority and agreeing that the term of the lease shall extend so long as the revenue note remains unpaid (ladder truck)

Trustee Jurgensen asked if he was correct in that this is for the new fire truck.

City Manager Jim Crosby stated it was, and this item is necessary for the financing of the ladder truck we are purchasing for the Fire Department.

A motion was made by Trustee Jurgensen, seconded by Vice Chair Maxey, to approve a Resolution authorizing the issuance of the Yukon Municipal Authority 2002 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$475,000; waiving competitive bidding and authorizing the Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "Qualified Tax Exempt Obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the internal revenue code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; and, ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the authority and agreeing that the term of the lease shall extend so long as the revenue note remains unpaid (ladder truck).

The vote on the motion:

AYES: Jurgensen, Maxey, Vinson, Alberts, Smaistrila

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 18, 2002
- B) Salary and material claims in the amount of \$356,078.24
- C) An agreement with Oklahoma Municipal Assurance Group (OMAG) to provide

property and liability insurance for the City of Yukon from July 1, 2002 through June 30, 2003, and authorizing Mayor and City Clerk to enter into agreement for same

D) Entering into an agreement by and between the City of Yukon, acting through the Yukon Police Department, and the Yukon Public School District, for the purpose of establishing the terms under which the City Shall provide the District with School Resource Officers and the compensation, which shall be paid by the City and the District

E) Entering into an agreement by and between the City of Mustang and the City of Yukon for the use of a 1990 Kawasaki KZ-1000 motorcycle in exchange for Mustang's use of the City of Yukon's firing range

F) Entering into an agreement by and between the City of Yukon, acting through the Yukon Parks and Recreation Department, and the Yukon Christian Athletic Association for the use of Sunrise Park from July 16, 2002 through November 30, 2002

G) Setting date for the next regular Council meeting for July 16, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion was made by Vice Mayor Maxey, seconded by Council Member Vinson, to approve the consent docket, being the minutes of the regular meeting of June 18, 2002; salary and material claims in the amount of \$356,078.24; an agreement with Oklahoma Municipal Assurance Group (OMAG) to provide property and liability insurance for the City of Yukon from July 1, 2002 through June 30, 2003, and authorizing Mayor and City Clerk to enter into agreement for same; entering into an agreement by and between the City of Yukon, acting through the Yukon Police Department, and the Yukon Public School District, for the purpose of establishing the terms under which the City Shall provide the District with School Resource Officers and the compensation, which shall be paid by the City and the District; entering into an agreement by and between the City of Mustang and the City of Yukon for the use of a 1990 Kawasaki KZ-1000 motorcycle in exchange for Mustang's use of the City of Yukon's firing range; entering into an agreement by and between the City of Yukon, acting through the Yukon Parks and Recreation Department, and the Yukon Christian Athletic Association for the use of Sunrise Park from July 16, 2002 through November 30, 2002; and setting date for the next regular Council meeting for July 16, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Vinson, Smaistrila, Alberts, Jurgensen, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Park and Recreation Director Jan Scott reminded everyone that the Freedom Fest would be a two day celebration this year, with a tribute to the veterans on July 3rd. Mrs. Scott advised there would be a car show, musical entertainment, and fireworks and for everyone to plan to attend.

3. Consider accepting and approving the Planning Commission's recommendation to approve the preliminary plat for Preston Park, according to Staff comments, Staff report of June 4, 2002 with Items 1-11 and changing name of "Leslie Drive" at the request of the Fire Chief

Vice Mayor Maxey made a motion, seconded by Council Member Jurgensen, to approve the Planning Commission's recommendation to approve the preliminary plat for Preston Park,

according to Staff comments, Staff report of June 4, 2002, with Items 1-11 and changing name of "Leslie Drive" at the request of the Fire Chief.

The vote:

AYES: Smaistrla, Vinson, Alberts, Maxey, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. A) Consider approving Ordinance No. 1101, an ordinance amending Sec. 2-137(b) of the code of ordinances of the City of Yukon by determining that certain obligation, including the Yukon Municipal Authority 2002 Revenue Note in an aggregate principal amount not to exceed \$475,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency (ladder truck)

The City Attorney advised he would read this ordinance in its entirety to satisfy the law regarding this matter.

After the reading, a motion was made by Council Member Jurgensen, seconded by Vice Mayor Maxey, to approve Ordinance No. 1101, an ordinance amending Sec. 2-137(b) of the code of ordinances of the City of Yukon by determining that certain obligation, including the Yukon Municipal Authority 2002 Revenue Note in an aggregate principal amount not to exceed \$475,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency (ladder truck).

Council Member Alberts asked why this ordinance had to be passed.

The City Attorney advised it was because an ordinance was passed in 1992 that says the Council cannot exceed a certain debt limitation and this ordinance assures that we are in compliance.

The City Manager stated we do this each time a financing project is done, and that this is a tax-exempt, five year note, which gives us an interest rate of not to exceed 5%.

A roll call vote was taken:

AYES: Maxey, Jurgensen, Vinson, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the emergency clause of Ordinance No. 1101

Vice Mayor Maxey moved to approve the emergency clause of Ordinance No. 1101, with Council Member Jurgensen making the second.

The vote:

AYES: Alberts, Vinson, Smaistrla, Jurgensen, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. A resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2002 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$475,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the Code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the revenue note (ladder truck)

The City Manager stated that this is a continuation of the loan for the fire truck.

A motion was made by Council Member Vinson, seconded by Vice Mayor Maxey, to approve Resolution No. 2002-14, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2002 Revenue Note (the "Revenue Note"), in an aggregate principal amount not to exceed \$475,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the Code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the revenue note (ladder truck).

The vote:

AYES: Jurgensen, Smaistrla, Maxey, Alberts, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. 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
1101 Kingston	King	Trash, Grass Weeds
700 South First	Krone	Trash, Grass, Weeds
312 Chickasaw	Juergens/Gilbert	Trash, Grass, Weeds
608 Hickory	Jones/Leader Mortgage	Trash, Grass, Weeds
1012 Elm	Yukon Land & Investment/Szurgot	Trash, Grass, Weeds
211 East Bass	Dickens/Cagle	Trash, Grass, Weeds

306 Poplar	Wiseman	Trash, Grass, Weeds
720 Maple	Heights	Trash, Grass, Weeds
723 Oak	Kelly	Trash, Grass, Weeds

Mitch Hort, Community Development Director, showed pictures of the remaining four areas that are still in need of abatement. The locations are 1101 Kingston, 608 Hickory, 720 Maple and 723 Oak.

A motion was made by Vice Mayor Maxey, seconded by Council Member Jurgensen, to declare these locations as detrimental to the health, benefit and welfare of the public and community and directed staff to take appropriate action to abate same.

The vote:

AYES: Vinson, Maxey, Alberts, Smaistrla, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. New Business

8. Council Discussion

Council Member Jurgensen reminded the citizens only professionals were to ignite fireworks within our City limits, and to come see the fireworks at the park on the 3rd and 4th and to be safe.

Council Member Alberts stated he wished Mr. Sharpe had stayed, as he would like to assure him and his granddaughter that the City is concerned about what happened to her and that we do believe her. He advised her she had done the right thing and to always go to an adult and to always tell the truth. He assured the young girl that the police do believe her.

Council Member Vinson said that a lot of hard work has gone into making the upcoming Freedom Fest fun for the citizens, so please come out and have a good time. She further stated she appreciated everyone who had a part in this event.

Council Member Vinson also wished Mary Huckaba and Tammy Nemecek a speedy recovery.

Mayor Smaistrla stated she would "ditto" all the good remarks made and she hopes everyone has a wonderful time on the 4th of July and to remember to be safe.

9. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk

