

Minutes



City Council Minutes August 20, 2002

The Yukon City Council met in regular session on August 20, 2002, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Fire Chief Jeff Lara.

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:

Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
George Middleton, Building Maintenance
Tammy Nemecek, Administrative Assistant
Mitchell Hort, Community Development Director
J. R. Reed, Public Works Director
Jan Scott, Park and Recreation Director
Tim Rundel, Personnel/Safety Director
Ike Shirley, Police Chief
Jeff Lara, Fire Chief
John Knuppel, Historical Society
Russell Still, U.S. Filters

Presentations and Proclamations

Visitors

Cecil Tippens, 4505 Cypert, read Section 34 of the Charter regarding term limits and stated he wanted to ask each of the Council Members how they felt about this article.

Mayor Smaistrle advised Mr. Tippens that because this issue is under litigation, we cannot address this at this time. Mike Segler, City Attorney, confirmed the Mayor's statement.

Mr. Tippens stated the County Election Board unanimously said to take Mrs. Vinson off the ballot and it should be done. Mr. Tippens also said he felt the election to be held August 27th should offer a choice of a majority or a plurality vote. Mr. Segler said then he would advise

Mr. Tippens to vote "no" on the matter.

Ken Baker, 4709 Deer Creek, asked what the status was on the recommendation made by the Transfer Station Committee. He advised they have not heard anything since their recommendation was presented to Council.

The City Attorney informed Mr. Baker the Council passed a resolution thanking the Committee for their efforts and advising they were taking the recommendation into consideration.

Mr. Baker remarked that the action that is going on in Yukon at this time (referring to the term limits matter) is really wasting money.

Robert Gadberry, 1106 McConnell, stated that he would like to ask if anyone knows Richard Saunders. He said he would like to meet him personally, and he does not believe this gentleman lives in our community. Mr. Gadberry said if he did live in Yukon, he should know that he (Gadberry) does not live in Ward 4; he lives in Ward 1.

Mr. Gadberry asked about the water tower contract that Sprint has for the water tower on Mustang Road. He asked what the rent was ear-marked for and how much they paid the City for using the tower.

The City Attorney stated he did not know the answers to these questions off the top of his head, but would be happy to investigate this for Mr. Gadberry. Mr. Segler said this document is about 25 pages long and he doesn't readily recall the details.

Mr. Gadberry said the water tower is rusting and asked why we can't afford to give it a face lift if we are being paid by Sprint to use this tower.

Mr. Gadberry also asked when street signs and stop signs would be placed in the new portion of Kingsway Addition. He was advised this is being addressed.

(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 August 6, 2002
- B) Payments to:
 - Triad Design Group in the amount of \$9,507.50
 - Brewer Construction Company in the amount of \$60,651.24
 - PSI in the amount of \$3,872.00

Vice Chair Maxey made a motion, seconded by Trustee Jurgensen, to approve the YMA Consent Docket, being the minutes of the regular meeting of August 6, 2002, and payments to Triad Design Group in the amount of \$9,507.50; Brewer Construction Company in the amount

of \$60,651.24; and PSI in the amount of \$3,872.00.

The vote:

AYES: Alberts, 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 August 6, 2002
- B) Salary and material claims in the amount of \$144,896.16
- C) Entering into an agreement by and between the City of Yukon, Oklahoma, and Compassionate Hands, Inc. for services from July 1, 2002 through June 30, 2003
- D) Entering into an agreement by and between the City of Yukon, Oklahoma, and the Chisholm Trail Historical Preservation Society, Inc. for services from July 1, 2002 through June 30, 2003
- E) Entering into an agreement by and between the City of Yukon, Oklahoma, and Youth and Family Services, Inc. for services from July 1, 2002 through June 30, 2003
- F) Entering into an agreement by and between the City of Yukon, Oklahoma, and the Chisholm Trail Festival, Inc. for services from July 1, 2002 through June 30, 2003
- G) Entering into an interlocal agreement by and between the City of Yukon, Oklahoma, and the Board of County Commissioners of Canadian County for dirt and drainage work on the L. Carroll Taylor Park
- H) Entering into an agreement by and between the City of Yukon, Oklahoma, and Chisholm Trail Counseling Services, Inc. for employee assistance program services through June 30, 2003
- I) Setting date for the next regular Council meeting for September 3, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Vinson made a motion to approve the Consent Docket as presented. Vice Mayor Maxey seconded.

Council Member Jurgensen asked to pull Item G for a separate vote.

Council Member Vinson and Vice Mayor Maxey amended their motion and second to reflect approval of Items A-F, H, and I of the consent docket.

A roll call vote was taken:

AYES: Jurgensen, Vinson, Maxey, Smaistrila, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

ITEM G: Entering into an interlocal agreement by and between the City of Yukon,

Oklahoma, and the Board of County Commissioners of Canadian County for dirt and drainage work on the L. Carroll Taylor Park

A motion was made by Council Member Vinson, seconded by Vice Mayor Maxey, to approve Item G, entering into an interlocal agreement by and between the City of Yukon, Oklahoma, and the Board of County Commissioners of Canadian County for dirt and drainage work on the L. Carroll Taylor Park.

Tim Gintzer, 959 Heritage Mansion, approached the Council to discuss this item. He stated this has been voted down twice, and then the Council gave this land to an organization and it seems all they have done is spend \$5,000 to mow this field. Mr. Gintzer asked if they have sufficient funds to complete this project if the City and County does this dirt work.

Dennis Christy, president of the Yukon Athletic Association, stated they are looking at several philanthropic organizations for grants. Mr. Christy stated the organization has received their 501(c)3 status and can now qualify for grants that were previously not open to them. Mr. Christy explained this is just preliminary dirt work to level the land so they can begin developing fields and the BMX track. He stated they will continue with other fund raisers, also.

Mr. Gintzer said if it takes 3-5 years to get this fully developed, the land will be eroded and this dirt work will be a waste. He stated he felt we should wait until at least half of the total amount of money needed has been raised.

Ken Baker stated the last time this issue was addressed, the City Manager said it would cost the City \$5,000 to \$20,000 for their portion of this agreement with the County. He asked if this was the same issue and if there was a way for the public to see this contract.

Mr. Segler stated the work addressed in the last contract was not done due to the ice storm taking so much of the County's resources and then the lease expired, so this is a renewal of that agreement.

Mr. Baker said he would like to see an estimate of 10% either way on the total amount this going to cost, otherwise he thinks it is an open-ended contract.

Council Member Jurgensen asked the City Attorney if this contract ended in April. Mr. Segler advised it expired in June.

Mr. Jurgensen said if that is the case, why is the County's scraper out there now. He asked why the County would be doing work on an expired contract.

Mr. Christy stated the County is doing this work on "good faith." He said the County is acting on the assumption the City Council will approve this item tonight.

Council Member Jurgensen asked who told them they could start on the project.

Mr. Christy stated he doesn't know that anyone told them; they just began working on it through good faith.

Council Member Jurgensen said they should not have done this since it is being done with taxpayers' money; he said they should have waited until the Council approved the agreement. Mr. Jurgensen said there are more people who don't want it built than do. He stated the

County is operating without the Council's approval.

Mayor Smaistrle called for the question.

Council Member Alberts stated he would like to discuss this further, as he has questions just as Mr. Jurgensen did.

Vice Mayor Maxey stated he cannot believe so many people work so hard against the children of Yukon.

Council Member Alberts asked Mr. Christy if they were asking for additional dollars or if this is a continuation of the first agreement.

Mr. Christy stated this is an extension.

Council Member Alberts asked Archie Tredway if he or other area farmers had been contacted by the engineer regarding drainage, etc.

Mr. Tredway advised he had not been.

Mr. Alberts asked what the money is for.

Dennis Christy said this is for elementary dirt work to level the land. He stated the work will be done in phases.

Council Member Alberts asked what the next phase would be.

Mr. Christy stated he is a certified agronomist and the next step should be seeding the land and allowing it to develop a good root system. He stated also the BMX track is being worked on at this time so they can have races in the fall, and this group does have the money to help with their portion of the project.

Council Member Jurgensen said the budget was cut due to a revenue shortfall, and asked Mr. Christy if he was aware the City has to repay roughly \$123,000 to Oklahoma City for taxes erroneously paid to us. He stated we may not have the money now to pay for this.

Mr. Christy stated they are not planning to ask for additional funding.

Mayor Smaistrle again called for the question.

A roll call vote was taken on the motion to approve:

AYES: Vinson, Maxey, Smaistrle, Alberts

NAYS: Jurgensen

VOTE: 4-1

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider accepting and approving Planning Commission's recommendation to approve an application by Ray Wright to rezone from C-3 (Restricted Commercial District) to C-5 (Automotive and Commercial Recreation District) for part of Lots 4 and 5, and all of Lots 6, 7 and 8, Block 1, Harris Acres Addition

Council Member Jurgensen made a motion, seconded by Vice Mayor Maxey, to approve the Planning Commission's recommendation to approve an application by Ray Wright to rezone from C-3 (Restricted Commercial District) to C-5 (Automotive and Commercial Recreation District) for part of Lots 4 and 5, and all of Lots 6, 7 and 8, Block 1, Harris Acres Addition.

The vote:

AYES: Smaistrla, Maxey, Vinson, Alberts, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider accepting and approving the Planning Commission's recommendation to approve the final plat for Yukon Holdings

Vice Mayor Maxey made a motion to approve the Planning Commission's recommendation to approve the final plat for Yukon Holdings. Second was made by Council Member Vinson.

The vote:

AYES: Maxey, Smaistrla, Jurgensen, Alberts, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approval of the recommendation to approve an application by Ray Wright to rezone from C-3 (Restricted Commercial District) to C-5 (Automotive and Commercial Recreation District) for part of Lots 4 and 5, and all of Lots 6, 7 and 8, Block 1, Harris Acres Addition

A motion was made by Council Member Jurgensen to approve the recommendation to approve an application by Ray Wright to rezone from C-3 (Restricted Commercial District) to C-5 (Automotive and Commercial Recreation District) for part of Lots 4 and 5, and all of Lots 6, 7 and 8, Block 1, Harris Acres Addition. Vice Mayor Maxey seconded.

The vote:

AYES: Vinson, Smaistrla, Maxey, Jurgensen, Alberts

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
106 Diana	Bundrum	Trash, Grass, Weeds
703-705 South Ranchwood	Walpole	Trash, Grass, Weeds
702 Oakcreek	Brown	Trash, Grass, Weeds
401 West Main	Weaver/COTS	Trash, Grass, Weeds

Mayor Smaistrla advised only 106 Diana remains to be addressed.

Community Development Director Mitchell Hort presented pictures of this residence for Council's review.

Council Member Jurgensen made a motion, seconded by Vice Mayor Maxey, to declare 106 Diana as detrimental to the health, benefit and welfare of the public and community and direct staff to take appropriate action to abate same.

The vote on the motion:

AYES: Jurgensen, Maxey, Smaistrla, Alberts, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. New Business

8. Council Discussion

Council Member Jurgensen asked the Mayor to ensure that anything that is to be signed by the Governor is done.

Mayor Smaistrla stated she has been here 30 years and knows our people and thinks it might take time, but she feels the Athletic Association will receive the donations they need to accomplish their goal of developing the sports park.

9. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk