

Minutes



City Council Minutes September 3, 2002

The Yukon City Council met in regular session on September 3, 2002, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Personnel Director Tim Rundel.

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
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

"Always Remember 9-11 Day"

Mayor Smaistrla read the "Always Remember 9-11 Day" proclamation.

Visitors

Clyde Lorance, 1122 Moose, approached the Council and read a statement that reflected his opinion of the Ward 4 council member situation.

(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 20, 2002
- B) Payments to:
 - PSI in the total amount of \$2,921.70
 - Triad Design Group in the total amount of \$20,343.68

Vice Chair Maxey made a motion to approve the YMA Consent Docket, being the minutes of the regular meeting of August 20, 2002, and payments to PSI in the total amount of \$2,921.70 and Triad Design Group in the total amount of \$20,343.68. Trustee Jurgensen seconded the motion.

The vote:

AYES: Alberts, Smaistrila, Vinson, Jurgensen, Maxey
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 20, 2002
- B) Salary and material claims in the amount of \$325,626.29
- C) Entering into an agreement with the Yukon Girls' Basketball organization for use of the Jackie Cooper gym from September 7, 2002 through November 2, 2002
- D) Entering into an agreement with the Yukon Soccer Club for use of Ranchwood Park from September 3, 2002 through November 30, 2002
- E) Denial of tort claim #15309 from Emily Reimers
- F) Entering into an interlocal agreement with the Board of Canadian County Commissioners for road improvements starting at the intersection of Frisco Road and Vandament, then proceeding ½ mile east on Vandament
- G) Entering into an agreement with the Canadian County 4-H to provide services to the citizens of Yukon
- H) Acknowledgment of letter of responsibility from the Yukon High School for the fiber and copper cable buried under the street approximately 100' west of 9th and Poplar in Yukon
- I) Change Order #1 for Fire Department ladder truck
- J) Setting date for the next regular Council meeting for September 17, 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, being the minutes of the regular meeting of August 20, 2002; salary and material claims in the amount of \$325,626.29; entering into an agreement with the Yukon Girls' Basketball organization for use of the Jackie Cooper gym from September 7, 2002 through November 2, 2002; entering into an agreement with the Yukon Soccer Club for use of Ranchwood Park from September 3, 2002 through November 30, 2002; denial of tort claim #15309 from Emily Reimers; entering into an interlocal agreement with the Board of Canadian County Commissioners for road improvements starting at the intersection of Frisco Road and Vandament, then proceeding ½ mile east on Vandament; entering into an agreement with the Canadian County 4-H to provide services to the citizens of Yukon; acknowledgment of letter of responsibility from the Yukon High School for the fiber and copper cable buried under the street approximately 100' west of 9th and Poplar in Yukon; change Order #1 for Fire Department ladder truck; and setting date for the next regular Council meeting for September 17, 2002, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The motion was seconded by Vice Mayor Maxey.

The vote:

AYES: Jurgensen, Vinson, Maxey, Smaistrila, Alberts
NAYS: None

VOTE: 5-0
MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider accepting and approving Planning Commission's recommendation for approval of the final plat for Yukon Parkway West, Phase IV

Council Member Vinson made a motion, seconded by Vice Mayor Maxey, to accept and approve the Planning Commission's recommendation for approval of the final plat for Yukon Parkway West, Phase IV.

The vote:

AYES: Vinson, Smaistrla, Jurgensen, Alberts, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider accepting and approving the Planning Commission's recommendation for a zoning application by Interwest Development Limited Partnership and W.E.P. Land Holdings, LLC to rezone from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District) for a tract of land lying in the SW/4 of Section 29, T12N, R5W, Yukon, Oklahoma

Vice Mayor Maxey made a motion to accept and approve the Planning Commission's recommendation for a zoning application by Interwest Development Limited Partnership and W.E.P. Land Holdings, LLC to rezone from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District) for a tract of land lying in the SW/4 of Section 29, T12N, R5W, Yukon, Oklahoma. Second was made by Council Member Jurgensen.

The vote on the motion:

AYES: Smaistrla, Jurgensen, Maxey, Alberts, Vinson

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider accepting and approving the Planning Commission's recommendation for approval of the final plat for West End Pointe Section 4

Vice Mayor Maxey made the motion to accept and approve the Planning Commission's recommendation for approval of the final plat for West End Pointe Section 4. The second was made by Council Member Jurgensen.

The vote:

AYES: Maxey, Vinson, Smaistrla, Alberts, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approval of Ordinance No. 1002, setting a \$30.00 charge for dishonored checks that are returned to the City of Yukon

This item was postponed until the September 17, 2002 meeting.

7. Consider entering into a contract with the Municipal Code Corporation for an analysis of the City of Yukon's Code of Ordinances and City Charter

A motion to enter into a contract with the Municipal Code Corporation for an analysis of the City of Yukon's Code of Ordinances and City Charter was made by Council Member Alberts; seconded by Vice Mayor Maxey.

Council Member Alberts asked Mr. Segler if he helped locate this company and if this was their expertise.

Mike Segler, City Attorney, advised that this company has been codifying and printing our code for a number of years.

Mr. Alberts asked if they were responsible for getting our code and charter "into this mess."

Mr. Segler advised they were not. He stated our code is working well; that the problem is with the Charter conflicting with the codes. Mr. Segler advised our Charter has not been reviewed or updated since 1994 or 1995. He stated that we should work with the department heads to get their input on the portions of the Code that pertain to their department when we revise the code book.

Council Member Alberts asked if the Municipal Code Corporation reviewed our Charter in 1992.

Mr. Segler stated he did not know, although it would not have been their responsibility to do so.

Mr. Alberts asked the cost for this company to assist with the review.

Mr. Segler advised that it would vary from \$20,000 to \$25,000, depending on the options the City chooses.

Mr. Alberts asked if it would be possible to have a citizens' committee to work with this group.

The City Attorney said it could be if the Council so desires, but he felt this might not be a wise decision.

The vote on the motion:

AYES: Smaistrle, Maxey, Jurgensen, Alberts, Vinson

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
1015 Cedar	Household Finance	Trash, Grass, Weeds

No action was needed on this item, as both locations have abated their violation.

9. New Business

10. Council Discussion

Council Member Jurgensen stated we will miss Jim McIntyre and offered his condolences to the McIntyre family.

Mr. Jurgensen said he hopes to get the Ward 4 council member position situation resolved and hopes the courts will act quickly.

Council Member Vinson stated she will miss Mr. McIntyre and that she enjoyed him being at the Council meetings.

Mrs. Vinson stated she feels that Judge Gary Miller does not receive the accolades he deserves for all he has done for our kids and that she appreciates him.

Council Member Alberts stated it looks like our Ward 4 problems really began in 1992 and the judicial system does not move quickly, but he hopes this will be taken care of soon. Mr. Alberts stated we do care about this community and want what is best for us.

Mr. Alberts stated that regarding September 11th, that we live in a great country and let's always remember what happened and remember those that are fighting for us still.

Mayor Smaistrle stated no matter what happens, we live in a wonderful town and we are all working for the betterment of our city.

11. A) Consider approving Resolution 2002-18 authorizing the Mayor to issue a proclamation and notice for the purpose of electing one council member from Ward 4 to serve the remainder of a three year term of office, ending at 7:30 p.m. on the first Monday in May, 2005

(Council Member Vinson left the Council Chambers.)

Council Member Jurgensen made a motion to pull this item until after the Supreme Court hearing and to call for a special meeting after tomorrow's outcome. Motion died for lack of a second.

Council Member Jurgensen then made a motion to reject the approval of Resolution 2002-18. Motion died for lack of a second.

Council Member Alberts made a motion to approve Resolution 2002-18 authorizing the Mayor to issue a proclamation and notice for the purpose of electing one council member from Ward 4 to serve the remainder of a three year term of office, ending at 7:30 p.m. on the first Monday in May, 2005. Second was made by Vice Mayor Maxey.

Council Member Alberts asked what tomorrow's Supreme Court hearing would be.

Mr. Segler stated that tomorrow would be a referee hearing and the referee will advise if

the issue has merit to be heard by the Supreme Court.

After considerable discussion between the City Attorney and Council Member Alberts, Mr. Alberts made a motion to table this tonight and to call a special meeting on September 16, 2002 to discuss this one item. Second was made by Ron Jurgensen.

A roll call vote was taken:

AYES: Jurgensen, Alberts, Maxey, Smaistrla

NAYS: None

VOTE: 4-0

MOTION CARRIED

(Council Member Vinson returned to the Council Chambers.)

B) Consider approving a Special Election Proclamation, Notice of Election and Notice of Continuation of Election

No action was taken due to the vote on 11A.

12. Consider recessing as Yukon City Council and convening into Executive Session to discuss personnel (FOP contract)

Council Member Alberts made a motion, seconded by Vice Mayor Maxey, to recess as Yukon City Council and reconvene into Executive Session to discuss personnel (FOP contract).

The vote:

AYES: Vinson, Maxey, Alberts, Smaistrla, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

13. Consider adjourning from Executive Session and reconvening as Yukon City Council

Council Member Jurgensen made a motion, seconded by Vice Mayor Maxey, to adjourn from Executive Session and reconvene as Yukon City Council.

The vote on the motion:

AYES: Alberts, Jurgensen, Smaistrla, Vinson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

14. Consider entering into a Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police Lodge #173 for 2002-2003

Council Member Vinson made a motion to enter into a Collective Bargaining Agreement between the City of Yukon and the Fraternal Order of Police Lodge #173 for 2002-2003. Second was made by Council Member Jurgensen.

The vote:

AYES: Smaistrla, Jurgensen, Maxey, Vinson, Alberts

NAYS: None
VOTE: 5-0
MOTION CARRIED

15. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk