

Minutes



City Council Minutes
April 15, 2003

The Yukon City Council met in regular session on April 15, 2003, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Tim Rundel, Personnel Director.

Flag salute was given in unison.

Roll Call: Present: Earline Smaistrle, Mayor
Dewayne Maxey, Vice Mayor
Ron Jurgensen, Council Member
John Alberts, Council Member
Bob Bradway, Council Member

Others Present:

Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer, Triad Design Group
Tammy Nemecek, Administrative Assistant
Tony Lum, Building Maintenance Department
Mitch Hort, Community Development Director
Jerry Reed, Public Works Director
Jeff Lara, Fire Chief
Ike Shirley, Police Chief
Tim Rundel, Personnel/Safety Director
John Knuppel, Historical Society

Public Hearing to Solicit Citizen Input for the 2003-2004 Budget for the City of Yukon

There was no one present who wished to provide input on the 2003-04 budget process.

Presentations and Proclamations

"Boy Scouts of America Troop 390 Day"

Mayor Smaistrle presented a proclamation proclaiming Wednesday, April 16, 2003, as "Boy Scouts of America Troop 390 Day" in the City of Yukon to Dustin McBride, who accepted on behalf of his troop.

Visitors

Betty Stejskal appeared before the Council to ascertain the status of the question of "free"

water that she, the Tredways and Ms. Krska asked about at the May 4th Council meeting. She stated it has been awhile, and they were wondering why they haven't heard anything from the Council.

City Attorney Mike Segler said he has written a letter to Mr. Gum that should have been mailed today. Mr. Segler said that the Council was not the party to address on this matter, and on his advice, told the Council that all correspondence regarding this should be referred to him as City Attorney.

Mrs. Stejskal asked why he was corresponding with Mr. Gum instead of the individuals.

Mr. Segler said he was replying to a letter from Mr. Gum and would be happy to provide a copy of the letter to each of the families.

Mrs. Stejskal said they wanted to deal with the Council - not Mr. Gum, as the Council "destroyed our water."

The City Attorney said their request could not be heard on the Council agenda, because the Council cannot give water away.

(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) The minutes of the regular meeting of April 1, 2003
- B) Payment of claims in the amount of \$45,204.06

A motion was made by Trustee Jurgensen, seconded by Vice Chair Maxey, approving the YMA Consent Docket, consisting of the minutes of the regular meeting of April 1, 2003, and payment of claims in the amount of \$45,204.06.

The vote:

AYES: Maxey, Alberts, Smaistrla, Jurgensen, Bradway

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) The minutes of the regular meeting of April 1, 2003

- B) Payment of salary and material claims in the amount of \$177,099.78
- C) Entering into an agreement with New Direction Foundation, Inc. for transporting female inmates
- D) Denying claim to Larry Porter (Allstate Insurance) for a sewer back-up at 505 West Vandament, as recommended by the City of Yukon's insurance provider
- E) Setting the date for installation of Ward 2 Councilman-Elect for Monday, May 5, 2003, 7:30 p.m., Council Chambers, Centennial Building, 12 South Fifth Street
- F) Setting the date for the next regular Council meeting for May 6, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Vice Mayor Maxey made a motion to approve the Consent Docket, consisting of the minutes of the regular meeting of April 1, 2003; payment of salary and material claims in the amount of \$177,099.78; entering into an agreement with New Direction Foundation, Inc. for transporting female inmates; denying claim to Larry Porter (Allstate Insurance) for a sewer back-up at 505 West Vandament, as recommended by the City of Yukon's insurance provider; setting the date for installation of Ward 2 Councilman-Elect for Monday, May 5, 2003, 7:30 p.m., Council Chambers, Centennial Building, 12 South Fifth Street; and setting the date for the next regular Council meeting for May 6, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

Council Member Jurgensen seconded the motion.

The vote:

AYES: Jurgensen, Smaistrila, Bradway, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider approving the motion on the floor, made by Council Member Bradway and seconded by Council Member Jurgensen, to declare the house located at 628 Cedar as a nuisance and authorize Staff to abate the nuisance by removing the house (Action was tabled at the 4-1-03 meeting.)

A motion was on the floor from the April 1, 2003 meeting to declare the house located at 628 Cedar as a nuisance and to authorize Staff to abate the nuisance by removing the house. The motion was made by Council Member Bradway and seconded by Council Member Jurgensen.

Genie Vinson, representing the Historical Society, appeared to ask if the hearing on this item could be delayed until after the Park Board's meeting tomorrow night. Mrs. Vinson said they are going to ask the Park Board for permission to place this house at the Chisholm Trail park, but their meeting isn't until tomorrow night.

Council Member Bradway said this house has been at its present location for two years and eight months and the Society has had plenty of time to move it. Reading from a letter from Mr. and Mrs. Henley, whose land the house is now on, Mr. Bradway said that the Henleys only granted the Society permission to place the house at this location until the pad site was prepared and had no idea it would take so long. Mr. Henley said the Society had not kept their part of the bargain regarding the mowing and they would like the structure moved as quickly as possible. Mr. Bradway said that in light of the Henleys' statements, he felt we

should honor their request. Furthermore, he stated he did not personally feel this house had significant historical value and should not be on city property at all.

Council Member Alberts asked what action would be taken to abate this.

The City Manager explained that normally it would be torn down and the lumber taken to the landfill.

Mr. Alberts asked if there would be a cost for this.

Jim Crosby, City Manager, said there would be our cost of personnel to demolish the building as well as the landfill fee. Mr. Crosby said it would be totally at the City's expense, as the Society has no money to pay for it.

Vice Mayor Maxey asked if this is passed tonight as is and the Park Board hears it tomorrow, would it be too late for action.

The City Manager said it would not be, as the Public Works Department would have to work this into their schedule, and it could take a few days.

Council Member Jurgensen said he is concerned that if this is put on park property, it will stay as it is now and nothing will be done to improve the structure, and that the City doesn't have money to pay for improvements we would like to have done in the park, much less to this piece of property.

Council Member Alberts said that Mr. Henley wants to move this house "in the next few months," so if we move to abate this, can we put a thirty day time limit on it so that if nothing is done by then, the City can abate the nuisance.

The City Manager stated he could.

Council Member Alberts asked who actually owns the house.

Mike Segler, City Attorney, stated he was not sure. He stated the Historical Society had made arrangements with the First Baptist Church to relocate it when the Church was going to tear it down, but he is not sure if an actual deed was exchanged.

Council Member Bradway stated that Mr. Alberts was right about giving proper notice and adequate time limits, but he thinks they are just stalling.

Council Member Alberts made a motion to amend the motion on the floor by adding that 30 days from today, if the structure is not moved by that time, on the 31st day the City will abate the situation as a nuisance. Council Member Bradway seconded the motion.

The vote on the amendment:

AYES: Alberts, Jurgensen, Smaistrla, Bradway

NAYS: Maxey

VOTE: 4-1

MOTION CARRIED

A vote was taken on approving the motion on the floor as amended that had been made by Council Member Bradway and seconded by Council Member Jurgensen, to declare the house located at 628 Cedar as a nuisance and authorize Staff to abate the nuisance if the house is

not moved within thirty (30) days from today.

The vote on the amended motion:

AYES: Bradway, Smaistrla, Jurgensen, Alberts

NAYS: Maxey

VOTE: 4-1

MOTION CARRIED

4. Consider approving the repair of the Von Elm Lift Station force main from the Lift Station to Mustang Road in an amount not to exceed \$78,161.30

The motion to approve the repair of the Von Elm Lift Station force main from the Lift Station to Mustang Road in an amount not to exceed \$78,161.30 was made by Council Member Bradway and seconded by Vice Mayor Maxey.

The vote:

AYES: Bradway, Maxey, Alberts, Jurgensen, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider accepting a permanent easement from River Birch Estates, being the south five feet (5') of the north twenty feet (20') of Lots 41 and 42, Block One (1) River Birch Estates Subdivision, being an addition to Yukon Canadian County, Oklahoma

Council Member Bradway made a motion to accept a permanent easement from River Birch Estates, being the south five feet (5') of the north twenty feet (20') of Lots 41 and 42, Block One (1) River Birch Estates Subdivision, being an addition to Yukon Canadian County, Oklahoma. The second to the motion was made by Council Member Jurgensen.

The vote:

AYES: Smaistrla, Maxey, Jurgensen, Bradway, 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
114 North 9 th	Anders	Nuisance Vehicles
114 North 9 th	Anders	Trash, Grass, Weeds
118 North 9 th	Sperry	Trash, Grass, Weeds
121 North 9 th	Kroutil	Trash, Grass, Weeds
417 South 8th Street Drive	Nanney	Trash, Grass, Weeds
1101 Kingston Drive	King	Trash, Grass, Weeds
200 Klondike	Freeman	Nuisance Vehicles

Mayor Smaistrla advised only three residences, 118 North 9th, 417 South 8th Street Drive, and 1101 Kingston Drive, remain to be considered.

Community Development Director Mitchell Hort presented pictures of the residences to the Council.

Vice Mayor Maxey made a motion, seconded by Council Member Bradway, to declare these properties 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:

AYES: Alberts, Smaistrla, Maxey, Bradway, Jurgensen

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. New Business

8. Council Discussion

Mayor Smaistrla stated first of all, she had a presentation to make to Mr. Jurgensen, who is attending his last Council meeting tonight. She presented him with a "bulldog" award, reading "In appreciation for your years of service to the City of Yukon."

Council Member Bradway stated he was glad that Troop 390 showed up tonight and they richly deserved this proclamation for a job well done. Mr. Bradway offered his congratulations to Ward Larson, who will be coming on the Council soon. Mr. Bradway said there was "good news and bad news" about this, as "Ron will now be your constituent." Council Member Bradway wished Mr. Jurgensen good luck.

Council Member Jurgensen advised he wanted to thank all his supporters and those who served on various boards and commissions as his representative. He stated this has been "an interesting three years" and wished Mr. Larson good luck.

Council Member Alberts said he also wanted to thank Troop 390 for the great job they had done. He stated he has received a lot of calls about the water not flowing in the creek and he appreciated their cleaning this out so the water will flow. Council Member Alberts wished Mr. Jurgensen good luck.

City Manager Jim Crosby thanked Boy Scout Troop 390 for their hard work and said that the kids and their parents are to be commended for such diligent work, as they did a tremendous job. He said he appreciated their efforts.

Mr. Crosby told Mr. Jurgensen he had enjoyed working with him over the past three years.

Mayor Smaistrla thanked Ron for his help and support in the past.

Ms. Smaistrla stated that on April 27th at 3 p.m., there will be a rally to salute and support our troops at the Dale Robertson Center. She advised that many dignitaries have been invited and hopefully will attend. Mayor Smaistrla encouraged everyone to come and show their support.

9. Adjournment

Earline Smaistrla, Mayor

Patricia G. Hargis, City Clerk

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