

Minutes



City Council Minutes May 6, 2003

The Yukon City Council met in regular session on May 6, 2003, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

Invocation was given by Tom Tickner, pastor of the Chisholm Trail Presbyterian Church.

Flag salute was given in unison.

Roll Call: Present: Earline Smaistrla, Council Member
 Dewayne Maxey, Council Member
 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
Jan Scott, Park and Recreation Director
John Corn, Assistant Police Chief
Tim Rundel, Personnel/Safety Director
Jeff Deckard, Public Works Department
John Knuppel, Historical Society

Election of Mayor ~ Election of Vice Mayor

Council Member Maxey made a motion nominating Earline Smaistrla as Mayor and John Alberts as Vice Mayor. Council Member Larson seconded the motion.

The vote:

AYES: Larson, Alberts, Smaistrla, Bradway, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

Presentations and Proclamations

Mayor Smaistrla read a proclamation proclaiming May 15, 2003, as "Peace Officers' Memorial Day" in the City of Yukon. The proclamation was presented to Master Patrol Officer Buddy Guth.

A proclamation proclaiming the week of May 4-11, 2003 as "National Music Week" was read in full by the Mayor.

Visitors

Kelle Freels, 605 Brandon Place, appeared before the Council on behalf of the Athletic Foundation. Ms. Freels stated she wanted to update the Council on the progress of the work being done at Taylor Park. The Council was advised that tin horns have been put in and they are working on grading; they continue to work on funding; a water well has been drilled at the BMX track and electricity is being installed. Ms. Freels said that everything they have done has been through donations. May 17th will be the grand opening of the BMX track and Ms. Freels invited the Council to come out and watch the races.

Council Member Bradway asked if the dirt work and grass was in yet.

Ms. Freels said they are working on getting this done and hope to have it completed rather quickly.

Mr. Bradway asked if they would be using native Bermuda grass.

Ms. Freels said it would be at the BMX track, but she was not sure what they would be using on the ballfields.

Council Member Bradway asked if their water source would be adequate for watering.

Ms. Freels advised it looks like it will be.

(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 15, 2003
- B) Payment of claims in the amount of \$229,036.25

A motion was made by Trustee Maxey, seconded by Trustee Bradway, to approve the YMA Consent Docket, being the minutes of the regular meeting of April 15, 2003 and payment of claims in the amount of \$229,036.25.

The vote:

AYES: Maxey, Smaistrila, Larson, Bradway, Alberts

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 15, 2003
- B) Payment of salary and material claims in the amount of \$233,758.69
- C) Entering into a contract with the North American Agency to work together to comply with the new HIPPA privacy regulations
- D) Entering into a contract with the Oklahoma Department of Corrections for the Prisoners Public Works Program
- E) Entering into a contract with the State Department of Corrections, Clara Waters Community Corrections Center, for the Prisoners Public Works Program
- F) Setting the date for the next regular Council meeting for May 20, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Maxey made a motion, seconded by Council Member Bradway, approving the Consent Docket, consisting of the minutes of the regular meeting of April 15, 2003; payment of salary and material claims in the amount of \$233,758.69; entering into a contract with the North American Agency to work together to comply with the new HIPPA privacy regulations; entering into a contract with the Oklahoma Department of Corrections for the Prisoners Public Works Program; entering into a contract with the State Department of Corrections, Clara Waters Community Corrections Center, for the Prisoners Public Works Program; and setting the date for the next regular Council meeting for May 20, 2003, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth Street.

The vote:

AYES: Bradway, Larson, Alberts, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Jan Scott, Park and Recreation Director, advised they are now taking enrollment for all summer programs and swimming lessons, and that the Concerts in the Park will begin in June.

3. Consider approving the rezoning application for Linn-Co Development, Inc. to rezone from A (Agriculture) and I-2 (Heavy Industrial District) to C-5 (Automotive and Commercial Recreation District), R-1 (Single Family Residential District), and R-3 (Multi-Family Residential District) for the area north of N. W. 10th Street west of North Mustang Road, as recommended by the Planning Commission

Ray Wright, Linn-Co Development representative, stated they are asking that this change be approved as I-2 and Agriculture are not appropriate zonings for this area.

The rezoning application for Linn-Co Development, Inc. to rezone from A (Agriculture) and I-2 (Heavy Industrial District) to C-5 (Automotive and Commercial Recreation District), R-1 (Single Family Residential District), and R-3 (Multi-Family Residential District) for the area

north of N. W. 10th Street west of North Mustang Road, as recommended by the Planning Commission, was approved after a motion for approval was made by Council Member Maxey. The second to the motion was made by Council Member Alberts.

The vote:

AYES: Alberts, Maxey, Bradway, Larson, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider accepting the Von Elm Lift Station project and placing the maintenance bonds into effect

A motion was made by Council Member Bradway, seconded by Council Member Maxey, to accept the Von Elm Lift station project and place the maintenance bonds into effect.

The vote:

AYES: Smaistrla, Bradway, Maxey, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider accepting the River Birch Estates project and placing the maintenance bonds into effect for the sanitary sewer lines and water lines servicing this addition

Council Member Maxey made a motion to accept the River Birch Estates project and place the maintenance bonds into effect for the sanitary sewer lines and water lines servicing this addition. The second to the motion was made by Council Member Bradway.

The vote:

AYES: Maxey, Larson, Smaistrla, Alberts, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider accepting Letter of Credit #402 from Yukon National Bank in lieu of a subdivision bond for the public improvements for Stone Creek Addition

A motion to accept Letter of Credit #402 from Yukon National Bank in lieu of a subdivision bond for the public improvements for the Stone Creek Addition was made by Council Member Maxey and seconded by Council Member Larson.

The vote:

AYES: Larson, Alberts, Maxey, Bradway, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider naming one member and one alternate to the following Association of Central Oklahoma Governments (ACOG) Boards:

- 1) ACOG Board of Directors
- 2) Intermodal Transportation Policy Committee
- 3) Garber Wellington Policy Committee
- 4) 9-1-1 Association Board of Directors

Council Member Maxey made a motion, seconded by Council Member Larson, to name Bob Bradway as Representative and John Alberts as Alternate to the various ACOG Boards.

The vote:

AYES: Maxey, Alberts, Smaistrla, Bradway, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider approving a revision to the original engagement letter with Havern, Behrens and Heim, CPAs, to provide provisions for the OMB Circular A-133 audit as required by the Oklahoma Highway Safety Office, in an amount not to exceed \$2,500

A motion was made by Council Member Maxey, seconded by Council Member Alberts, to approve the revision to the original engagement letter with Havern, Behrens and Heim, CPAs, to provide provisions for the OMB Circular A-133 audit as required by the Oklahoma Highway Safety Office, in an amount not to exceed \$2,500.

Council Member Bradway asked what this audit was for.

City Manager Jim Crosby explained that any time a city receives over \$300,000 from federal funds, this audit is mandated. At the time the accounting firm entered into contract with us, the funds were not an issue, so this is to allow for the mandated audit and their compensation for doing the work.

The vote on the motion:

AYES: Smaistrla, Larson, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Consider approving Resolution No. 2003-06, a resolution directing the Oklahoma Municipal Retirement Fund to credit service time for former employee Greg R. McCoy

A motion was made by Council Member Maxey to approve Resolution No. 2003-06, a resolution directing the Oklahoma Municipal Retirement Fund to credit service time for former employee Greg R. McCoy. Second to the motion was made by Council Member Alberts.

The City Manager explained this was part of a settlement from a state and federal lawsuit.

Council Member Bradway asked if this was court ordered, why it was before the Council.

Mike Segler, City Attorney, stated the Oklahoma Municipal Retirement Fund had asked that we have this resolution.

The vote:

AYES: Bradway, Smaistrle, Maxey, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. A) Consider approving Ordinance No. 1115, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Appendix A-Zoning Ordinance by enacting new sections 605.91 through 605.999, inclusive, Planned Unit Development Supplemental District-Commercial, providing for purpose of Planned Unit Development Supplemental District; requiring review by the Planning Commission and approval of the City Council; providing that Planned Unit Development designation is supplemental to existing classification; setting forth the uses permitted therein; providing for administrative review; providing for administration of the Planned Unit Development; setting forth required submissions; providing for filing fee; making provision for deviations, abandonment and revocation of Planned Unit Development; and declaring an emergency

A motion was made by Council Member Maxey, seconded by Council Member Alberts, approving Ordinance No. 1115, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Appendix A-Zoning Ordinance by enacting new sections 605.91 through 605.999, inclusive, Planned Unit Development Supplemental District-Commercial, providing for purpose of Planned Unit Development Supplemental District; requiring review by the Planning Commission and approval of the City Council; providing that Planned Unit Development designation is supplemental to existing classification; setting forth the uses permitted therein; providing for administrative review; providing for administration of the Planned Unit Development; setting forth required submissions; providing for filing fee; making provision for deviations, abandonment and revocation of Planned Unit Development; and declaring an emergency.

Mr. Crosby explained that this ordinance is a companion ordinance to our residential PUD ordinance.

The vote:

AYES: Alberts, Bradway, Maxey, Larson, Smaistrle

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1115

The Emergency Clause of Ordinance No. 1115 was approved on a motion made by Council Member Maxey; seconded by Council Member Alberts.

The vote:

AYES: Larson, Maxey, Alberts, Smaistrle, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

11. 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
306 Spruce Drive	Hughes	Nuisance Vehicles
909 Teakwood	Thomason	Nuisance Vehicles
1107 Garden Grove	Pennington	Nuisance Vehicles
117 Utah	Kent	Nuisance Vehicles
1717 Janeen	Holland	Nuisance Vehicles
315 West Bass	Gill	Nuisance Vehicles
212 Del Mar	Owen	Trash, Grass, Weeds
741 Park Drive	Taylor/BA Mortgage	Trash, Grass, Weeds
392 Chickasaw	Redman/Bank of Oklahoma	Trash, Grass, Weeds
207 East Beam	Yeomans	Trash, Grass, Weeds
720 Maple	Heights	Trash, Grass, Weeds

Mayor Smaistrla advised that only 1107 Garden Grove, 212 Del Mar, 741 Park and 720 Maple remain to be abated.

Mitchell Hort, Community Development Director, showed pictures of the residences yet to come into compliance.

A motion was made by Council Member Maxey, seconded by Council Member Alberts, declaring 1107 Garden Grove, 212 Del Mar, 741 Park and 720 Maple 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: Maxey, Alberts, Larson, Bradway, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. New Business

13. Council Discussion

Council Member Maxey welcomed Ward Larson to the Council.

Council Member Bradway congratulated the Mayor on retaining her position and to John Alberts for being appointed as Vice Mayor.

Mr. Bradway said he has been approached about having flags on display along Main Street, as we have Memorial Day, Flag Day, and the 4th of July coming up and he would like to see the flags up for these events.

Council Member Larson stated he was amazed that there were no "nay" votes at his first Council meeting. He said it was "nice to be here." Mr. Larson also thanked the City Manager and Department Directors who took time from their Saturday to provide him with a city tour. Mr. Larson said that he was very impressed with Jim Crosby's management style

and the Staff he had met.

Council Member Alberts welcomed Mr. Larson to the Council.

Mr. Alberts stated he recently spoke to Mr. Andrew's leadership class at the high school and they are a great bunch of kids.

Council Member Alberts asked about the code update.

Mike Segler stated they are working on this now.

Mr. Crosby stated there are several ordinances that will be coming forth very soon.

Council Member Alberts asked if the Charter recommendations are completed.

Mr. Segler said they were not. He also stated the Council needs to decide which changes should go to a vote of the people.

Mr. Alberts asked if the auditor had any information regarding the business' sales tax yet.

Mr. Crosby stated we are still working on that.

Mayor Smaistrle stated she wanted to welcome Ward Larson to the Council and thanked them for allowing her to be Mayor.

14. Adjournment

Earline Smaistrle, Mayor

Patricia G. Hargis, City Clerk