

Minutes



City Council Minutes February 3, 2004

The Yukon City Council met in regular session on February 3, 2004, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Lois Goodman, pastor of the Chisholm Trail Presbyterian Church.

Flag salute was given in unison.

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

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

Presentations and Proclamations ●●●

Visitors ●●●

●●●

(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 January 20, 2004
- B) Payment of claims in the amount of \$9,246.97

Trustee Larson moved to approve the YMA Consent Docket, being the minutes of the regular meeting of January 20, 2004, and payment of claims in the amount of \$9,246.97. Second to the motion was made by Trustee Maxey.

The vote:

AYES: Maxey, Bradway, Smaistrila, Larson, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

(Adjourn 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 January 20, 2004
- B) Payment of salary and material claims in the amount of \$172,819.86
- C) Accepting the resignation of Kay Oglesby from the Traffic and Transportation Commission
- D) Setting the date for the next regular Council meeting for February 17, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

A motion to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of January 20, 2004; payment of salary and material claims in the amount of \$172,819.86; accepting the resignation of Kay Oglesby from the Traffic and Transportation Commission; and setting the date for the next regular Council meeting for February 17, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth, was made by Council Member Bradway and seconded by Council Member Maxey.

The vote:

AYES: Smaistrila, Larson, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Jan Scott, Parks and Recreation Director, advised the Navy Band will be performing this Friday night at 7:30 p.m. at the Yukon Fine Arts Auditorium. Mrs. Scott said it appears we will have a great turn out for the Navy performance, so if you need tickets, contact their office soon. Mrs. Scott also advised the United States Air Force Band will be offering a free concert on July 2nd at the gazebo in Chisholm Trail Park.

Mrs. Scott said they had a good turnout at their first Daddy-Daughter Dance held last

weekend.

3. A) Consider approving Ordinance No. 1140, an ordinance amending Ordinance No. 657 of the Code of the City of Yukon, Oklahoma, by providing that Lots Seventeen (17) and Eighteen (18) and the east 12.5 feet of Lot Nineteen (19), Block Nineteen (19), Town of Yukon, Canadian County, Oklahoma, and the west half of Lot Nineteen (19) and all of Lots Twenty (20), Twenty-One (21), Twenty-Two (22)Twenty-Three (23), Block Nineteen (19), Town of Yukon, Canadian County, Oklahoma, according to the recorded plat thereof, be changed from "I-1" (Light Industrial District) to "C-3" (Restricted Commercial District); and declaring an emergency [305 Cedar]

Ordinance No. 1140, an ordinance amending Ordinance No. 657 of the Code of the City of Yukon, Oklahoma, by providing that Lots Seventeen (17) and Eighteen (18) and the east 12.5 feet of Lot Nineteen (19), Block Nineteen (19), Town of Yukon, Canadian County, Oklahoma, and the west half of Lot Nineteen (19) and all of Lots Twenty (20), Twenty-One (21), Twenty-Two (22)Twenty-Three (23), Block Nineteen (19), Town of Yukon, Canadian County, Oklahoma, according to the recorded plat thereof, be changed from "I-1" (Light Industrial District) to "C-3" (Restricted Commercial District); and declaring an emergency [305 Cedar], was approved on a motion made by Council Member Larson. Council Member Maxey seconded the motion.

The vote:

AYES: Bradway, Smaistrla, Alberts, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1140

Council Member Bradway made the motion to approve the Emergency Clause of Ordinance No. 1140, with Council Member Larson seconding the motion.

The vote:

AYES: Alberts, Larson, Maxey, Bradway, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. Consider approving Planning Commission's recommendation to rezone a tract of land lying in the east half (E/2) of Section 28, T12N, R5W of the Indian Meridian from R-1 (Single Family Residential) and C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District) [Yukon Church]

Council Member Bradway made a motion, seconded by Council Member Larson, to approve the Planning Commission's recommendation to rezone a tract of land lying in the east half (E/2) of Section 28, T12N, R5W of the Indian Meridian from R-1 (Single Family Residential) and C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District) [Yukon Church].

The vote:

AYES: Larson, Alberts, Bradway, Smaistrila, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Consider approving the preliminary plat for Yukon Church as recommended by the Planning Commission

The preliminary plat for Yukon Church was approved as recommended by the Planning Commission on a motion made by Council Member Maxey. Council Member Larson seconded the motion for approval.

The vote:

AYES: Smaistrila, Bradway, Maxey, Alberts, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider approving a Conditional Use Permit to Scale Source to allow them to locate their business at 1134 Industrial Boulevard

Council Member Maxey moved to approve the Conditional Use Permit to Scale Source to allow them to locate their business at 1134 Industrial Boulevard. The second to the motion was made by Council Member Larson.

The vote:

AYES: Maxey, Larson, Bradway, Smaistrila, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider approving the recommendation from the Planning Commission to update the PUD ordinance, Appendix A, Article 6, Section 605, as shown

A motion to approve the recommendation from the Planning Commission to update the PUD ordinance, Appendix A, Article 6, Section 605, as shown was made by Council Member Maxey, with Council Member Bradway seconding the motion.

The vote:

AYES: Bradway, Larson, Maxey, Alberts, Smaistrila

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider and approve Registrar, Transfer Agent and Paying Agent Agreement with Bank of Oklahoma, National Association, with respect to \$4,500,000 General Obligation Bonds, Series 2004

Council Member Bradway moved to approve the Registrar, Transfer Agent and Paying Agent Agreement with Bank of Oklahoma, National Association, with respect to the \$4,500,000 General Obligation Bonds, Series 2004. A second to the motion was made by Council Member Maxey.

Council Member Bradway asked if the \$350 annual payment to the Bank of Oklahoma was the only cost the City will incur for this.

Bob Lewis, Leo Oppenheim and Company, advised it would be.

Vice Mayor Alberts asked the City Manager for an update on where we are on the bond issuance.

Mr. Crosby said that we had received bids today for the first issue and there were five bidders. After awarding the bid to the lowest bidder tonight, the closing for this bond issue will be on March 17th. After the money is actually received, we will begin projects. The first item will be for Richland Road repairs and this should be on the March Council agenda.

The vote:

AYES: Alberts, Bradway, Smaistrila, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Receive bids for the sale of \$4,500,000 General Obligation Bonds, Series 2004, and award sale of the Bonds to the bidder bidding the lowest interest cost

The motion to receive bids for the sale of \$4,500,000 General Obligation Bonds, Series 2004, and award sale of the Bonds to the bidder bidding the lowest interest cost was made by Council Member Bradway. Council Member Larson seconded the motion.

City Manager Jim Crosby advised the lowest bidder was Stephens, Inc. at an interest rate of 3.8115293%. Mr. Crosby advised he and the financial advisors working on this bond issue felt this was a very good rate.

The vote to award the lowest bidder, Stephens, Inc. was as follows:

AYES: Larson, Smaistrila, Alberts, Maxey, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. A) Introduce, consider and approve Ordinance No. 1141 providing for the issuance of General Obligation Bonds in the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000) by the City of Yukon, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2004"; prescribing redemption provisions; designating the bonds for purposes of certain provisions of the Internal Revenue Code; approving for registration thereof; appointing a paying-agent registrar for the issue; approving the official statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; fixing other details of the bond sale and issuance; authorizing a continuing disclosure agreement; and declaring an emergency

Council Member Bradway moved, with Council Member Larson seconding, to introduce, consider and approve Ordinance No. 1141 providing for the issuance of General Obligation

Bonds in the sum of Four Million Five Hundred Thousand Dollars (\$4,500,000) by the City of Yukon, Oklahoma, authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for a combined bond issue designated "General Obligation Bonds, Series 2004"; prescribing redemption provisions; designating the bonds for purposes of certain provisions of the Internal Revenue Code; approving for registration thereof; appointing a paying-agent registrar for the issue; approving the official statement pertaining to the bonds; providing for the levy of an annual tax for payment of principal and interest on the bonds; fixing other details of the bond sale and issuance; authorizing a continuing disclosure agreement; and declaring an emergency.

The ordinance was read in its entirety by City Attorney Mike Segler.

Council Member Bradway asked if there was a penalty for early payoff.

City Attorney Segler advised the City is obligated to make interest and payments on this loan until 2015; after that date, payment could be made in full with the city paying accrued interest with no penalty.

The vote:

AYES: Smaistrle, Larson, Bradway, Alberts, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving Emergency Clause of Ordinance No. 1141

A motion to approve the Emergency Clause of Ordinance No. 1141 was made by Council Member Maxey. Council Member Larson seconded the motion for approval.

The vote:

AYES: Maxey, Alberts, Bradway, Larson, Smaistrle

NAYS: None

VOTE: 5-0

MOTION CARRIED

11. Consider public hearing to determine whether the following properties should be declared detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same

LOCATION	OWNER	VIOLATION
1841 Greenway	Helt	Nuisance vehicles
1909 Greenway	Scheller	Nuisance vehicles
332 Chickasaw	Seely	Nuisance vehicles
324 Chickasaw	Rose	Nuisance vehicles
317 Chickasaw	Cochran	Nuisance vehicles
1849 Ridgeway	Cox	Nuisance vehicles
1836 Ridgeway	Givens	Nuisance vehicles
219 Choctaw	Walter	Nuisance vehicles
324 Choctaw	Antinoro	Nuisance Vehicles
104 Cottonwood	Currey	Nuisance vehicles

107 Cottonwood	Moran	Nuisance vehicles
217 Choctaw	Vannoy	Nuisance vehicles

Mitchell Hort, Community Development Director, advised only four properties remain to be considered; 1909 Greenway, 332 Chickasaw, 219 Choctaw, and 217 Choctaw.

Vice Mayor Alberts made the motion to declare the properties as detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same. Council Member Maxey seconded the motion.

Mr. Seely, 332 Chickasaw, appeared before the Council and advised his vehicle only looks to be in disrepair because of the faded paint job. Mr. Seely said this car has been sitting out in the sun at the lake and it is properly tagged. He advised he will take corrective action to come into compliance with the Council's wishes.

Ken Walter, 219 Choctaw, stated his 38 year old Dodge Charger has been sitting in his drive for ten years and it is not tagged because he has been trying to obtain parts to complete his refurbish on the vehicle and didn't want to tag it until it was going to be on the road. When asked by Vice Mayor Alberts if the car was in running condition, he replied he did not know because it did not have a charged battery in it at this time. After considerable discussion, it was agreed that Mr. Walter would take action to rectify this situation, even if it meant moving the vehicle into the garage until such times he was actually working on the car.

Vice Mayor Alberts made a motion to table action on 219 Choctaw and 332 Chickasaw tonight and to give them two weeks to come into compliance with the ordinance regarding nuisance vehicles. Mr. Hort will report on the status in two weeks. The second to the motion was made by Council Member Maxey.

The vote:

AYES: Bradway, Larson, Maxey, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

Vice Mayor Alberts made a motion to consider the properties at 1909 Greenway and 217 Choctaw as detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, direct the City Manager to take appropriate action to abate same. The second to the motion was made by Council Member Bradway.

The vote:

AYES: Bradway, Larson, Maxey, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. New Business

13. Council Discussion

◆ Council Member Bradway advised there are some trees on the east side of Welch Park he would like to have taken out and have the Park Board look at replacing them with a

greenbelt park. He said he would also like to see a greenbelt park in Ranchwood.

◆ Mr. Bradway asked City Engineer Robbie Williams how long it would take to complete 11th Street bridge. Mr. Williams stated it would be a minimum of nine months. The City Manager said that it would depend a lot on the weather, how the bidding time line falls, etc., but it would be close to a year from start to finish.

◆ Council Member Bradway stated he would like to see status reports on all the capital projects once they are underway. The City Manager said he will be providing monthly reports on all projects once they begin.

◆ Mayor Smaistrle thanked everyone for attending the meeting.

14. Adjournment

Earline Smaistrle, Mayor

Patricia G. Hargis, City Clerk