

Minutes



City Council Minutes November 2, 2004

The Yukon City Council met in regular session on November 2, 2004, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Quinton Cox, Boy Scout Troop 306.

The flag salute was given in unison, with the presentation of colors delivered by Boy Scout Troop 306.

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

Others Present:
Jim Crosby, City Manager
Pat Hargis, City Clerk
Mike Segler, City Attorney
Robbie Williams, City Engineer
Ton Lum, Building Maintenance Department
Tammy Kretchmar, Administrative Assistant
Mitchell Hort, Community Development Director
J. R. Reed, Public Works Director
Jeff Lara, Fire Chief
Ike Shirley, Police Chief
John Knuppel, Historical Committee



Presentations and Proclamations
"Adoption Month"

Mayor Alberts read a proclamation proclaiming November as "Adoption Month" in the City of Yukon, Oklahoma. The proclamation was presented to Fire Chief Jeff Lara and his wife Mickey, who recently adopted son Jackson, and Patty Casey, also an adoptive mother of two children. Andrea Steward, caseworker for the Gladney Center for Adoption, was also present.



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 October 19, 2004
- B) Payment in the amount of \$79,047.40

Vice Chair Bradway moved to approve the YMA Consent Docket, consisting of approval of the minutes of the regular meeting of October 19, 2004, and payment of claims in the amount of \$79,047.40. Trustee Smaistrle seconded the motion.

The vote:

AYES: Maxey, Bradway, Larson, Alberts, Smaistrle

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) Minutes of the regular meeting of October 19, 2004
- B) Salary and material claims in the amount of \$418,589.21
- C) Entering into a Community Partner Memorandum of Agreement with the Federal Emergency Management Agency (FEMA) for production of digital flood maps at no cost to the City of Yukon
- D) Setting the date for the next regular Council meeting for November 16, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Larson made a motion, seconded by Council Member Maxey, to approve the Consent Docket, consisting of approval of the minutes of the regular meeting of October 19, 2004; salary and material claims in the amount of \$418,589.21; entering into a Community Partner Memorandum of Agreement with the Federal Emergency Management Agency (FEMA) for production of digital flood maps at no cost to the City of Yukon; and setting the date for the next regular Council meeting for November 16, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

The vote:

AYES: Alberts, Larson, Smaistrle, Bradway, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

3. Consider approving Resolution No. 2004-15, a resolution authorizing the City of Yukon to guarantee repayment of a debt should the Yukon BMX Riders and Parents Association default on a loan for the construction of a concession stand, office, and restrooms at the Lewis Carroll Taylor Park

Vice Mayor Bradway thanked the City Attorney for his legal opinion on this matter. Mr. Bradway said he understood we have entered into this type of agreement with an organization in the past and that it was repaid with no problems; however, he felt that when the City guarantees loans between individuals and banks, someone down the way will default and we (the city) will have to pay. He further stated he feels if this is passed tonight, we are setting a precedence and it will be hard to say "no" in the future.

Council Member Larson asked the City Attorney if this passes, will the Council be setting a precedence, or would each application stand on its own merit.

City Attorney Mike Segler said he request should stand on its own strengths.

Mayor Alberts stated he feels the City needs to be involved in some aspect of this, but thinks we can scrutinize each applicant. Mayor Alberts said he respects the Vice Mayor's concerns, but the BMX group has shown commitment to this project, and if we don't approve it, we might end up with an eye sore.

Vice Mayor Bradway said he agrees the BMX group has come up with a very good plan and they've worked hard. He said that is not his concern; his only concern is defaulting. He asked the City Attorney who would be responsible if the BMX group defaults - the person signing the agreement or the group.

Mr. Segler said it would be the group, then the city.

Mr. Bradway asked if no individual would be responsible - that it would come directly to the city for payment.

Mr. Segler said that was correct.

Mayor Alberts said he agrees, but taxpayers' children will benefit regardless of who pays for this.

Kelle Freels, president of the BMX Parents Group, stated arrangements have been made with Yukon National Bank for them to make monthly payments on the building. She stated the structure will belong to the City and their group with just be using it after it is paid for. Mrs. Freels said they want to pay this loan off as quickly as possible, and they have enough money on hand now to make loan payments for the rest of the calendar year.

Vice Mayor Bradway asked the term of the loan.

Mrs. Freels stated it was ten years, but they do not plan to take that long to pay for it.

Council Member Larson asked Mrs. Freels if he understood correctly - that the BMX group

wants to obtain a loan so they can build a concession stand and restroom and then donate this building to the City. After Mrs. Freels affirmed his statement, he said he felt this was quite commendable and called for the question.

The roll call vote on the motion was:

AYES: Larson, Alberts, Maxey, Smaistrla

NAYS: Bradway

VOTE: 4-1

MOTION CARRIED

4. Consider entering into an agreement with the BMX Riders and Parents Association, Inc. wherein the City guarantees the repayment of a loan in an amount not to exceed \$25,000.00 if the BMX Riders and Parents Association, Inc. should default on their construction loan

A motion was made by Council Member Maxey, seconded by Council Member Smaistrla, to approve entering into an agreement with the BMX Riders and Parents Association, Inc. wherein the City guarantees the repayment of a loan in an amount not to exceed \$25,000.00 if the BMX Riders and Parents Association, Inc. should default on their construction loan.

The vote:

AYES: Smaistrla, Larson, Alberts, Maxey

NAYS: Bradway

VOTE: 4-1

MOTION CARRIED

5. Consider granting an easement on the west ten feet (10') of the greenbelt between East Vandament and Palm Street to replace an underground electric cable, as requested by Oklahoma Gas and Electric Company

Council Member Maxey made a motion to approve granting an easement on the west ten feet (10') of the greenbelt between East Vandament and Palm Street to replace an underground electric cable, as requested by Oklahoma Gas and Electric Company. The second to the motion was made by Vice Mayor Bradway.

The vote:

AYES: Larson, Smaistrla, Bradway, Maxey, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. A) Consider a motion to approve Ordinance No. 1153, an ordinance amending Section 18-56(d) of the Code of Ordinances of the City of Yukon, Oklahoma, providing for a twenty-five dollar (\$25.00) cut-over inspection fee in addition to all other fees and charges, and declaring an emergency

A motion was made by Council Member Larson, seconded by Council Member Maxey, to approve a motion adopting Ordinance No. 1153, an ordinance amending Section 18-56(d) of the Code of Ordinances of the City of Yukon, Oklahoma, providing for a twenty-five dollar (\$25.00) cut-over inspection fee in addition to all other fees and charges, and declaring an emergency.

Vice Mayor Bradway asked what the present charges are for this.

The City Attorney advised him there is currently no charge, however, a lot of cities have this fee as it requires a second inspection.

The roll call vote:

AYES: Maxey, Larson, Bradway, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the emergency clause to Ordinance No. 1153

A motion to approve the Emergency Clause to Ordinance No. 1153 was made by Council Member Larson, with Council Member Maxey seconding.

The vote:

AYES: Bradway, Maxey, Alberts, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. A) Consider a motion to approve Ordinance No 1154, an ordinance amending §18-137 of the Code of Ordinances of the City of Yukon, Oklahoma, providing for a twenty-five dollar (\$25.00) cut-over inspection fee in addition to all other fees and charges, and declaring an emergency

Council Member Smaistrla moved, with Council Member Maxey seconding, to approve Ordinance No 1154, an ordinance amending §18-137 of the Code of Ordinances of the City of Yukon, Oklahoma, providing for a twenty-five dollar (\$25.00) cut-over inspection fee in addition to all other fees and charges, and declaring an emergency.

The vote:

AYES: Smaistrla, Alberts, Bradway, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the emergency clause to Ordinance No. 1154

Council Member Larson made the motion to approve the Emergency Clause to Ordinance No. 1154. The second was made by Council Member Smaistrla.

The vote:

AYES: Larson, Alberts, Bradway, Maxey, Smaistrla

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. Consider approving the preliminary plat for Cottonwood Manor, as recommended by the Planning Commission

Vice Mayor Bradway made the motion to approve the preliminary plat for Cottonwood Manor, as recommended by the Planning Commission. The second to the motion was made by Council Member Smaistrla.

The vote:

AYES: Alberts, Bradway, Maxey, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

9. Consider entering into an agreement with Triad Design Group, Inc. for the purpose of providing the preliminary plans, final plans, specifications, estimates and periodic engineering observation for the construction of a Waste Transfer Station within the City of Yukon

Vice Mayor Bradway made the motion, with Council Member Smaistrla seconding, approving entering into an agreement with Triad Design Group, Inc. for the purpose of providing the preliminary plans, final plans, specifications, estimates and periodic engineering observation for the construction of a Waste Transfer Station within the City of Yukon.

Vice Mayor Bradway asked the City Engineer if the transfer station would remain at the current site.

Robbie Williams, city engineer, stated that was correct. The current station will be demolished and a new one will be built at the current location.

Mr. Bradway said this transfer station cannot go anywhere else and he wants to make sure the public knows this.

Mr. Crosby stated the transfer station will definitely be rebuilt at the current location.

The vote:

AYES: Bradway, Smaistrla, Alberts, Larson, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

10. Consider approving specifications for two 2005 sanitation truck/packers and authorizing to advertise for bids

The specifications for two 2005 sanitation truck/packers and authorization to advertise for bids was approved on a motion made by Vice Mayor Bradway, seconded by Council Member Maxey.

The vote:

AYES: Larson, Bradway, Maxey, Smaistrla, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

11. Consider a 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
201 Oak	WDB, Inc.	Trash, Grass, Weeds
612 Okieridge	Carr	Trash, Grass, Weeds
613 Okieridge	Carr	Trash, Grass, Weeds
4725 Wilcox	Campbell	Nuisance Vehicle
1144 Landmark	Express Home Builders	Trash, Grass, Weeds
1301 Winnipeg	Williams	Nuisance Vehicle

Mitchell Hort, Community Development Director, stated only 201 Oak and 1144 Landmark Drive remain to be considered tonight, as all others have abated the situations.

Council Member Maxey made a motion to declare the properties at 201 Oak and 1144 Landmark as detrimental to the health, safety, benefit and welfare of the public and community and, if necessary, directed the City Manager to take appropriate action to abate same. The second to the motion was made by Vice Mayor Bradway.

The vote:

AYES: Alberts, Smaistrla, Maxey, Larson, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

12. New Business

13. Council Discussion

- Council Member Maxey wished Mayor Alberts a happy 40th birthday.
- Vice Mayor Bradway stated he remembered when he was 40 and attending the Methodist Church, as did Mayor Alberts, who wasn't 40 at that time. He stated now their paths have crossed again for common goals.

Mr. Bradway stated he wanted the public to know that our capital improvement projects are on schedule and on budget.

- Council Member Larson stated tonight is an important night for all of us due to the presidential election and many people will be waiting until the wee hours to find the result of the election.
- Mayor Alberts thanked the Boy Scouts for their assistance at tonight's meeting.

Mr. Alberts stated he attended the Integris ICU ground breaking and we are very fortunate to have this facility coming to Yukon.

14. Adjournment

John Alberts, Mayor

Patricia G. Hargis, City Clerk

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