

Minutes

City Council Minutes November 16, 2004

The Yukon City Council met in regular session on November 16, 2004, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Fire Chief Jeff Lara.

The flag salute was given in unison.

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
Tony Lum, Building Maintenance Department
Tammy Kretchmar, Administrative Assistant
Mitchell Hort, Community Development Director
J. R. Reed, Public Works Director
Jeff Lara, Fire Chief
John Corn, Deputy Police Chief



Presentations and Proclamations

Charles Schwartz, Schwartz Concrete and Paving Company, presented the City of Yukon with a plaque from the Concrete Paving Association honoring the Vandament Avenue Project as the Best Project for a City Street in the state of Oklahoma. Mr. Schwartz said this award is shared with Triad Design Group, engineers for the project, as well as the contractors.

Mayor Alberts thanked Mr. Schwartz and said he appreciated Schwartz's extra efforts to make this project so good for the citizens of Yukon.



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 November 2, 2004

Trustee Larson made a motion, seconded by Trustee Maxey, to approve the minutes of the regular meeting of November 2, 2004.

The vote:

AYES: Smaistrila, Larson, Bradway, Alberts, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

2A. Consider approving YMA Resolution No. YMA 2004-01, a resolution authorizing the issuance of the Yukon Municipal Authority 2004 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,400,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "Qualified Tax-Exempt Obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid

Vice Chair Bradway moved to approve YMA Resolution No. 2004-01, a resolution authorizing the issuance of the Yukon Municipal Authority 2004 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,400,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving documents, procedures and payments related to issuance of the Revenue Note; designating the Revenue Note as "Qualified Tax-Exempt Obligations" and providing that the Revenue Note shall qualify for the exception for small governmental units, each as contained in the Internal Revenue Code of 1986; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratifying a lease agreement and operation and maintenance contract between the City of Yukon and the Yukon Municipal Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains outstanding and unpaid. The second to the motion was made by Trustee Smaistrila.

The vote:

AYES: Maxey, Smaistrila, Alberts, Bradway, Larson

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 November 2, 2004
- B) Payment of salary and material claims in the amount of \$ 285,177.84
- C) Acceptance of DEQ Permit No. WL000009041090 for construction of 559 L.F. of 6 inch water line to serve the Cedar Ridge Office Park
- D) Setting the date for the next regular Council meeting for December 7, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth

Council Member Maxey made a motion to approve the Consent Docket, consisting of the minutes of the regular meeting of November 2, 2004; payment of salary and material claims in the amount of \$ 285,177.84; acceptance of DEQ Permit No. WL000009041090 for construction of 559 L.F. of 6 inch water line to serve the Cedar Ridge Office Park, and setting the date for the next regular Council meeting for December 7, 2004, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth. The second to the motion was made by Council Member Larson.

The vote:

AYES: Alberts, Maxey, Larson, Smaistrila, Bradway

NAYS: None

VOTE: 5-0

MOTION CARRIED

2. Report of Boards, Commissions and City Officials

Jan Scott, Parks and Recreation Director, stated that the opening of Christmas in the Park will be Saturday, November 20th, at 6 p.m. She advised there will be refreshments, pictures with Santa, games, and drawings for prizes. Mrs. Scott stated everything is free. She further advised the Mayor's Breakfast with Santa will be December 11th and the Sounds of the Season will be December 16th. Tickets can be purchased at the parks offices.

3. Consider approving Resolution No. 2004-17, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2004 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,400,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the Code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the revenue note

Vice Mayor Bradway made a motion, seconded by Council Member Larson, to approve Resolution No. 2004-17, a resolution approving the incurrence of indebtedness by the Yukon Municipal Authority (the "Authority") issuing its 2004 Revenue Note (the "Revenue Note"), in an aggregate principal amount of not to exceed \$1,400,000; waiving competitive bidding and authorizing said Revenue Note to be sold at a price less than par value by negotiated sale within the limits provided by Title 60, Oklahoma Statutes, Section 176; authorizing and approving a sales tax agreement providing security for the Revenue Note; designating the Revenue Note as "qualified tax-exempt obligations" under the Internal Revenue Code of 1986 (the "Code"); making determinations necessary for the exception for small governmental units under the Code; providing that the Trust Indenture shall be subject to provisions of the Revenue Note; ratification of lease agreement and operation and maintenance contract between the City and the Authority and agreeing that the term of the lease shall extend so long as the Revenue Note remains unpaid; and, authorization of documents and procedures related to issuance of the revenue note.

The vote:

AYES: Larson, Maxey, Smaistrila, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

4. A) Consider approving Ordinance No. 1155, an Ordinance amending Sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligation, including the Yukon Municipal Authority 2004 Revenue Note in an aggregate principal amount not to exceed \$1,400,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency

Ordinance No. 1155 was read in full by City Attorney Mike Segler, after which Council Member Larson moved to approve Ordinance No. 1155, an Ordinance amending Sec. 2-137(b) of the Code of Ordinances of the City of Yukon by determining that certain obligation, including the Yukon Municipal Authority 2004 Revenue Note in an aggregate principal amount not to exceed \$1,400,000, do not exceed debt limitations; repealing all conflicting ordinance provisions; and declaring an emergency. The motion was seconded by Vice Mayor Bradway.

A roll call vote was taken:

AYES: Larson, Maxey, Smaistrla, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

B) Consider approving the Emergency Clause of Ordinance No. 1155

Council Member Maxey made a motion to approve the Emergency Clause of Ordinance No. 1155, with Council Member Smaistrla seconding.

The vote:

AYES: Maxey, Alberts, Smaistrla, Bradway, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

5. Introduce, consider and approve Resolution No. 2004- 18, a resolution authorizing the sale of \$3,900,000 of General Obligation Bonds, Series 2005 of the City of Yukon, Oklahoma; fixing the amount of bonds to mature each year; fixing the time and place the bonds are to be sold; authorizing the publication of a notice of sale and approving and authorizing official statements

A motion was made by Vice Mayor Bradway, seconded by Council Member Maxey, to approve Resolution No. 2004-18, a resolution authorizing the sale of \$3,900,000 of General Obligation Bonds, Series 2005 of the City of Yukon, Oklahoma; fixing the amount of bonds to mature each year; fixing the time and place the bonds are to be sold; authorizing the publication of a notice of sale and approving and authorizing official statements.

The vote:

AYES: Alberts, Bradway, Maxey, Smaistrla, Larson

NAYS: None

VOTE: 5-0

MOTION CARRIED

6. Consider authorizing the Mayor and City Clerk to enter into an Engineering

Contract with Triad Design Group, Inc. for the purpose of providing preliminary plans, final plans, specifications, estimates and periodic engineering observation for the construction of capital improvements within the City of Yukon

Council Member Larson made a motion to authorize the Mayor and City Clerk to enter into an Engineering Contract with Triad Design Group, Inc. for the purpose of providing preliminary plans, final plans, specifications, estimates and periodic engineering observation for the construction of capital improvements within the City of Yukon. The second to the motion was made by Council Member Smaistrla.

The vote:

AYES: Larson, Bradway, Alberts, Smaistrla, Maxey

NAYS: None

VOTE: 5-0

MOTION CARRIED

7. Consider approving Change Order No. 2 to the 2004 Asphalt Repair Project in an amount not to exceed \$2,400.00

Council Member Maxey made a motion, seconded by Council Member Larson, to approve Change Order No. 2 to the 2004 Asphalt Repair Project in an amount not to exceed \$2,400.00.

The vote:

AYES: Smaistrla, Larson, Maxey, Bradway, Alberts

NAYS: None

VOTE: 5-0

MOTION CARRIED

8. 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
510 Mark	Perry	Nuisance Vehicle
208 Choctaw Place	Faust/Higgins	Nuisance Vehicle
210 Choctaw Place	Ely	Nuisance Vehicle
205 Cedar	Fairview Baptist Church	Trash, Grass, Weeds

Community Development Director Mitch Hort stated all locations have been abated and no action is needed on this item.

9. New Business

10. Council Discussion

Vice Mayor Bradway advised all bonds voted on tonight was done to carry out election results where the City asked to build new roads. He said this is just a detail necessary to get that done. Mr. Bradway asked Mr. Crosby, City Manager, if any plans have been made to celebrate the state's centennial. Mr. Crosby advised we would be discussing this after the first of the year.

Council Member Smaistrla stated there are many activities for the public this time of year and she hopes everyone will avail themselves of these treats. Ms. Smaistrla said a lot of nice things are happening in Yukon.

Mayor Alberts said he would like to echo Vice Mayor Bradway. He said this is an opportunity to do what we promised the voters we would do. Mr. Alberts said the citizens should be thrilled we received such a prestigious award for the road work and this is an example of what we have done with their tax money.

Mayor Alberts reported that a trip to Yukon's sister city, Krnov, Czech Republic, is being planned for spring of 2005. Anyone wanting information on the trip should contact Tim Rundel at City Hall.

11. Adjournment

John Alberts, Mayor

Patricia G. Hargis, City Clerk