

# Minutes



---

## City Council Minutes May 17, 2005

The Yukon City Council met in regular session on May 17, 2005, at 7:30 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth.

The invocation was given by Scott Kinney, pastor of Trinity Baptist Church.

The flag salute was given in unison.

Roll Call: Present: Bob Bradway, Mayor  
Earline Smaistrla, Vice Mayor  
Dewayne Maxey, Council Member  
Ward Larson, Council Member  
John Alberts, 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  
Mitchell Hort, Community Development Director  
Tammy Kretchmar, Administrative Assistant  
Tim Rundel, Personnel/Safety Director  
Jan Scott, Park and Recreation Director  
J. R. Reed, Public Works Director  
Ike Shirley, Police Chief  
Jeff Lara, Fire Chief  
John Knuppel, Historical Committee

●●●  
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 May 3, 2005
- B) Payment of claims in the amount of \$184,852.95

A motion was made by Trustee Maxey to approve the YMA Consent Docket, consisting of the minutes of the regular meeting of May 3, 2004, and payment of claims in the amount of \$184,852.95. The second to the motion was made by Vice Chair Smaistrla.

**The vote:**

**AYES: Maxey, Alberts, Smaistrla, Bradway, Larson**

**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 May 3, 2005, and the minutes of May 2, 2005, City Council installation
- B) Payment of the salary and material claims in the amount of \$475,377.48
- C) Denying tort claim #20247-MP from Don Helton, as recommended by the Oklahoma Municipal Assurance Group
- D) Setting the date for the next regular Council meeting for June 7, 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 Alberts, to approve the Consent Docket, consisting of the minutes of the regular meeting of May 3, 2005, and the minutes of May 2, 2005, City Council installation; payment of the salary and material claims in the amount of \$475,377.48; denying tort claim #20247-MP from Don Helton, as recommended by the Oklahoma Municipal Assurance Group; and setting the date for the next regular Council meeting for June 7, 7:30 p.m., in the Council Chambers of the Centennial Building, 12 South Fifth.

### **The vote:**

**AYES: Alberts, Larson, Bradway, Maxey, Smaistrle**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

## **2. Report of Boards, Commissions and City Officials**

John Knuppel, 410 Oak, stated he was inviting everyone to the Memorial Day service to be held honoring our war veterans on May 30th at 11 a.m. at the Yukon Cemetery. Mr. Knuppel said that all names of the 870 veterans buried here will be read. Mr. Knuppel thanked Yanda Funeral Home for furnishing the tents for this event and said anyone wanting to volunteer would be welcomed.

**3. A) Consider approving Ordinance No. 1169, an ordinance of the City of Yukon, Oklahoma, amending Ordinance No. 657, Appendix A, of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for part of the northeast and southeast quarter of Section Twenty-Eight (28), Township Twelve (12) North, Range Five (5) West, Indian Meridian, be changed from R-1 (Single Family Residential District) to R-1 PUD (Planned Unit Development) and from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District); and declaring an emergency [Stonemill Section 2]**

The motion to approve Ordinance No. 1169, an ordinance of the City of Yukon, Oklahoma, amending Ordinance No. 657, Appendix A, of the Code of the City of Yukon, Oklahoma, by providing that the zoning designation for part of the northeast and southeast quarter of Section Twenty-Eight (28), Township Twelve (12) North, Range Five (5) West, Indian

Meridian, be changed from R-1 (Single Family Residential District) to R-1 PUD (Planned Unit Development) and from C-5 (Automotive and Commercial Recreation District) to C-3 (Restricted Commercial District); and declaring an emergency [Stonemill Section 2] was made by Vice Mayor Smaistrla, with Council Member Maxey seconding.

**A roll call vote was taken:**

**AYES: Bradway, Smaistrla, Larson, Maxey, Alberts**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**B) Consider approving the Emergency Clause of Ordinance No. 1169**

Council Member Maxey made a motion, seconded by Council Member Larson, to approve the Emergency Clause of Ordinance No. 1169.

**The vote:**

**AYES: Maxey, Smaistrla, Bradway, Alberts, Larson**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**4. Consider establishing a Centennial Commission**

Vice Mayor Smaistrla made a motion authorizing the establishment of a Centennial Commission. The second to the motion was made by Council Member Maxey.

Vice Mayor Smaistrla said that she had been approached by the Yukon Historical Society about this Committee, and Mary Jo Parker said they would like to participate in the planning.

Mayor Bradway said that in 2½ years we will be celebrating the 100th birthday of the State of Oklahoma and we need to start planning to now for this celebration. Mayor Bradway said that on Statehood Day in 2007, we will dissolve the commission.

**The vote:**

**AYES: Larson, Smaistrla, Alberts, Bradway, Maxey**

**NAYS: None**

**VOTE: 5-0**

**MOTION CARRIED**

**5. A) Consider approving Ordinance No. 1170, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 118-42(b), providing for amendment to requirements of application; and declaring an emergency**

A motion to approve Ordinance No. 1170, an ordinance which provides amendment to the Code of Ordinances of the City of Yukon, Oklahoma, by amending Section 118-42(b), providing for amendment to requirements of application; and declaring an emergency, was made by Council Member Maxey. Vice Mayor Smaistrla seconded the motion for approval.

Council Member Larson asked what the meaning of this ordinance was.

City Manager Jim Crosby said that this ordinance addresses taxi cabs and the requirements for licensing. Mr. Crosby said that this ordinance deletes the need for a public hearing before a taxi cab license can be issued. The City Manager said this would make licensing for taxis the same as for other businesses in Yukon.

**The roll call vote:**

**AYES: Smaistrla, Larson, Maxey, Alberts, Bradway**

**NAYS: None**

**VOTE: 5-0**  
**MOTION CARRIED**

**B) Consider approving the Emergency Clause of Ordinance No. 1170**

Council Member Maxey made a motion to approve the Emergency Clause of Ordinance No. 1170; second was made by Council Member Alberts.

**The vote:**  
**AYES: Alberts, Larson, Bradway, Maxey, Smaistrla**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**6. Consider re-approval of the final plat for the Kingsridge Addition, Section III, as recommended by the Planning Commission**

A motion to re-approve the final plat for the Kingsridge Addition, Section III, as recommended by the Planning Commission, was made by Council Member Alberts and seconded by Council Member Maxey.

Mr. Crosby said that action on Items 6 and 7 is necessary because construction had not begun within the time period specified by our ordinances.

**The vote:**  
**AYES: Maxey, Bradway, Smaistrla, Alberts, Larson**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**7. Consider re-approval of the final plat for Cedar Ridge Office Park, as recommended by the Planning Commission**

Council Member Larson made a motion to re-approve the final plat for Cedar Ridge Office Park, as recommended by the Planning Commission. The second to the motion was made by Council Member Maxey.

**The vote:**  
**AYES: Larson, Smaistrla, Maxey, Alberts, Bradway**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**8. Consider a final plat for Stone Mill, Section 2, as recommended by the Planning Commission**

The final plat was approved for Stone Mill, Section 2, as recommended by the Planning Commission, upon a motion made by Council Member Maxey and seconded by Council Member Smaistrla.

**The vote:**  
**AYES: Smaistrla, Alberts, Bradway, Larson, Maxey**

**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**9. 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**

<b>LOCATION</b>	<b>OWNER</b>	<b>VIOLATION</b>
1051 Squire Mansion	Sharp/LaSalle Bank	Trash, Grass, Weeds
108 Ash	Saulsberry/Cranfill	Trash, Grass, Weeds
720 Maple	Heights	Trash, Grass, Weeds
701 Crown	Dietrich	Nuisance Vehicle
1906 Cornwell	Ridlen	Trash, Grass, Weeds
613 Okieridge	Carr	Trash, Grass, Weeds
Lots 19-25, Block 6, Smoking Oaks	Church	Trash, Grass, Weeds

Jim Crosby, City Manager, presented pictures of the property at 720 Maple, the only property remaining to be considered. After review by the Council, a motion was made by Council Member Alberts, seconded by Vice Mayor Smaistrla, to declare the property at 720 Maple 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.

Council Member Maxey asked how many times we have had to cut the grass at this location within the last three or four years.

The City Manager stated that we have had to work on this property since 1998, but in the last year, we mowed it 3 or 4 times.

**The vote:**  
**AYES: Alberts, Larson, Bradway, Maxey, Smaistrla**  
**NAYS: None**  
**VOTE: 5-0**  
**MOTION CARRIED**

**10. New Business**

**11. Council Discussion**

- Council Member Alberts said he had received a thank you from the Yukon Art League for the Council's support of their student art show.

Mr. Alberts advised he has received at least 15 letters from residents of Spanish Cove supporting Mr. Huff and Spanish Cove. Mr. Alberts said he has also received letters from the Cove's attorney, the City Attorney and others, and had several phone calls after the last Council meeting. Council Member Alberts asked what, as city officials, the Council's role is in the Spanish Cove situation. He said it was his understanding that the Cove is a Trust and that the City has no authority other than to approve or disapprove the appointment of Trustees to their Board. Mr. Alberts stated he thinks we need a meeting with everyone

involved to try to resolve this situation and to let the residents know that we as a City Council cannot do anything to help them. Mr. Alberts said he wants to know what the City can and can't do.

Mr. Crosby said we have always told the citizens that this is a Trust and that the City does not have any authority over the management of the Trust. The City's only responsibility is if the Trust fails, we liquidate their assets and pay their debtors. Mr. Crosby said the City or City Council has no control over their internal problems. Mr. Crosby continued that as a government body, they feel we have authority, but he has explained to them we would like to help, but have no authority, and that this is not under the purview of the City Manager or City Council. Mr. Crosby said he has spoken with Spanish Cove's director, Sherman Huff, about this, but it is between him and his residents.

City Attorney Mike Segler said the City has "no management authority" over the Cove, and that all the City can do is approve or disapprove appointees to their Board of Trustees.

Mr. Crosby said some residents feel the board members are hand picked because they are people who are supportive of management there, and the residents would like to have more say in appointments. Mr. Crosby advised that the management of Spanish Cove has even asked that we remove our board member because he is not supportive of present management.

Council Member Alberts asked when the residents should voice their opinions and what the City can do.

Council Member Larson said it is clear the City can only approve or disapprove the person presented to Council for board appointment.

Mayor Bradway asked the City Attorney if the City could withdraw as the beneficiary of the public trust. Mr. Segler said that we could.

Mayor Bradway said it would avoid conflict if the City was not involved. He asked what would be the outcome of this happening.

Mr. Segler said it would not be detrimental to the City of Yukon, but it could have a major affect on the Trust, as it would jeopardize their tax exempt status and possibly other areas of their operation.

Mayor Bradway said he was certainly not proposing to close the Cove, but only was wondering what the ramifications would be. Mr. Bradway said that Ward Larson is the Council Member for that Ward and he is the one that should be contacted if anyone has any concerns, or they could contact Council Member At-Large Dewayne Maxey.

Council Member Alberts said that we are 100% in support of Spanish Cove, but that the City's hands are tied as to what they can do.

- Vice Mayor Smaistrła said she has a lot of clients and friends who live at the Cove and she wants them to be happy and not have to worry. She said people are scared of the Cove's financial situation, but her friend, who has a financial background, said their finances look to be in good standing and she hopes this makes people feel better about the situation.



- Mayor Bradway said he would like to reinforce what has been said tonight and that this is a small dialogue in the grand scheme of things.

Mayor Bradway advised the City Manager that the road is alligator cracking on the islands on Ranchwood Boulevard by the strip mall and Conoco.

## **12. Adjournment**

---

Bob Bradway, Mayor

---

Patricia G. Hargis, City Clerk