

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
APRIL 14, 2015
6:00 P.M.**

OPENING PRAYER

1. **CALL TO ORDER** – The regular meeting of the Yale City Commission was called to order at 6:02 p.m. on Tuesday April 14, 2015 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Pat Heilmann, Kris Watkins and Terry Baker.
3. **CONSENT AGENDA** – Mike Strader made the motion to approve the consent agenda, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – March 10, 2015**
 - b. **Approval of Claims**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None
5. **OPENING OF BIDS**
 - a. **Opening of bids to provide for the 2015 Mowing Season Contract.** – Two bids were received and opened for the 2015 Mowing Season Contract: Derek Woods submitted a bid of \$3800 per mowing split as follows: \$1800 for the Lawson Cemetery and \$2000 for all other city owned property. Central Dozer Service submitted a bid of \$1800 for the Lawson Cemetery, \$1600 for all municipal parks, \$1200 for right of ways and \$50/acre with a 1 acre minimum for other miscellaneous municipal owned properties.
6. **PUBLIC APPEARANCES** – None
7. **AWARDING OF CONTRACTS**
 - a. **Consideration, discussion and action on bid award for the 2015 Mowing Season Contract.** – Richard Adsit made the motion to accept and award the bid for the 2015 Mowing Season Contract to Derek Woods for \$3800 per mowing split as \$1800 for the Lawson Cemetery and \$2000 for all other city owned property. Kris Watkins seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
 - b. **Consideration, discussion and possible action on awarding bid on Project# 15909 CDBG 13-Phase II Improvements to the Municipal Electric Distribution System, Replacement of Poles and Transformers.** – Richard Adsit made the motion to table awarding the bid on Project# 15909 CDBG 13-Phase II Improvements and refer to staff for further recommendation. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
8. **RESOLUTIONS**
 - a. **Consideration discussion and action regarding Resolution 03-2015 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YALE APPROVING AN AMENDED AND RESTATED TRUST INDENTURE FOR THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING AMENDMENTS TO THE TRUST TO AUTHORIZE DAILY VALUATIONS AND DAILY ACCOUNTING FOR ASSETS WITHIN THE MASTER DEFINED CONTRIBUTION PLANS ADMINISTERED BY OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR DAILY VALUATION OF PARTICIPANT ACCOUNTS IN THE DEFINED CONTRIBUTION PLANS ADMINISTERED BY OKLAHOMA MUNICIPAL RETIREMENT FUND AND PROVIDING PROCEDURES AND RULES FOR ACCOUNTING OF SUCH ASSETS; PROVIDING FOR EFFECTIVE DATE OF AMENDED AND RESTATED TRUST INDENTURE AND CONTINUING EXISTING TRUST AS AMENDED IN FULL FORCE AND EFFECT.”** – Richard Adsit made the motion to approve Resolution 03-2015, Pat Heilmann seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
9. **MISCELLANEOUS**
 - a. **Consideration, discussion and action regarding Yale Housing Authority request for the 2015 Environmental Review certifying funded projects are either exempt or categorically excluded.** – Mike Strader made the

motion to approve the Yale Housing Authority request for the 2015 Environmental Review certifying funded projects are either exempt or categorically excluded. Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

- b. Consideration, discussion and action regarding an Agreement for Transfer of Office Equipment/Furniture by and between the Board of County Commissioners of Payne County, OK and the City of Yale, OK.** – Richard Adsit made the motion to approve an agreement for transfer of office equipment/furniture by and between the Board of County Commissioners of Payne County, OK and the City of Yale, OK. Pat Heilmann seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
- c. Consideration, discussion and action regarding granting a Right-of-Way Easement to Bob Reed and Rose Reed.** – Bob Reed spoke concerning his property that is in the Northwest quarter of the Jim Thorpe Park, there was at one time an easement granted to the city but no easement was granted to Mr. Reed. Richard Adsit made the motion to approve a Right-of-Way Easement to Bob and Rose Reed. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
- d. Consideration, discussion and action regarding possible plotting of Lawson Cemetery.** – Mr. Smitherman discussed four different types of plotting options. Mr. Baker stated he would like to discuss these options with the Friends of the Cemetery Board before making any decisions. Richard Adsit made the motion to subject to call the discussion of plotting of the Lawson Cemetery, Kris Watkins seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.
- e. Consideration, discussion and action regarding 2014-15 Budget Amendments.** – Richard Adsit made the motion to approve the 2014-15 Budget Amendments, Pat Heilmann seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

10. REPORTS FROM OFFICERS

- a. Report from Police Chief:** The car show is scheduled for May 16, there will not be a carnival this year however they will have inflatables for children. Chief Kelly asked that the utility staff check to make sure the electric is still in proper working order for the event. There will be a ranch rodeo the same day at 10:00 a.m., this may benefit the car show and it may not. Clean up week is next week and the department will be focusing on abatements. The department has also had officers in training the last two days for accident investigation.
- b. Report from City Attorney:** Requested an executive session to discuss confidential communication concerning pending litigation and a second executive session to discuss confidential communication concerning employment of the City Manager.

11. COMMISSIONER COMMENTS

- a. Report from Commissioner Strader:** Reported there is a street light on South B Street that needs to be repaired also there is a hole in the roadway going into Western Heights and Rockinghorse Lane that needs to be looked at.
- b. Report from Vice Mayor Adsit:** Concerning abatements, would like to have a verbal report from the Chief on what properties the police department are pursuing. At the intersection of C Street and Boston there is a drainage problem area that has sunk around a manhole that needs to be filled in and re-concreted.
- c. Report from Commissioner Heilmann:** Questioned how much has the city spent on streets and suggested that we may want to look into borrowing money to fix the streets.
- d. Report from Commissioner Watkins:** None
- e. Report from Mayor Baker:** The horses riding in town are leaving feces, would like to see this problem addressed. It is getting worse and it needs to be looked in to. Chief Kelly stated that it is a misdemeanor to leave animal feces on others property whether it's committed in the presence of law enforcement or not however if they don't see it they can't site them for it.

12. EXECUTIVE SESSION

- a. An Executive Session to discuss confidential communication between the City Commission and the City Attorney concerning a pending investigation, claim or action pursuant to the advice of the City Attorney that disclosure will seriously impair the ability of the City Commission to process the claim or conduct the pending investigation, litigation or proceeding in the public interest pursuant to Title 25, Section 307 (B)(4) of the Oklahoma Statutes.** – Richard Adsit made the motion to enter into executive session, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None. The meeting entered into executive session at 6:44 p.m.

- 13. RETURN FROM EXECUTIVE SESSION** – Kris Watkins made the motion to reconvene the regular meeting of the Yale City Commission at 6:58 p.m., Pat Heilmann seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

- a. **Possible action regarding discussion of confidential communication pursuant to Title 25, Section 307 (B)(4) of the Oklahoma Statutes.** – No votes and No action was taken in executive session.

14. EXECUTIVE SESSION – Kris Watkins made the motion to enter into executive session, Pat Heilmann seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

The meeting entered into executive session at 6:58 p.m.

- a. **An Executive Session for the purpose of holding confidential communication pursuant to 25 O.S. §307 (B)(1) to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the City Manager.**

15. RETURN FROM EXECUTIVE SESSION – Richard Adsit made the motion to reconvene the regular meeting of the Yale City Commission at 7:08 p.m., Kris Watkins seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

- a. **Possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the City Manager.** – No votes and No action was taken in executive session.

16. ADJOURNMENT – Kris Watkins made the motion to adjourn, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Heilmann, Watkins, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 7:09 p.m. on Tuesday April 14, 2015.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Terry Baker, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 13TH DAY OF APRIL 2015 AT 4:30 P.M. AT YALE CITY HALL.