

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
JUNE 9, 2015
6:00 P.M.**

OPENING PRAYER

1. **CALL TO ORDER** – The regular meeting of the Yale City Commission was called to order at 6:00 p.m. on Tuesday June 9, 2015 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Tom Mendenhall and Terry Baker. Kris Watkins was absent.
3. **CONSENT AGENDA** – Richard Adsit made the motion to approve the consent agenda, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – May 12, 2015**
 - ii. **Special Meeting – May 15, 2015**
 - iii. **Special Meeting – May 28, 2015**
 - b. **Approval of Claims**
 - c. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None
5. **PUBLIC HEARINGS**
 - a. **Public Hearing to receive comments regarding the City of Yale proposed 2015-2016 fiscal year municipal budget.** – Mayor Baker opened the public hearing at 6:03 p.m.; there was no one to speak for or against the proposed budget. The public hearing was closed at 6:04 p.m.
6. **PUBLIC APPEARANCES** – None
7. **GENERAL ORDERS**
 - a. **Consideration, discussion and action regarding the proposed 2015-2016 fiscal year municipal budget.** – Staff discussed the proposed 2015-2016 municipal budget.
 - b. **Consideration, discussion and action on fiscal year 2014-2015 budget amendments.** – Richard Adsit made the motion to approve the fiscal year 2014-2015 budget amendments, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - c. **Consideration, discussion and action to authorize staff to approve any and all further required budget amendments to close out the fiscal year 2014-2015 budget.** – Richard Adsit made the motion to authorize staff to approve any and all further required budget amendments to close out the fiscal year 2014-2015 budget. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - d. **Consideration, discussion and action regarding a request to hold a fireworks display in Jim Thorpe Park and for financial participation to purchase fireworks for the event.** – Terry Baker made the motion to approve the Yale Fire Department holding a fireworks display in Jim Thorpe Park and a \$500 donation towards the event. Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - e. **Consideration, discussion and action on an operating agreement between the City of Yale and the Yale Senior Citizens Association.** – Richard Adsit made the motion to approve an operating agreement between the City of Yale and the Yale Senior Citizens Association, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - f. **Consideration, discussion and action on an amended Oklahoma Municipal Retirement Fund Master Defined Contribution Plan Joinder Agreement.** – Tabled

- g. **Consideration, discussion and action on a contract with Aramark Uniform Services.** – Terry Baker made the motion to approve a contract with Aramark Uniform Services, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- h. **Consideration, discussion and action on a contract with the Yale Youth Sports Association to manage the Yale City Pool including but not limited to gates, concessions, cleaning and general maintenance.** – Larry Harris presented from YYSAs with a report on the city pool. The pool opened on May 22 and they plan to close it on August 13. The health department has been out to inspect the pool, everything went well except the open pit with the holding tank needs to be addressed. Richard Adsit made the motion to approve a contract with the Yale Youth Sports Association, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- i. **Consideration, discussion and action to authorize and direct the City Manager to advertise for bids for the City of Yale 2015 street project.** – Mr. McMillian explained the proposal to advertise for bids on the 17 piece project. Tom Mendenhall made the motion to authorize the City Manager to proceed with the preparation of bid packets for the 2015 paving project to include 17 different component pieces. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

8. RESOLUTIONS

- a. **Consideration, discussion and action to approve Resolution No. 07-2015 to approve and adopt fiscal year 2015-2016 City of Yale budget.** – Richard Adsit made the motion to approve Resolution No. 07-2015, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

9. ORDINANCES

- a. **Consideration, discussion and action to approve Ordinance No. 345 “AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE POSITION OF CITY MANAGER FOR THE CITY OF YALE, OKLAHOMA BY ADOPTING A REVISED AND RESTATED RETIREMENT PLAN; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE CITY OF YALE, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR NON-ALIENATION OF BENEFITS; LOSS OF BENEFITS FOR CAUSE AND LIMITATIONS OF BENEFITS; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A RETIREMENT COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF RETIREMENT COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENTS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR REPEALER AND SEVERABILITY; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE.** – Tabled

10. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The Payne County Jail Agreement and the Yale Schools Shelter Agreement both will rollover, neither needs to be re-approved. Siren tests have been going well; helicopters will be at the car show, they will land at the football field pending approval from the school. Officer Moore has been handling abatements and has been out sick so there are no abatement updates for this month. Mr. Adsit brought up South B Street that needs to be looked at for abatements.
- b. **Report from City Manager:** In my opinion we’ve done a lot of good things for the citizens, against popular demand with the rain we’ve been holding off on Class A rock purchases until the first of the fiscal year. Based on the grant received for our electric lines and systems we’ll do the removal of trees as it relates to our contract. Animal control is an issue in how it affects our budget, we do not want animal activists to come in and say we are bad custodians of our animals; West Nile is also a concern. Is there someone to spray that the city has contracted with before, if anyone has any suggestions on this please let us know. Watch for snakes, ticks, we’ve told everyone to please be careful and aware. I’ve asked staff to schedule vacation time, summer is here, and this way we can schedule our work and provide for our citizens. We had a sewer leak yesterday that staff was able to repair, this says that our staff is conscious about violations which saves the community money. We’ve pushed to continue to be budget conscious through this last month.

c. **Report from City Attorney:** No report.

11. COMMISSIONER COMMENTS

- a. **Report from Commissioner Strader:** The Yale sign by Skinner Tank needs to be repaired, there's a large pot hole going in to Sunset Circle that needs to be repaired.
- b. **Report from Vice Mayor Adsit:** Speaking of West Nile and mosquitos, you can mow and get rid of the tall grass and the mosquitos.
- c. **Report from Commissioner Mendenhall:** There is water standing in tires down in front of the armory, who do the tires belong to? They need to be taken care of and removed.
- d. **Report from Commissioner Watkins:** Absent
- e. **Report from Mayor Baker:** Mow, mow, mow. Something to think about, the park on South Main has a creek that runs through it, it's overgrown with brush. Like to see a plan developed to get that all cleaned up, sprayed and killed out. It would make that park more attractive if that creek was opened up.

12. EXECUTIVE SESSION

- 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 City Manager Louis Smitherman.** – Tom Mendenhall made the motion enter into executive session, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None. The meeting entered into executive session at 7:13 p.m.

13. RETURN FROM EXECUTIVE SESSION – Richard Adsit made the motion to reconvene the regular meeting of the Yale City Commission at 7:36 p.m., Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
No votes and No action was taken in executive session.

- a. **Possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Louis Smitherman.** – Richard Adsit made the motion to retain Mr. Smitherman for an additional one year term with a salary increase of \$200 per month with all other specifications of the contract to remain the same and that the City Attorney be directed to prepare a new contract. Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

14. ADJOURNMENT – Tom Mendenhall made the motion to adjourn, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 7:38 p.m. on Tuesday June 9, 2015.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Terry Baker, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 8TH DAY OF JUNE 2015 AT 4:30 P.M. AT YALE CITY HALL.