

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
JULY 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 7:15 p.m. on Tuesday July 14, 2015 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Tom Mendenhall and Terry Baker.
3. **CONSENT AGENDA** – Richard Adsit made the motion to approve the consent agenda, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – June 9, 2015**
 - b. **Approval of Claims**
 - c. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None

5. PUBLIC APPEARANCES

- a. **Roger Gose to discuss plans for the 2015 City of Yale Street Project.** – Mr. Gose presented a basic mapping he'd compiled on potential street work and repairs as a part of the upcoming project. He's worked in several cities in the area and has been an engineer for over 32 years. Drainage work was discussed as well as paving and different types of asphalt and chip and seal that might be considered. Charleston, Beaumont, Dallas, El Paso and Erie streets were all discussed at length. Recommendations to start pulling ditches, getting the edges trimmed and start grading bar ditches were made. There is approximately 30,000 square yards of paving that is 98% ready for an overlay that could be bid right now.

Tom Mendenhall made the motion to move to item 8b. in the agenda, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

6. AWARDING OF CONTRACTS

- a. **Consideration, discussion and action to authorize the City of Yale to enter into an Interlocal Cooperative Agreement with the Pawnee Nation of Oklahoma.** – Mr. Mendenhall expressed concerns over whether or not we have the man power to administer such an agreement. There were also concerns for spending money and resources outside of the City of Yale. The item was tabled for further review.

7. 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.** – Chris Whatley

presented from OMAG explaining the changes in the above ordinance. Richard Adsit made the motion to approve Ordinance No. 345, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

- b. **Consideration, discussion and action to approve Ordinance No. 347 “AN ORDINANCE AMENDING THE EMPLOYEE RETIREMENT SYSTEM, DEFINED BENEFIT PLAN FOR CITY OF YALE, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF CITY OF YALE, OKLAHOMA; PERTAINING TO VESTING OPTIONS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY”.** – Chris Whatley presented the proposed changes to the City of Yale Pension Plan, staff believe that it is a good way to increase benefits to the employees with little cost. Tom Mendenhall made the motion to approve Ordinance No. 347, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall Nay: Baker.
- c. **Consideration, discussion and action on declaring an emergency on Ordinance No. 347.** – Tom Mendenhall made the motion to declare an emergency on Ordinance No. 347, Mike Strader seconded the motion. The vote was as follows: Yea: Strader, Adsit, Mendenhall Nay: Baker. The motion did not pass by lack of a required vote to approve an emergency ordinance.
- d. **Consideration, discussion and action to approve Ordinance No. 346 “AN ORDINANCE AMENDING SECTION 4-59 OF CHAPTER 4 OF THE YALE CITY CODE TO ESTABLISH SWIMMING POOL, SPA, AND HOT TUB RULES AND REGULATIONS AND DECLARING AN EMERGENCY.”** – Richard Adsit made the motion to approve Ordinance No. 346, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- e. **Consideration, discussion and action on declaring an emergency on Ordinance No. 346.** – Richard Adsit made the motion to declare an emergency on Ordinance No. 346, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

8. GENERAL ORDERS

- a. **Consideration, discussion and action on a Proposed Agreement for a K-9 Program.** – Officer Larry Harris presented with a donation of \$10,000 from an anonymous donor for funding of a K-9 Program. Officer Harris would work as the K-9 Officer after receiving required training. Terry Baker made the motion to approved the agreement initiating a K-9 Program, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- b. **Consideration, discussion and action on completion of plans and authorizing advertisement for bids for the City of Yale Street Project.** – Discuss with county to see what they can do to help on this project. There should be an upgrade with our agreement of \$5,000 worth of materials with the county come next month. Richard Adsit made the motion to instruct the city manager to retain an engineer for purposes of completing plans and authorizing advertisement for bids for the City of Yale Street Project. Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- c. **Consideration, discussion and action regarding a request to hold the Chet Baker Festival in Liberty Park on October 10, 2015 and to close streets in the area for the event as needed.** – Mike Strader made the motion to approve a request to hold the Chet Baker Festival in Liberty Park, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

9. MISCELLANEOUS

- a. **Consideration, discussion and action to declare Police Unit, 2001 Ford Crown Victoria, VIN# 2FAFP71WX1X126053 as surplus and to set a minimum bid of \$250.** – Terry Baker made the motion to approve as surplus Police Unit, 2001 Ford Crown Victoria, VIN# 6053, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- b. **Consideration, discussion and action to declare Police Unit 805, 1999 Ford Crown Victoria, VIN# 2FAFP71W0XX184343 as surplus and to set a minimum bid of \$250.** – Richard Adsit made the motion to approve as surplus Police Unit, 1999 Ford Crown Victoria, VIN# 4343, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.
- c. **Consideration, discussion and action to declare Police Unit, 1996 Dodge Intrepid, as surplus and to set a minimum bid of \$250.** – Tom Mendenhall made the motion to approve as surplus Police Unit, 1996 Dodge Intrepid, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

- d. **Consideration, discussion and action regarding the resignation of Commissioner Kris Watkins.** – Tom Mendenhall made the motion to accept the resignation of Kris Watkins, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Baker Nay: None.

10. REPORTS FROM OFFICERS

- a. **Report from YSA Rep:** Mr. Harris reported, the pool opened on May 22 and the weather has affected attendance. They have four operators and six lifeguards. They did increase the rates slightly this year and they're averaging 33 people per day. As of June 30th they have deposited \$2,203, paid out \$821, spent \$1,000 on supplies and spent \$500 for a refrigerator. Last year they had a loss and this year they are hoping to make a profit for their organization. There was a loss of around \$2,000 in chemicals and 10,000 gallons of water due to the vandalism of the pool. They will be open through August 13, the back to school bash is scheduled for August 8 and once again the pool will be open for free swim during this time.
- b. **Report from Police Chief:** Absent
- c. **Report from City Manager:** Mr. Smitherman reported that he attended the car show, it was great weather for it, he was glad that some of the commissioners were exposed to what our town can do. Hopefully we have a volunteer to cut some of our dead trees in the park. Staff has been busy trying to take care of the water losses and replacing meters and come up with a concept of why we're losing so much water. Staff has also been conservative on spending of the overall budget as well as trying to conserve energy.
- d. **Report from City Attorney:** No report

11. COMMISSIONER COMMENTS

- a. **Report from Commissioner Strader:** The asphalt and tall weeds needs to be addressed, there are potholes everywhere that need to be fixed. There are still four tires sitting at the armory that need to be dealt with.
- b. **Report from Vice Mayor Adsit:** What is happening on abatements? Properties are getting worse, Mr. Smitherman stated the lots by the church have been cleaned up. Next to Frick's Construction hasn't been mowed all summer and next to the storage units has been bad for several years. On West Broadway there is a garage that was abated last year that started demolition on but it was never finished. There's also a house on East Chicago that burned that needs to be looked into. Officer Harris contributed that if you know of a property that needs attention if you'll give the information to either Louis or the Police Department the abatement officer will get the information from them. He works as a full-time officer and then does abatements also, he works mostly nights so it's not the most convenient time to look at properties. Mr. Adsit stated if Officer Moore isn't able to do it because of scheduling then we need to get somebody that can. It's just getting worse.
- c. **Report from Commissioner Mendenhall:** Under abatements he's right, there's a house at Detroit and F Street that burned months ago and it's still sitting there.
- d. **Report from Mayor Baker:** We need to look at our burn policy and if what's happening is we're issuing burn permits and we don't have a clue as to what they're burning. Saturday I called the Police Department about burning straight up from my house, the smoke was coming in the house, choking me and others. The smoke from burning shingles is not something I want my granddaughter breathing. I'd like Roger to look at our ordinances on burning and put an inspection clause in there before they can burn. We also need to know exactly what they're burning before it's issued. Staff advised of what the current policy is which states the resident must wait seven days before burning to allow the fire department to inspect the location, there is also a place to list what they are burning. Once the permit goes to the fire department we don't get a report back from them as to what their findings were.

- 12. ADJOURNMENT** – Richard Adsit made the motion to adjourn, Tom Mendenhall 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 9:16 p.m. on Tuesday July 14, 2015.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Terry Baker, Mayor

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