

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
DECEMBER 8, 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 December 8, 2015 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Tom Mendenhall, Charles Sprague and Terry Baker.
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, Sprague, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – November 10, 2015**
 - ii. **Special Meeting – November 18, 2015**
 - iii. **Special Meeting – November 20, 2015**
 - b. **Approval of Claims**
 - c. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None
5. **PUBLIC APPEARANCES** – None
6. **RESOLUTIONS**
 - a. **Consideration, discussion and action on Resolution No. 12-2015 “A RESOLUTION CALLING FOR AND ESTABLISHING MEETING DATES FOR THE CITY COMMISSION OF THE CITY OF YALE, OKLAHOMA FOR THE YEAR 2016.”** – Richard Adsit made the motion to approve Resolution No. 12-2015, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
7. **ORDINANCES**
 - a. **Consideration, discussion and action on Ordinance No. 350 “AN ORDINANCE AMENDING SECTION 24-25.2 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR CHILD PASSENGER RESTRAINT SYSTEM, AMENDING SECTION 24-107 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR APPLICATION OF CHAPTER 24 TO PERSONS WORKING ON THE HIGHWAY, AMENDING SECTION 24-109 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR TEXTING PROHIBITED AND DECLARING AN EMERGENCY.”** – Richard Adsit made the motion to approve Ordinance No. 350, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - b. **Consideration, discussion and action on declaring an emergency on Ordinance No. 350.** – Tom Mendenhall made the motion to declare an emergency on Ordinance No. 350, Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - c. **Consideration, discussion and action on Ordinance No. 351 “AN ORDINANCE AMENDING SECTION 1-2 OF CHAPTER 1 OF THE YALE CITY CODE TO ESTABLISH MEETINGS AND DECLARING AN EMERGENCY.** – Richard Adsit made the motion to approve Ordinance No. 351, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - d. **Consideration, discussion and action on declaring an emergency on Ordinance No. 351.** – Mike Strader made the motion to declare an emergency on Ordinance No. 351, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

8. GENERAL ORDERS

- a. **Consideration, discussion and action on the 2016 Schedule of Observed Holidays for the City of Yale.** – Richard Adsit made the motion to approve the 2016 Schedule of Observed Holidays, Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
- b. **Consideration, discussion and action on proposal for annual incentive payment to the City of Yale full-time employees for the month of December 2015.** – Richard Adsit made the motion to approve the annual incentive payment to the City of Yale full-time employees for the month of December 2015 in the amount of \$275. Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
- c. **Consideration, discussion and action on proposal for annual incentive payment to the City of Yale part-time employees for the month of December 2015.** – Tom Mendenhall made the motion to approve the annual incentive payment to the City of Yale part-time employees for the month of December 2015 in the amount of \$175. Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
- d. **Consideration, discussion and action to rescind Change Order 11 from the contract between the City of Yale and the Quapaw Company.** – Richard Adsit made the motion to approve rescinding Change Order 11, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
- e. **Consideration, discussion and action on an “Agreement for Administration of the Sales and Use Tax Ordinances of the City and an Agreement to Engage in Compliance Activities by the City of Yale.”** – Richard Adsit made the motion to approve an “Agreement for Administration of the Sales and Use Tax Ordinances of the City and an Agreement to Engage in Compliance Activities by the City of Yale.” Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

9. MISCELLANEOUS

- a. **Consideration, discussion and action on the 2014-2015 fiscal year end financial statements and audit as prepared by CBEW Professional Group.** – Katie McAdams presented from CBEW Professional Group with the 2014-15 fiscal year end audit. Charles Sprague made the motion to approve the 2014-2015 fiscal year end financial statements and audit as prepared. Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

10. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** Not present
- b. **Report from City Manager:** Our capital improvement projects are moving forward, we hope to have sunshine and be able to lay asphalt over the next two days and finish the Western Heights area. Staff has made notices to customers to have automobiles removed from the roadways. Hopefully the public will be patient and we apologize for the inconvenience. We've had some emergency issues; we had a pole that hit by an 18-wheeler, this tied up our equipment over the weekend. We have filed a claim with their insurance to recoup some cost. We've had a couple of sewer backups but some issues were resolved by the land owner; we've checked manholes and they were clear. The water line break in Western Heights; there's an issue and we may have to cut down a 100-year-old tree that's in our right of way. We'll notify the landowner that the tree has to be removed, the roots are what caused the problem. Mr. Adsit said that any meters or lines that are being worked around need to be salted when finished, it won't kill the grass but it may kill the tree. For future things Mr. Smitherman brought up zoning, stating he had made a request to the commission but had received no answers. In my opinion we have too much spot zoning, to bring in retail I'd like to get some commercial zoning in place.
 - i. **Report on Street Project:** The bowmagging is done, the pothole patching is done. They'll start laying asphalt tomorrow in Western Heights then they'll move to Watson Drive and on to D Street. We have a good start if we can keep the rain away. Mr. Adsit asked if residents had been contacted and if cars were still in the street come time to lay asphalt if they would be towed? Mr. Smitherman stated the contractor said he would be patient and they'd do their best to work with the public to get the streets cleared. Mr. McMillian brought up a city ordinance that regulates the

number of hours you can park in the public right of way; if need be we could utilize that ordinance. Chief Kelly also stated that he would work with us to notify residents to move their vehicles. Mr. Adsit encouraged personal contact versus just posting a notice on the internet.

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

11. COMMISSIONER COMMENTS

a. **Report from Commissioner Strader:** How's the bridge repair coming? Mr. Smitherman stated that they've been so busy getting the capital outlay done that the bridge project has become secondary. I did visit with Mr. Skinner this morning and he said hopefully within the next 10 days. I visited with the Mayor and he encouraged me to get our team together to get the welding done.

b. **Report from Vice Mayor Adsit:** Now that we have our grader, we need to pull some ditches. We have a few RV's that are being placed on properties within 10-15 feet of another structure, these RV's are being hooked up to the sewer and they have propane bottles. I think under our ordinance it's a 3-day limit and these people are moving in. We haven't seen any abatement action or a list in quite some time. We're losing ground, on the West side of town there's a house that has 5 vehicles, 1 RV and 2 implement trailers on a single lot. It's pretty obvious that they're broke down, let's get it cleaned up.

c. **Report from Commissioner Mendenhall:** A gold star to whomever went up to the park and filled in that 4' wide hole. Mr. Smitherman stated that he had Johnny take care of it. In regards to the abandoned vehicles, there's a full blown trailer house setting on East Boston pretty close to a city easement. The bridge on project is ridiculous, it's a safety issue and needs to be addressed. I appreciate the work that's being done on the streets, the contractor is doing a good job other than when the phone lines were knocked out. At 9th and Highway 51 on the South side of the street where that truck ran over all of those signs, an 18-wheeler knocked out all the crooked signs. Get the signs repaired before you start mowing next year.

d. **Report from Commissioner Sprague:** No report

e. **Report from Mayor Baker:** No report

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

The regular meeting of the Yale City Commission was adjourned at 6:48 p.m. on Tuesday December 8, 2015.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Terry Baker, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 7TH DAY OF DECEMBER 2015 AT 4:45 P.M. AT YALE CITY HALL.