

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
MAY 9, 2017
6:30 P.M.**

OPENING PRAYER

1. **CALL TO ORDER** – The regular meeting of the Yale City Commission was called to order at 6:30 p.m. on Tuesday May 9, 2017 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Clara Welch and Terry Baker. Kris Watkins was absent.

It was announced that Kris Watkins had missed more than 50% of all regular and special meetings of the Yale City Commission, and that pursuant to the provisions of Title 11, Section 8-108 of the Oklahoma Statutes and Section 2-9 of the Yale City Charter Mr. Watkins had forfeited his position as a Yale City Commissioner and that Commission Seat No. 3 is now vacant.

Mayor Terry Baker then stated that his term of three years on the Yale City Commission Seat No. 5 had terminated as of the opening of the meeting. Mr. Baker then removed himself and turned the meeting over to Vice-Mayor Adsit. Vice-Mayor Adsit then opened the floor for discussion of appointment to fill the position of Yale City Commissioner Seat No. 5.

3. **Consideration, discussion and action on appointment of Seat No. 5.** – Mike Strader made the motion to appoint Terry Baker to Seat No. 5. Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch Nay: None.
4. **Consideration, discussion and action on appointment of Seat No. 3.** – Richard Adsit made the motion to table the item to the next regular meeting. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch Nay: None.

Mr. Baker was sworn into oath at this time.

5. ANNUAL COMMISSION ORGANIZATION AND APPOINTMENTS

- a. **Election of Mayor** – Terry Baker made the motion to nominate Richard Adsit as Mayor, Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
 - b. **Election of Vice-Mayor** – Terry Baker made the motion to nominate Clara Welch as Vice-Mayor, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
 - c. **Appointment of City Attorney** – Terry Baker made the motion to appoint Roger McMillian as City Attorney, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
 - d. **Appointment of Municipal Judge** – Terry Baker made the motion to appoint Frank Muret as Municipal Judge, Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
6. **CONSENT AGENDA** – Terry Baker made the motion to approve the consent agenda, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – April 11, 2017**
 - ii. **Special Meeting – April 25, 2017**

- b. **Approval of Claims**
- c. **Financial Statements**

7. ITEMS REMOVED FROM THE CONSENT AGENDA – None

8. PUBLIC HEARING

- a. **Public Hearing to receive comments regarding the City of Yale proposed 2017-2018 fiscal year municipal budget.** – Mayor Adsit opened the public hearing was opened at 6:39 p.m. Tom Reeder's only comment was the budget wasn't big enough. There were no other comments regarding the proposed budget for the City of Yale fiscal year 2017-2018. The public hearing was closed at 6:40 p.m.

- 9. PUBLIC APPEARANCES** – Norma Coventon spoke concerning the old hospital grounds she had inherited from her parents in 2011. Would like to fence it in, paperwork was filed on the driveway everyone uses as a road to make that a private drive. The gentlemen on the South side moved his drive and trash cans back to C Street. The County said there was no easement for the road and it was still my property. In 2011, it was surveyed and the property amount and tax amount was the same as it is now. Don't know what I'm supposed to do, I'll get another survey if needed. Mr. Adsit advised Ms. Coventon to speak with Mr. McMillian.

Tom Reeder spoke representing the Yale Bridge Club. They're a group of people that stay pretty anonymous, they're responsible for things like the new pavilions in the park and their 2016 project was the new swings in the Jim Thorpe Park. The proposed project for 2017 is a renovation of Liberty Park. At the far South end would like to install playground equipment similar to that just South of the swimming pool. North of the playground equipment they would like to put in a pavilion. Further North, they'd like to do swings similar to those at Jim Thorpe Park. The proposal comes at no cost to the City, however would ask that the City provide two LED street lights on the existing poles that are there. Also ask that the City make a provision that the equipment and supplies be purchased through the City with the understanding that the full cost would be reimbursed to the City. We think there are other developments that are going to take place in that area that will enhance that end of town. Currently there's not a good park location to service a major part of the City. Think that there's a larger population of smaller children in that area that could benefit from a safe park area. Considered the old city park but decided it's a little too isolated for smaller children. Would ask to put on the next meeting agenda to approve the renovations proposed and to be able to purchase items through the City along with any discounts that would be available. Would also ask that the City run a water line over to that area for water faucet availability.

10. ORDINANCES

- a. **Consideration, discussion and action on Ordinance No. 359 “AN ORDINANCE AMENDING SECTION 16-22 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR NOTICE TO ABATE PROPERTY, AMENDING SECTION 16-23 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR DESIGNATION OF REPRESENTATIVE, ADOPTING SECTION 16.23.1 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR FINDING PROPERTY TO BE A DETRIMENT, AMENDING SECTION 16-26 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR SUMMARY ABATEMENT AND DECLARING AN EMERGENCY.”** – Mr. McMillian explained that with a review of state statutes there had been many changes since our ordinances were adopted. Terry Baker made the motion to approve Ordinance No. 359, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
- b. **Consideration, discussion and action on declaring an emergency on Ordinance No. 359.** – Terry Baker made the motion to declare an emergency on Ordinance No. 359, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
- c. **Consideration, discussion and action on Ordinance No. 360 “AN ORDINANCE AMENDING SECTION 24-78 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR VEHICLES**

EMERGING FROM ALLEY, AMENDING SECTION 24-89 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR FUNERAL PROCESSIONS, AMENDING SECTION 24-90 OF CHAPTER 24 OF THE YALE CITY CODE TO PROVIDE FOR USE OF VEHICLE ROAD LIGHTING EQUIPMENT ON ROADWAYS WITHIN THE CITY OF YALE AND DECLARING AN EMERGENCY.” – Mr. McMillian explained this change was requested by Chief Kelly due to issues. Failure to dim is not in our code, this ordinance matches State Statute 24-90. Terry Baker made the motion to approve Ordinance No. 360, Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.

- d. **Consideration, discussion and action on declaring an emergency on Ordinance No. 360.** – Terry Baker made the motion to declare an emergency on Ordinance N. 360, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsitm, Welch, Baker Nay: None.

11. GENERAL ORDERS

- a. **Consideration, discussion and action on 2016-2017 budget amendment requests.** – Mrs. Couch reviewed the budget amendment requests. Clara Welch made the motion to approve the 2016-2017 budget amendment requests. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
- b. **Consideration, discussion and action to authorize the following changes on City of Yale American Heritage Bank accounts.** – Terry Baker made the motion to authorize the requested changed to City of Yale American Heritage Bank accounts with authorized signers being: Deanna Couch, City Clerk; Tim Campbell, Asst. Trust Manager; Richard Adsit, Mayor; Clara Welch, Vice-Mayor; Terry Baker, Commissioner. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
 - i. **Add Tim Campbell, Asst. Trust Manager**
 - ii. **Add Clara Welch, Commissioner**
- c. **Consideration, discussion and action on engagement letter with CBEW Professional Group, LLP in the amount of \$20,100 to prepare annual Financial Statements and Audit Reports for Fiscal Year Ending June 30, 2017.** – Mike Strader made the motion to approve an engagement with CBEW Professional Group, LLP for Fiscal Year Ending June 30, 2017. Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
- d. **Consideration, discussion and action on the 2017 Seasonal Mowing options.** – Phillip Kelly presented bid tabulations as received by the City Clerk with a cost comparison for seasonal mowing being hired through the City. Terry Baker made the motion to accept the bid from Heartland Pipeline Services for \$4,000 per full mowing. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.

12. MISCELLANEOUS

- a. **Consideration, discussion and action on selection of three nominees from the list of nominees on the 2017 Oklahoma Municipal Assurance Group Official Ballot for the Board of Trustees election and submitting the three selected nominees as the City of Yale official vote on the election of trustees on the 2017 Oklahoma Municipal Assurance Group Official Ballot.** – Terry Baker made the motion to nominate Earl Burson of Harrah, Janice Cain of Altus and Pam Polk of Collinsville. Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.
- b. **Consideration, discussion and action regarding a request to hold the 7th Annual Car Show on October 7, 2017 in the Downtown Park/Area.** – Chief Kelly explained plans for this years Car Show. South Main will close from Foster’s to Charleston and traffic will be routed around with vendors in the middle. The benefiting organization this year will be the American Cancer Society.

13. APPOINTMENTS

- a. **Consideration, discussion and action on appointment to the E-911 Board.** – Terry Baker made the motion for the current member be removed from the E-911 Board and to appoint Phillip Kelly in their place. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.

14. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The department worked 27 cases and wrote 89 citations. The abatement process is starting as we speak; there are several weed and grass abatements and 1-2 building abatements.
- b. **Report from Library Director:** Things continue to be wonderful at the library as far as programming. The Fab Lab will be coming back at their request. The Wondertorium without walls is coming, we'll have an author coming too. A playground for the preschoolers would be great.
- c. **Report from Interim City Manager:** Clean up week went well, we received no tires this year. Some residents weren't aware that there were dumpsters behind city hall, Republic was changing out dumpsters daily. Siren tests will continue to be done the first Monday of each month again. Steve Ready's last day will be May 2nd. Mr. Smitherman's electric line was raised today. We had an anonymous donor pay half on a new car for the City. The point to point line through AT&T has been reduced to a regular business line, this should save around \$1100 per month.
- d. **Report from City Attorney:** Would like to request 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 O.S. §307 (B)(4) of the Oklahoma Statutes.

15. COMMISSIONER COMMENTS

- a. **Report from Commissioner Strader:** Tree branch down behind Sunset Circle; there's grass on sidewalks on Main Street, can we spray some roundup?
- b. **Report from Commissioner Adsit:** Line repair as far as sewer, try to remind guy's that areas where they've been digging need to be dressed up. Please don't forget about D Street. Has Quapaw called to address areas of concern? Need a few loads of blacktop around these man hole rings, especially on 3rd Street and by Bulldog.
- c. **Report from Commissioner Welch:** No report
- d. **Report from Commissioner Baker:** No report

16. 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 O.S. §307 (B)(4) of the Oklahoma Statutes.** - Terry Baker made the motion to enter into executive session, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None. The meeting entered into executive session at 7:40 p.m.

17. **RETURN FROM EXECUTIVE SESSION** – Terry Baker made the motion to reconvene the regular meeting of the Yale City Commission. Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker
The meeting reconvened at 8:16 p.m.

- a. **Possible action regarding discussion of confidential communication pursuant to Title 25 O.S. §307 (B)(4) of the Oklahoma Statutes.** – No votes, no actions were taken.

18. ADJOURNMENT – Terry Baker made the motion to adjourn, Clara Welch seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 8:16 p.m. on Tuesday May 9, 2017.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Richard Adsit, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 5TH DAY OF MAY 2017 AT 4:30 P.M. AT YALE CITY HALL.