

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
SEPTEMBER 12, 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 by Mayor Richard Adsit.
2. **ROLL CALL** – Those present were Mike McCullough, Richard Adsit, Clara Welch and Terry Baker. Mike Strader was absent.
3. **CONSENT AGENDA** – Terry Baker made the motion to approve the consent agenda as presented, Clara Welch seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – August 8, 2017**
 - b. **Approval of Claims**
 - c. **Blanket Claims**
 - d. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None
5. **PUBLIC HEARINGS** – Terry Baker made the motion to open the public hearings. Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None. The public hearings opened at 6:32 p.m.
 - a. **Public Hearing to hear evidence and testimony to determine the property located at approximately 740 E. Chicago and described as Lots 14-18, Block 1, Hartshorne's Addition, Yale, Oklahoma to be dilapidated and a detriment to the health, benefit or welfare of the public.** – Officer Moore presented pictures of the property which showed multiple violations of City Code. Mr. McCullough asked about children in the area, Officer Moore stated it was in close proximity to the park. Maurice Lozier stated he owned the property and sold it to Tracy Hendrix. He stated Mr. Hendrix had given him 60 days to remove any and all personal property and after that Mr. Hendrix will be tearing the building down. Mr. Lozier requested a 120-day grace period.
 - b. **Public Hearing to hear evidence and testimony to determine the property located at approximately 223 S. Dale and described as MISC TR 20-19N-06E D-776 (.53acm/l) BEG 483'E NW/C SW/4 NW/4; S-110', E-210' N-110' W-210' POB Yale, Oklahoma to be dilapidated and a detriment to the health, benefit or welfare of the public.** – Officer Moore presented photos of the property. He reported it is not secure and there are children in the area; people use it periodically for vagrant acts. There are several broken windows and roofing problems that are causing the walls to collapse. Under Chapter 16 of our City Code this structure is a nuisance and a hazard.
 - c. **Public Hearing to hear evidence and testimony to determine the property located at approximately 36.112311, -96.695076 on South Dale Street and described as MISC TR 20-19N-06E D-762 (.74acm/l) BEG 243'E SW/C NW/4 NW/4; S-154', E-210' N-154' W-210' POB Yale, Oklahoma to be dilapidated and a detriment to the health, benefit or welfare of the public.** – No action, No public hearing was held on this item

Terry Baker made the motion to close the public hearings, Clara Welch seconded the motion which passed as follows: Yea: McCullough, Adsit, Welch, Baker Nay: None. The public hearings were closed at 6:42 p.m.
6. **PUBLIC APPEARANCES** – None

7. ORDINANCES

- a. **Consideration, discussion and action on Ordinance No. 362 “AN ORDINANCE AMENDING SECTION 7-3 OF CHAPTER 7 OF THE YALE CITY CODE TO PROVIDE FOR CONTRACTS FOR PUBLIC IMPROVEMENTS AND DECLARING AN EMERGENCY.”** – Mr. McMillian explained the proposed changes as brought by the current legislation. Terry Baker made the motion to approve Ordinance No. 362, Clara Welch seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- b. **Consideration, discussion and action to declare an emergency on Ordinance No. 362.** – Terry Baker made the motion to declare an emergency on Ordinance No. 362. Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- c. **Consideration, discussion and action on Ordinance No. 363 “AN ORDINANCE AMENDING SECTION 16-23 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR DESIGNATION OF REPRESENTATIVE FOR ABATEMENT AND DECLARING AN EMERGENCY”.** – Mr. McMillian explained the proposed changes to the Code as brought by the current legislation. Mr. McMillian advised that our City Code remain consistent with State Statute. Terry Baker made the motion to approve Ordinance No. 363, Richard Adsit seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- d. **Consideration, discussion and action to declare an emergency on Ordinance No. 363.** – Terry Baker made the motion to declare an emergency on Ordinance No. 363, Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- e. **Consideration, discussion and action on Ordinance No. 364 “AN ORDINANCE AMENDING SECTION 25-86 OF CHAPTER 25 OF THE YALE CITY CODE TO PROVIDE FOR CONNECTION OF SANITARY FACILITIES TO PUBLIC SEWER SYSTEM AMENDING SECTION 25-87 OF CHAPTER 25 OF THE YALE CITY CODE TO PROVIDE FOR PRIVATE SEWAGE DISPOSAL AND DECLARING AN EMERGENCY.”** – Mr. McMillian explained changes to this ordinance as requested by Mr. Campbell. It is intended to address the situation where it is not financially feasible for residents to connect to the City Sewer System especially on new construction projects. Mr. Kelly explained upcoming new construction needs that are a concern without this provision. Richard Adsit made the motion to approve Ordinance No. 364, Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- f. **Consideration, discussion and action to declare an emergency on Ordinance No. 364.** – Clara Welch made the motion to declare an emergency on Ordinance No. 364, Terry Baker seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.

8. GENERAL ORDERS

- a. **Consideration, discussion and action to surplus Fire Engine 910 VIN# 0417.** – Chief Robinson explained that due to repairs over the past few years he felt it was time to surplus this truck and get something different. Funding would go back to the County since it was purchased through the Payne County Rural Fire Tax Fund. Mr. McMillian explained the legal situation going back to the County as well as the ordinance requirement if the property is valued over \$15,000. Terry Baker made the motion to table the item to the next meeting, Richard Adsit seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- b. **Consideration, discussion and action to surplus Fire Pumper/Tanker 916 VIN# 2883.** – Richard Adsit made the motion to surplus Fire Pumper/Tanker 916, Terry Baker seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- c. **Consideration, discussion and action to accept 2006 Freightliner pumper truck VIN# V10267 purchased through Payne County Rural Fire Tax Fund.** – Chief Robinson answered questions about the 2006 Freightliner recently purchased through the Rural Fire Fund for \$135,000. Mr. Kelly

requested the title to the truck if approved; Mr. Baker stated the City Commission was not informed prior to the purchase and requested better communication in the future. Terry Baker made the motion to accept the 2006 Freightliner pumper truck VIN# V10267. Clara Welch seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.

- d. **Consideration, discussion and action to declare property addressed as 740 E. Chicago as dilapidated and a detriment to the health, benefit or welfare of the public.** – Maurice Lozier stated that Mr. Hendrix paid the down payment on said property today and gave them 60 days to remove any personal property from the premises. Per Mr. Lozier, Mr. Hendrix will start demolition as soon as the 60 days is up. Clara Welch made the motion that the building at 740 E. Chicago be found to be dilapidated and a detriment to the health, benefit and welfare of the citizens of the City of Yale and that the property owner be given until January 12, 2018 to abate the dilapidated building. Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- e. **Consideration, discussion and action to declare property addressed as 223 S. Dale as dilapidated and a detriment to the health, benefit or welfare of the public.** – Terry Baker made the motion that 223 S. Dale be found to be dilapidated and a detriment to the health, benefit and welfare of the citizens of the City of Yale. Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- f. **Consideration, discussion and action to declare property addressed as 36.112311, -96.695076 on South Dale Street as dilapidated and a detriment to the health, benefit or welfare of the public.** – Clara Welch made the motion to dismiss this item, Terry Baker seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.
- g. **Consideration, discussion and action on 2017-2018 budget amendment requests.** – Ms. Couch explained the proposed budget amendments. Terry Baker made the motion to approve the 2017-2018 budget amendment requests. Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.

9. MISCELLANEOUS

- a. **Consideration, discussion and action regarding a request to hold the 7th Annual Yale Car Show in Downtown Yale on September 23, 2017 and financial participation for the event.** – Chief Kelly explained the date change for the car show and the remaining need for donations as they are down for the year. Richard Adsit made the motion to approve a request to hold the 7th Annual Yale Car Show in Downtown Yale on September 23, 2017 and for \$250 towards financial participation. Terry Baker seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.

10. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The department wrote 115 tickets and worked 21 cases in the month of August. The remodel in the police/dispatch are is not quite done. Would like to thank Keith and Alesha for all of their donated time along with Ken Moore.
- b. **Report from Fire Department:** We meet with SGA every 2 weeks to go over the new station plans. Right now they're still working on the design and engineering, there was a delay due to injury. We'll try to wrap up final plans by the end of the month. Going to be working on a recruiting brochure, volunteering numbers are down all over the state. In August, there were 9 calls; 4 fires, 2 EMS, 2 fals alarm and 1 weather. Of the 4 fires 1 was structure, 1 grass fire and 2 tank batteries.
- c. **Report from Library Director:** Absent
- d. **Report from City Manager:** Have not seen any sales tax from Mugsy's yet, Sally's has opened and is a separate entity from Bulldog. Hope to see a tax increase soon, new business is good for any city. Have received complaints on the mowing but we've had a lot of rain. Have confidence that will finish everything.
- e. **Report from City Attorney:** No report

11. COMMISSIONER COMMENTS

- a. **Report from Commissioner McCullough:** Comment on playground in Liberty park, everytime I've been by, there's been people there. It's a wonderful addition to that side of town.
- b. **Report from Commissioner Strader:** Absent

- c. **Report from Mayor Adsit:** Thoughts and prayers with Mike and his family. The street problems with Quapaw need to be addressed.
- d. **Report from Vice Mayor Welch:** Condolences to Mike and his family.
- e. **Report from Commissioner Baker:** No report

12. **ADJOURNMENT** – Terry Baker made the motion to adjourn, Mike McCullough seconded the motion which passed as follows: Yea: Adsit, McCullough, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 7:44 p.m. on Tuesday September 12, 2017.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Richard Adsit, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 8TH DAY OF SEPTEMBER 2017 AT 5:00 P.M. AT YALE CITY HALL.

DRAFT