

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
APRIL 10, 2018
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 April 10, 2018 by Mayor Richard Adsit.
2. **ROLL CALL** – Those present were Mike McCullough, Mike Strader, Richard Adsit, Clara Welch and Terry Baker.
3. **CONSENT AGENDA** – Richard Adsit requested the minutes of the March 13th meeting be removed from the consent agenda. Terry Baker made the motion to approve the remainder of the consent agenda as presented. Clara Welch seconded the motion which passed as follows: Yea: McCullough, Strader, Welch, Baker Abstain: Adsit.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – March 13, 2018**
 - b. **Approval of Claims**
 - c. **Blanket Claims**
 - d. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – Terry Baker made the motion to approve the minutes of the March 13, 2018 regular meeting, Mike McCullough seconded the motion which passed as follows: Yea: McCullough, Strader, Welch, Baker Abstain: Adsit.
5. **PUBLIC APPEARANCES** – Maurice Lozier spoke stating that last month there was an agenda item where he could not speak and would like to remind everyone of the City Code that states we are entitled to speak on any item on the agenda. If you went to the commissioner required classes, you would know that. We are here to observe and to participate and would like the board to come back into compliance.

John Henckel spoke concerning Ordinance No. 370 concerning purchases for the fire department with County funds. He stated there is a Payne County sales tax oversight committee whose job is to ensure those funds are allocated and spent appropriately. We understand the city involvement but also look at the logistical issues of it; the city council meets monthly so that could add 30 days or more to our purchasing procedures.

Melinda Caldwell spoke on behalf of Payne County Leadership as well as the Payne County Healthy Living Program. Been working with different groups throughout Payne County as well as Mr. Kelly on an initiative to re-open the city pool and would like to hear where the council is at on this project.

6. **RESOLUTIONS**
 - a. **Consideration, discussion and action on Resolution 03-2018 “A RESOLUTION ESTABLISHING AN ADMINISTRATIVE PROCESS AND FEE FOR THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE FOR INTERIM LICENSING OF THE SALE OF STRONG BEER AND WINE BY CERTAIN RETAILERS IN ACCORDANCE WITH TITLE 37A OF THE OKLAHOMA STATUTES.”** – Mr. McMillian and Mr. Kelly explained the upcoming law changes, this resolution was passed last month, the primary license will be issued by ABLE. The initial fee was set at \$450, it's now \$25 which is further in line with the surrounding communities. Terry Baker made the motion to approve Resolution 03-2018, Clara Welch seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.

7. ORDINANCES

- a. **Consideration, discussion and action on Ordinance 369 “AN ORDINANCE AMENDING SECTION 17-12 OF CHAPTER 17 OF THE YALE CITY CODE TO PROVIDE FOR TRANSPORTATION OF ALCOHOLIC BEVERAGES, AMENDING SECTION 17-13 OF CHAPTER 17 OF THE YALE CITY CODE TO PROHIBIT LOITERING WHERE ALCHOLIC BEVERAGES ARE SOLD, CONTRARY TO LAW, AMENDING SECTION 17-14 OF CHAPTER 17 OF THE YALE CITY CODE TO PROHIBIT CHILDREN LOITERING IN OR NEAR PLACES WHERE ALCOHOLIC BEVERAGES ARE SOLD, AMENDING SECTION 17-16 OF CHAPTER 17 OF THE YALE CITY CODE TO PROHIBIT DRUNKENESS AND DRINKING IN A PUBLIC PLACE, AMENDING SECTION 18-5 OF CHAPTER 18 OF THE YALE CITY CODE TO PROHIBIT POSSESSION OF ALCOHOL OR DRUGS, PROVIDING FOR AN EFFECTIVE DATE AND DECLARING AN EMERGENCY”.** – Mr. McMillian explained changes with the ABLE laws and new strong beer laws. The new laws remove the non-alcoholic terminology effective October 1, 2018. Terry Baker made the motion to approve Ordinance 369, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Welch, Baker Nay: McCullough.
- b. **Consideration, discussion and action on declaring an emergency on Ordinance 369.** – Clara Welch made the motion to declare an emergency on Ordinance 369, Richard Adsit seconded the motion which passed as follows: Yea Strader, Adsit, Welch, Baker Nay: McCullough.
- c. **Consideration, discussion and action on Ordinance 370 “AN ORDINANCE ADOPTING SECTION 7-2.1 OF CHAPTER 7 OF THE YALE CITY CODE TO PROVIDE FOR REQUIRING SEPARATE WRITTEN APPROVAL OF YALE FIRE DEPARTMENT PURCHASES BY THE YALE CITY COMMISSION PRIOR TO PURCHASE REGARDLESS OF FUNDING SOURCE AND DECLARING AN EMERGENCY”.** – Mr. McMillian explained that this would provide for separate approval of fire department purchases by the city commission; smaller immediate purchases would be approved through the city manager. Richard Adsit made the motion to approve Ordinance 370, Mike Strader seconded the motion which failed as follows: Yea: Strader, Adsit Nay: McCullough, Welch, Baker

Terry Baker made the motion to approve Ordinance 370 revised to read purchases over \$8,000 will require city commission approval and under \$8,000 can be immediately approved the city manager. Clara Welch seconded the motion which passed as follows: Yea: Adsit, Welch, McCullough, Baker Nay: Strader.

- d. **Consideration, discussion and action on declaring an emergency on Ordinance 370.** – Terry Baker made the motion to declare an emergency on Ordinance 370 with the changes noted, Richard Adsit seconded the motion which passed as follows: Yea: McCullough, Adsit, Welch, Baker Nay: Strader.

8. GENERAL ORDERS

- a. **Consideration, discussion and action on fiscal year 2017-18 budget amendments.** Mrs. Couch presented the budget amendments; Richard Adsit made the motion to approve the fiscal year 2017-18 budget amendments, Mike McCullough seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.
- b. **Consideration, discussion and action on the property addressed as 420 S. B Street.** – Judy Chase spoke stating they had the funds for the dumpster rental and requested an extension for 30 days. Richard Adsit made the motion to approve an extension to August 14, 2018 of the abated property. Clara Welch seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.
- c. **Consideration, discussion and action on the City of Yale Municipal Pool located in Jim Thorpe Park.** – Mr. Kelly said the sandblasting at the pool had been completed, John Holcomb spoke on sealing the pool using a hybrid solution called Zypex. Melinda Caldwell spoke on behalf of Payne County Connections about a fundraiser that had been put together to raise funds for the pool. The fundraiser will be April 28th at Boomer Lake. Mr. Holcomb recommended hiring a pool consultant to get things back up and going. Terry Baker made the motion to direct the City Manager to take care of the needs of the

Municipal Pool. Mike McCullough seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.

9. MISCELLANEOUS

- a. **Consideration, discussion and action on the purchase of a 2018 Ford F-150 Police Responder Crew Cab 4WD in the amount of \$33,902 from Bill Knight Ford.** – Chief Kelly presented this vehicle off of state bid wanting to move the SUV purchased 3 years ago down the line circulating new vehicles in to the fleet. Mike McCullough made the motion to take the steps to procure the vehicle purchase, Richard Adsit seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.

10. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The department wrote 80 citations for March, worked 31 cases including narcotics. The drug dog was an asset in getting drugs off of the street this week. Things are going well; the city pound has adopted out roughly 68 dogs.
- b. **Report from Fire Chief:** Asst. Chief Terry Bradley reported there were 16 calls in March including fires, rescue, ems, false alarms and good intent calls. For the quarter we've had 42 calls with about ½ of those being EMS and ¼ of those being fire.
- c. **Report from Library Director:** Absent
- d. **Report from City Manager:** Payne County 911 throughout Stillwater, Cushing and Yale will install fiber in the departments that have a 24/7 dispatch and OLETS. There have been issues lately with internet down on the city side as well as the police department.
- e. **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, Section 307 (B)(4) of the Oklahoma Statutes.

11. COMMISSIONER COMMENTS

- a. **Report from Commissioner McCullough:** Questioned Mr. McMillian on the ability to serve on the City Commission and to vote in City elections and why it's not more like the school district. Mr. McMillian referenced state statutes and the state constitution and that it is a different set of statutes for school districts than for cities.
- b. **Report from Commissioner Strader:** Excited about getting the pool open, the fundraiser coming up and getting the word out about it.
- c. **Report from Mayor Adsit:** Questioned the tower cleaning; Mr. Campbell responded that when they came the towers were frozen in addition to that they needed to be full, it would take 3-4 weeks to get them completely full.
- d. **Report from Vice Mayor Welch:** Excited about the pool, appreciate the effort a great deal.
- e. **Report from Commissioner Baker:** See our newly elected commissioner is here, congratulations on your win and look forward to working with you.

12. 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, Section 307 (B)(4) of the Oklahoma Statutes.** – Terry Baker made the motion to enter into 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, Section 307 (B)(4) of the Oklahoma Statutes. Mike McCullough seconded the motion which passed as follows: Yea: McCullough, Strader, Adsit, Welch, Baker Nay: None.
The meeting entered into executive session at 7:55 p.m.

13. RETURN FROM EXECUTIVE SESSION – The regular meeting of the Yale City Commission was reconvened at 8:50 p.m. No votes/no action were taken in executive session.
a. Possible action regarding discussion of confidential communication pursuant to Title 25, Section 307(B)(4) of the Oklahoma Statutes.

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

The regular meeting of the Yale City Commission was adjourned at 8:50 p.m. on Tuesday April 10, 2018.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Richard Adsit, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 6TH DAY OF APRIL 2018 AT 5:15 P.M. AT YALE CITY HALL.