

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
OCTOBER 13, 2015
6:00 P.M.**

OPENING PRAYER

1. **CALL TO ORDER** – The regular meeting of the Yale City Commission was called to order at 6:54 p.m. on Tuesday October 13, 2015 by Mayor Terry Baker.
2. **ROLL CALL** – Those present were Mike Strader, Richard Adsit, Tom Mendenhall, Chuck Sprague and Terry Baker.
3. **CONSENT AGENDA** – Tom Mendenhall requested to have Purchase Order 5651 removed from the claims list. Richard Adsit made the motion to approve the remainder of the consent agenda, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Sprague, Baker Nay: Mendenhall.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – September 8, 2015**
 - ii. **Special Meeting – September 24, 2015**
 - b. **Approval of Claims**
 - c. **Financial Statements**
 - d. **Budget Amendment in the amount of \$2000.00 for donations received for the Liberty Park Project.**
 - e. **Budget Amendment in the amount of \$4289.96 for Operational Grant funds received for the Fire Department.**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – Tom Mendenhall made the motion to approve Purchase Order 5651, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker.
5. **PUBLIC APPEARANCES** – None
6. **AWARDING OF CONTRACTS**
 - a. **Consideration, discussion and action to approve an Administrative Contract for \$40,000 between the City of Yale and Central Oklahoma Economic Development District for a Capital Improvement Plan.** – Clorisa Brown from COEDD presented explaining the CIP program. Capital Improvement projects usually take around three years to complete. Tom Mendenhall made the motion to approve the Administrative Contract, Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - b. **Consideration, discussion and action to approve Invoice Number 10-102 for \$20,000.** – Tom Mendenhall made the motion to approve Invoice Number 10-102, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - c. **Consideration, discussion and action to approve Expenditure Report #1.** – Richard Adsit made the motion to approve Expenditure Report #1, Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
 - d. **Consideration, discussion and action to approve Request of Funds #1.** – Richard Adsit made the motion to approve Request of Funds #1, Mike Strader seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.
7. **MISCELLANEOUS**
 - a. **Linda Frick representing the Jim Thorpe Foundation to discuss the Jim Thorpe Park Sign.** – Linda Frick presented asking the question who had the Jim Thorpe Park Sign removed and why? Mr. Baker advised that the City removed the sign due to cattle trucks and RV's hitting the sign causing damage. Larry Frick asked how many years ago that was and it was answered stating at the last rodeo. Mr. Baker stated that the sign was gone and it was not going to be put back up, another sign

would be put there but not an overhead sign. There has been discussion of moving a sign or possibly doing a native rock sign. Mrs. Frick questioned if it would be a "Welcome to Yale, Home of Jim Thorpe" sign? Mr. Baker replied "yes", Mrs. Frick stated that would not be a Jim Thorpe Park sign. There was further discussion of moving the state sign to the park entrance that has a brief history of Jim Thorpe on it. Mr. Baker stated the City would like to do a nice sign that was not overhead. There have been contributions made to help pay for the cost of doing a rock sign but there has not been enough collected to even begin the project. Mrs. Frick stated she would love to see "Welcome to Yale" signs on both ends of town, she also asked if the City was considering renaming the park? Mr. Baker answered that never has been a consideration. Mr. Campbell described the rock sign he had designed and drawn out as an option. Mr. Smitherman said it was the same drawing he had shown Mrs. Frick however she said he had told her about it but never brought her anything to look at. He stated he would bring one the next day. Mrs. Frick stated that there had been people from Australia, Germany, Japan, everywhere coming into town and we don't even have a decent sign. Mrs. Frick then asked why it was taken down before the City was ready with the replacement sign? Mr. Baker stated that that was hindsight and it wouldn't get the sign back up. He stated we understand her concern, is it the most pressing issue of the city, no it's not but do we need a sign back there, yes we do. Mr. Mendenhall interceded that he felt like Mrs. Frick just wanted to be assured that there would be a Jim Thorpe Park sign put back up to which she agreed. Mr. Mendenhall stated that Tim Campbell had a good idea with the design that he had drawn up. Mr. Baker stated let's work together and try to get something resolved. Mr. Mendenhall recommended that Mr. Campbell take the lead on this project and report back to the commission.

8. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The Payne County Sherriff donated a 2009 Crown Victoria to the city, it is a nice car and they did quite a bit of work to it before donating so we're very fortunate to have received it. The jazz festival went well, there were no arrests for drinking at the festival but there was one arrest for a DUI coming in from Tulsa that night. Would like to say thanks to all of my officers and dispatchers for doing their jobs and not being appreciated by the citizens of Yale.
- b. **Report from City Manager:** You have a copy of my report and hopefully you'll give me input on it.
- c. **Report from City Attorney:** A few items to remind everyone of; Monday October 25, 2015 will be the bid opening for the street project at 4:30, there will be a special city meeting after at 6:00 to accept a bid and award the contract. Would like to also request two separate executive sessions and if those sessions are entered into that they would mirror the items listed on the agenda.

9. COMMISSIONER COMMENTS

- a. **Report from Commissioner Strader:** How about the potholes? The bridge on 3rd street, when are you going to fix that? All the signs, there's a yield sign up on Boston that is faded out and they're all crooked. Animal control needs to be addressed and on the west side of town the grass is really grown up. Mr. Smitherman stated that some of the signs have been fixed.
- b. **Report from Vice Mayor Adsit:** Will say that you guys did a good job at the jazz festival, it was low profile but your presence was known. Are you going to put city decals on the new police car and the one from Payne County; I really think the city police cars should be marked. Chief Kelly stated that per State Statute as long as the officer is in full uniform they can pull someone over in an unmarked car. Mr. Adsit stated that he just thought it would look better or more professional to have signage on the cars.
- c. **Report from Commissioner Mendenhall:** I reiterate what I brought up earlier about the signs. The 3rd street Bridge, you collected the insurance money on it, Skinner was supposedly going to do some work but that didn't happen and it still isn't done. It disturbs me because its safety issues, those don't get done but somebody jumps on the bandwagon and says let's go lift the Statue of Liberty and we spend three weeks with labor and equipment doing it. You've got \$2,000 worth of money and you've got \$960 worth of materials on these orders. I'm still not sure you came out ok with the labor and equipment and personnel you had, neglecting everything else. I just didn't think that was the thing to do.
- d. **Report from Commissioner Sprague:** Who is our concrete finisher, don't ever hire him again. Was that city employees that did that? On some of the streets there are chug holes inside what was poured. Mr. Campbell stated the employee that did the finish work on it had never done concrete work before and the next time he would make sure he was the one to finish it.
- e. **Report from Mayor Baker:** The jazz festival went well, there was lots of room for improvement to make it bigger and better. Bruce Guthrie didn't expect it to be great, we didn't expect it to be thousands of people. There are 4 or 5 bands that would like to play next year so I think it's worth continuing. I

didn't see problems with much of anything, Chief Kelly's presence was there and known. Getting it in the paper was terrible, Stillwater would've been good to get it in. Those are hindsight's for next year.

10. EXECUTIVE SESSION

- a. **An Executive Session for the purpose of holding confidential communication pursuant to 25 O.S. §307 (B)(1) to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Louis Smitherman.** – Tom Mendenhall made the motion to enter into executive session as listed on the agenda, Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None. The meeting entered into executive session at 7:37 p.m.

Mike Strader made the motion to reconvene the regular meeting of the Yale City Commission at 8:06 p.m., Richard Adsit seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

11. RETURN FROM EXECUTIVE SESSION

- a. **Possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of City Manager Louis Smitherman.** – No votes and No action were taken in executive session. Richard Adsit made the motion that the commission fully supports and encourages the further employment of the City Manager. Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

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.** – Richard Adsit made the motion to enter into executive session as listed on the agenda, Charles Sprague seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None. The meeting entered into executive session at 8:08 p.m.

Richard Adsit made the motion to reconvene the regular meeting of the Yale City Commission at 9:36 p.m., Tom Mendenhall seconded the motion which passed as follows: Yea: Strader, Adsit, Mendenhall, Sprague, Baker Nay: None.

13. RETURN FROM EXECUTIVE SESSION

- a. **Possible action regarding discussion of confidential communication pursuant to Title 25, Section 307 (B)(4) of the Oklahoma Statutes.** – No votes and No action was taken in executive session.

- 14. ADJOURNMENT** – Mike Strader made the motion to adjourn, Richard Adsit 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 9:37 p.m. on Tuesday October 13, 2015.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Terry Baker, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 9TH DAY OF OCTOBER 2015 AT 4:30 P.M. AT YALE CITY HALL.