

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
JUNE 11, 2019
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, June 11, 2019 by Mayor Richard Adsit.
2. **ROLL CALL** – Those present were Brian Porter, Jr., Mike Strader, Richard Adsit, Clara Welch and Terry Baker.
3. **CONSENT AGENDA** – Richard Adsit made the motion to approve the consent agenda as approved, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – May 14, 2019**
 - 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. 02-2019 “A RESOLUTION AUTHORIZING THE ADOPTION OF SAFE ROUTES TO SCHOOL POLICY WITHIN THE CITY OF YALE, OKLAHOMA.”** – Melinda Caldwell with TSET spoke explaining the need for the resolution and the alignment with grant opportunities. Terry Baker made the motion to approve Resolution No. 02-2019, Richard Adsit seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
 - b. **Consideration, discussion and action on Resolution No. 03-2019 “A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF YALE, OK ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2019-2020.”** -Richard Adsit made the motion to approve Resolution No. 03-2019, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
7. **ORDINANCES**
 - a. **Consideration, discussion and action on Ordinance No. 380 “AN ORDINANCE AMENDING SECTION 16-28 OF CHAPTER 16 OF THE YALE CITY CODE TO PROVIDE FOR DILAPIDATED BUILDING DEFINITION AND DECLARING AN EMERGENCY.”** – Mr. McMillian explained the need for the ordinance change to align with the state statutes and the change in their definitions. Brian Porter, Jr. made the motion to approve Ordinance No. 380, Mike Strader seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
 - b. **Consideration, discussion and action to declare an emergency on Ordinance No. 380.** – Richard Adsit made the motion to declare an emergency on Ordinance No. 380, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
 - c. **Consideration, discussion and action on Ordinance No. 381 “AN ORDINANCE AMENDING SECTION 17-75 OF CHAPTER 17 OF THE YALE CITY CODE TO PROVIDE FOR PROHIBITION OF LIGHTED TOBACCO IN PUBLIC, ADOPTING SECTION 17-75.1 OF CHAPTER 17 OF THE YALE CITY CODE TO PROVIDE FOR THE PROHIBITION OF THE USE OF TOBACCO AND VAPOR PRODUCTS ON CITY OWNED AND OPERATED PROPERTY AND DECLARING AN EMERGENCY.”** – Mr. McMillian explained the ordinance change as a grant requirement. Melinda Caldwell explained the need for best practices with the increased use of tobacco among youth and the availability to electronic tobacco products. The ordinance is not intended to demean smokers, the point is to provide spaces for community members to breathe clean air. The language is specific to best practices and signage is provided. Brian Porter, Jr. made the motion to approve Ordinance No. 381, Richard Adsit seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.

- d. **Consideration, discussion and action to declare an emergency on Ordinance No. 381.** – Terry Baker made the motion to declare an emergency on Ordinance No. 381, Mike Strader seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.

8. GENERAL ORDERS

- a. **Consideration, discussion and action on the property located at 102 S. Main Street, Yale, Oklahoma.** – Larry Brown reported for the church, they're very close and would probably be down if it hadn't been for the large amount of rainfall. Mr. Kelly stated he appreciated the fencing that was put up. Terry Baker made the motion to table this item to the July 2019 regular meeting, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- b. **Consideration, discussion and action to declare the property at 116 N. C Street as dilapidated and a detriment to the health, benefit or welfare of the public.** – Nancy and Phillip Johnston presented that it had been secured, the yard has been cleaned up however the rain has hindered the clean up efforts. Terry Baker made the motion to table this item to the July 2019 regular meeting, Richard Adsit seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- c. **Consideration, discussion and action on fiscal year 2018-2019 budget amendments.** – Terry Baker made the motion to approve the 2018-19 budget amendments as presented. Richard Adsit seconded the motion which passed as follows: Yea: Strader, Porter, Adsit, Welch, Baker Nay: None.
- d. **Consideration, discussion and action to authorize staff to approve any and all further required budget amendments to close out the fiscal year 2018-2019 budget.** – Richard Adsit made the motion to approve any and all further required budget amendments to close out the fiscal year 2018-19 budget. Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- e. **Consideration, discussion and action on an operating agreement between the City of Yale and the Yale Senior Citizens Association.** – Richard Adsit made the motion to approve an operating agreement between the City of Yale and the Yale Senior Citizens Association. Terry Baker seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- f. **Consideration, discussion and action on an Interlocal Agreement between the City of Yale and Payne County.** – Brian Porter, Jr. made the motion to approve an Interlocal Agreement between the City of Yale and Payne County. Mike Strader seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- g. **Consideration, discussion and action regarding the public improvement bond for the Western View Heights Addition to the City of Yale.** – Sammy Reece spoke providing documentation of a \$225,00 maintenance bond for one year. Mr. McMillian explained that upon approval of the plat the contractor has to post a one-year bond. Richard Adsit made the motion to accept the public improvement bond as presented. Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.
- h. **Consideration, discussion and action regarding Lawson Cemetery platting.** – Mr. McMillian went over the platting of the new cemetery space. There were issues with deeds in some locations, Roger Gose is working to create maps for the platting. Terry Baker made the motion to table this item to the July 2019 regular meeting. Brian Porter Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.

9. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The department worked 40 cases and wrote 80 citations for the month of May. There was an arrest last night that ended with a window being kicked out of one of the police units. Other than that everything is going well.
- b. **Report from Fire Chief:** John Henckel reported for the fire department. There were 15 runs for the month of May including a water rescue. The ISO rating was raised to a 5 in error and will be changed back to a 4. The fireworks show is scheduled for the 4th of July in Jim Thorpe Park.
- c. **Report from Library Director:** The library has been busy since last month, we've signed up 9 new patrons since the last meeting, there is a movie planned, summer reading has started along with other programs scheduled. The library board is working on long-term goals, centennial planning is in the works and tickets for the Library Gala can be purchased next door.
- d. **Report from City Manager:** Highlighted key points in the new budget.
- e. **Report from City Attorney:** Had an inquiry from the manager with a question as to whether or not Yale residents are eligible for flood insurance. After talking to Mr. Gose the finding was Yale residents are eligible.

10. COMMISSIONER COMMENTS

- a. **Report from Commissioner Porter:** None
- b. **Report from Commissioner Strader:** When will highway 51 be mowed?
- c. **Report from Vice Mayor Adsit:** Where are we at on the B Street project? The tank at the pool, has it been corrected?
- d. **Report from Mayor Welch:** None
- e. **Report from Commissioner Baker:** None

Richard Adsit made the motion to recess the regular meeting of the Yale City Commission. Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was recessed at 7:36 p.m. on Tuesday, June 11, 2019.

Brian Porter, Jr. made the motion to reconvene the regular meeting of the Yale City Commission. Terry Baker seconded the motion which passed as follows: Yea: Porter, Strader, Adsit, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was reconvened at 7:49 p.m. on Tuesday, June 11, 2019.

11. 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 Interim City Manager Phillip Kelly.** – Terry Baker made the motion to enter into executive session, Richard Adsit seconded the motion which passed as follows: Yea: Porter, Adsit, Welch, Baker Nay: None. The meeting entered into executive session at 7:50 p.m.

Terry Baker made the motion to exit executive session, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Adsit, Welch, Baker Nay: None. The regular meeting of the Yale City Commission was reconvened at 8:06 p.m.

12. RETURN FROM EXECUTIVE SESSION

- a. **Possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of Interim of City Manager Phillip Kelly.** - There were no votes/no action taken in executive session.

- 13. ADJOURNMENT** – Brian Porter, Jr. made the motion to adjourn, Terry Baker seconded the motion which passed as follows: Yea: Porter, Adsit, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 8:07 p.m. on Tuesday June 11, 2019.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Clara Welch, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 7TH DAY OF JUNE 2019 AT 5:45 P.M. AT YALE CITY HALL.