

**MINUTES
YALE CITY COMMISSION
REGULAR MEETING
209 N. MAIN STREET, YALE, OKLAHOMA
SEPTEMBER 10, 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. by Mayor Clara Welch.
2. **ROLL CALL** – Those present were Brian Porter, Jr., Mike Strader, Jason Brown, Clara Welch and Terry Baker.
3. **CONSENT AGENDA** – Mike Strader made the motion to approve the consent agenda as presented, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.
 - a. **Approval of Minutes**
 - i. **Regular Meeting – August 13, 2019**
 - ii. **Special Meeting – August 16, 2019**
 - b. **Approval of Claims**
 - c. **Financial Statements**
4. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None
5. **PUBLIC HEARINGS**
 - a. **A Public Hearing to hear evidence and testimony to determine the property located at approximately 302 W. Boston Avenue and described as ORIG TOWN YALE BLK 6 LOTS 22-24, Yale, Oklahoma to be dilapidated and a detriment to the health, benefit or welfare of the public.** – Mayor Welch opened the public hearing at 6:31 p.m. Officer Ken Moore presented pictures of the property the day the abatement was served as well as present day pictures. He reported there are several inoperable cars as well as scrap piles, he stated progress had been made in the yard itself. Mr. Charles French spoke stating he was the landowner and he had retained legal counsel to represent him in this matter and requested a postponement. The public hearing closed at 6:34 p.m.
6. **PUBLIC APPEARANCES** - None
7. **RESOLUTIONS**
 - a. **Consideration, discussion and action on Resolution No. 5-2019 “A Resolution adopting amendments to the City of Yale Personnel Policy.”** – Mr. Kelly spoke about the policy and that it was a step toward our T-Set grant application. Ms. Couch spoke explaining the committee that had been established and goals that had been set. Brian Porter, Jr. made the motion to approve Resolution No. 05-2019, Jason Brown seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.
8. **ORDINANCES**
 - a. **Consideration, discussion and action on Ordinance No. 382 “AN ORDINANCE ADOPTING ARTICLE 4 OF CHAPTER 5 OF THE YALE CITY CODE TO PROVIDE FOR RETAIL MARIJUANA ESTABLISHMENTS, ESTABLISHING LICENSE AND PERMIT REQUIREMENTS RESTRICTING LOCATION, PROVIDING FOR CONDITIONS OF OPERATION, ESTABLISHING PERMITTED MARIJUANA FACILITIES INCLUDING COMMERCIAL MARIJUANA GROWING FACILITIES, WHOLESALE MARIJUANA FACILITIES, MARIJUANA STORAGE FACILITIES, AND MARIJUANA GROWING FOR PERSONAL USE FACILITIES, ESTABLISHING FEES, ESTABLISHING PERMITS AND PERMIT PROCESS FOR PERMITTED MARIJUANA FACILITIES, PROVIDING FOR REPEALER AND SEVERABILITY AND DECLARING AN EMERGENCY.”** – Mr.

McMillian spoke concerning the proposed ordinance and the need to have an ordinance approved. Zoning laws cannot be changed to prohibit sales, the proposed ordinance has been reviewed and given the "ok" by the general counsel for the Oklahoma Municipal League. Mr. McMillian advised of three options, if there is nothing passed by city ordinance then state statutes would be in place, the proposed ordinance could be adopted, or the board could defer to a later date. Terry Baker made the motion to adopt Ordinance No. 382, Clara Welch seconded the motion which failed as follows: Yea: Welch Nay: Porter, Strader, Brown, Baker

- b. **Consideration, discussion and action to declare an emergency on Ordinance No. 382.** – No action needed.

9. GENERAL ORDERS

- a. **Consideration, discussion and action on the surplus of a 2009 Ford Crown Victoria Police Unit VIN# 2FAHP71V09X110648, 2003 Ford F-150 Utility Vehicle VIN# 3FTNF2OL63MB44390 and an Aluminum pickup bed/animal control cage 8' 3" in length, 6' 5" wide and 44" tall.** – Chief Kelly went over the items to be surplus. Brian Porter, Jr. made the motion to surplus the 2009 Ford Crown Victoria Police Unit and the 2003 Ford F-150 Utility Vehicle only with a minimum bid of \$100 on each. Mike Strader seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.
- a. **Consideration, discussion and action to declare the property addressed at 302 W. Boston Avenue as dilapidated and a detriment to the health, benefit or welfare of the public.** – Brian Porter, Jr. made the motion to table the item to the next regular meeting, Jason Brown seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Baker Nay: Welch.
- b. **Consideration, discussion and action on the property located at 102 S. Main Street, Yale, Oklahoma.** – Larry Brown reported their contractor is having trouble getting the equipment needed but as soon as they have a trackhoe in place the building is ready to come down. Terry Baker made the motion to table the item to the next regular meeting, Brian Porter, Jr. seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.
- c. **Consideration, discussion and action on the property located at 116 N. C Street, Yale, Oklahoma.** – Staff reported that the property had been sold since the original abatement and it was being cleaned up. Brian Porter, Jr. made the motion to table the item to the next regular meeting, Jason Brown seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.
- d. **Consideration, discussion and action to authorize the following changes on the City of Yale American Heritage Bank accounts.** – Mike Strader made the motion to authorize the proposed changes on the City of Yale American Heritage Bank accounts. Jason Brown seconded the motion which passed as follows: Yea: Strader, Brown, Welch, Baker Abstain: Porter.
 - i. **Remove Richard Adsit, Mayor**
 - ii. **Remove Clara Welch, Vice-Mayor**
 - iii. **Remove Terry Baker, Commissioner**
 - iv. **Add Clara Welch, Mayor**
 - v. **Add Terry Baker, Vice-Mayor**
 - vi. **Add Phillip Kelly, Interim City Manager**
 - vii. **Authorized signers will be: Deanna Couch, City Clerk; Tim Campbell, Asst. Trust Manager, Clara Welch, Mayor, Terry Baker, Vice-Mayor and Phillip Kelly, Interim City Manager.**

10. MISCELLANEOUS

- a. **Consideration, discussion and action regarding the purchase of a self-standing animated panel tree.** – Brian Porter, Jr. made the motion to table this item subject to call, Jason Brown seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.

11. REPORTS FROM OFFICERS

- a. **Report from Police Chief:** The department worked 39 cases and wrote 109 citations for the month of August. The department was involved in a jury trial in Payne County this month that was successful in receiving a guilty verdict. The police department is now an official certified safe place.
- b. **Report from Fire Chief:** The department had 15 runs for the month of August, there were 50 smoke detectors that were given out and installed by the fire department. October 11th is fire prevention day at Yale Schools. The department will participate in Fire Fighter games on October 6th in Pawnee. It will be a family day with several activities available. Currently repairs on being made on the tanker as well as 915. Gear is being ordered and the department is getting ready for fire season.
- c. **Report from Library Director:** Pleased the police department is a safe place as the library has been certified for several years. A walk down memory lane is scheduled for September 12th at 6:30 p.m. It should be a fun community event.
- d. **Report from City Manager:** We are currently getting bids on replacing the roof for the Police Department, City Hall and the Library. We've had it patched several times and it's just not holding. On 9/11 flags will be at half mast, the senior citizens center will be painted on September 13th. Ken Moore has been appointed as our new School Resource Officer. The car show will be held in conjunction with the music festival on October 19th.
- e. **Report from City Attorney:** 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.

12. COMMISSIONER COMMENTS

- a. **Report from Commissioner Porter:** The approach and Dale and Beaumont needs to be addressed and the school zone signs are faded. Commend the fire department on the installation of the smoke detectors.
- b. **Report from Commissioner Strader:** 5th Street and H Street are both totally washed out. The drain at the entrance of Western Heights is breaking down.
- c. **Report from Commissioner Brown:** 5th, 6th and 8th Streets need to have drainage addressed before money is spent to fix the roads. B Street and E. Charleston the ground work was not finished from where the fire hydrants were installed. Wish Officer Moore good luck in his new position.
- d. **Report from Mayor Welch:** No comment
- e. **Report from Commissioner Baker:** No comment

13. 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 executive session, Jason Brown seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None. The meeting entered into executive session at 7:30 p.m.

Terry Baker made the motion to exit executive session, Mike Strader. seconded the motion which passed as follows: Yea: Porter, Strader, Welch, Baker Nay: None. The regular meeting of the Yale City Commission was reconvened at 7:53 p.m.

b.

14. RETURN FROM EXECUTIVE SESSION

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

15. **ADJOURNMENT** – Terry Baker made the motion to adjourn, Clara Welch seconded the motion which passed as follows: Yea: Porter, Strader, Brown, Welch, Baker Nay: None.

The regular meeting of the Yale City Commission was adjourned at 7:54 p.m. on Tuesday September 10, 2019.

Signed: _____
Deanna Couch, City Clerk

Signed: _____
Clara Welch, Mayor

NOTICE OF THIS MEETING WAS POSTED THE 6TH DAY OF SEPTEMBER 2019 AT 6:30 P.M. AT YALE CITY HALL.