

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, NOVEMBER 7TH, 2023 AT 6:00 P.M.**

The City Council of the City of Pryor Creek, Oklahoma met in regular session on the above date and time in the Council Chamber upstairs at City Hall, 12 North Rowe Street in Pryor Creek, Oklahoma. This meeting was followed immediately by a meeting of the Pryor Public Works Authority. Notice of these meetings was posted on the East bulletin board located outside to the South of the entrance doors and the City website at www.pryorcreek.org. Notice was also emailed to The Paper newspaper and emailed to the Council members.

1. CALL TO ORDER, PRAYER, PLEDGE OF ALLEGIANCE, ROLL CALL.

Mayor Doyle called the meeting to order at 6:00 p.m. The Prayer and Pledge of Allegiance were led by Chris Gonthier. Roll Call was conducted by City Clerk Courtney Davis. Council members present included: Terry Lamar, Choya Shropshire, Travis Mileur, Randy Chitwood, Charles Tramel, Chris Gonthier and Bruce Smith. Members absent: Dennis Nance.

Department Heads and other City Officials present: Chase McBride, Jeremy Cantrell, Justin Couch, Kevin Tramel, Becki Sams-Benham, Cari Rerat, Buddy Glenn and Johnny Janzen.

Others present: Lori Bradshaw, Ross Armontrout, Kenny Bennett, Justin Allen, Mitchel Phillips, Devon Shatswell, Billy Frazier, Paige Lamar, Russell Gartner, Nena Roberts, Gilbert Graybill, Autumn Graybill, Phyllis Lewellen, Jennie LaFave and Becky Orange.

2. PETITIONS FROM THE AUDIENCE:

(Limited to 5 minutes, must request in advance.)

Kenny Bennett petitioned Council to allow the Police Department to resume hiring needed staff. He stated that the department is in need of additional manpower to handle the growing demands of the City, but is already short staffed for the current workload due to the hiring freeze.

Mayor moved to the Mayor's Report.

4. MAYOR'S REPORT

(These are items possibly requiring discussion and action.)

a. Discussion and possible action regarding the resignation of Ward 2 City Council Member Dennis Nance, effective November 7th, 2023, term expiring May 2025.

Motion was made by Shropshire, second by Chitwood to accept the resignation of Ward 2 City Council Member Dennis Nance, effective November 7th, 2023, term expiring May 2025. Mayor Doyle thanked Nance for his time serving on the Council. Voting yes: Lamar, Shropshire, Mileur, Chitwood, Tramel, Gonthier and Smith. Voting no: none.

b. Discussion and possible action regarding the Mayor's nomination of Lori Bradshaw for the open Ward 2 City Council seat, term ending May 2025.

Motion was made by Shropshire, second by Lamar to accept the Mayor's nomination of Lori Bradshaw for the open Ward 2 City Council seat, term ending May 2025. Voting yes: Shropshire, Mileur, Chitwood, Tramel, Smith and Lamar. Abstaining, counting as a no vote: Gonthier. Voting no: none.

c. Swearing in of Lori Bradshaw to Ward 2 Council Seat term expiring May 2025 replacing Dennis Nance.

No action. Mayor Doyle administered the oaths to Lori Bradshaw.

Mayor moved to the City Attorney's Report.

5. CITY ATTORNEY’S REPORT:

a. PUBLIC HEARING

a1. Enter Public Hearing

Butler Homes requesting: Removing temporary restriction from Plat (Ragsdale Addition) and not requiring extension of the public dedicated street frontage: “LOT 10 SHALL BE HELD OUT OF THE MARKET TO PROVIDE TEMPORARY EMERGENCY ACCESS TO S COO-Y-YAH ST THROUGH A GATED SYSTEM.”

Lot 10 Block 1 Ragsdale Addition (525 S Dawn)

Motion was made by Chitwood, second by Gonthier to enter Public Hearing. Motion was amended by Chitwood, second by Gonthier to enter Public Hearing and waive the reading. Voting yes: Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

a2. Exit Public Hearing

Motion was made by Chitwood, second by Gonthier to exit Public Hearing. Voting yes: Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

b. Discussion and possible action regarding the removal of the temporary restriction from Plat and not requiring extension of the public dedicated street frontage: “LOT 10 SHALL BE HELD OUT OF THE MARKET TO PROVIDE TEMPORARY EMERGENCY ACCESS TO S COO Y YAH ST THROUGH A GATED SYSTEM.”

Motion was made by Gonthier, second by Chitwood to approve the removal of the temporary restriction from Plat and not requiring extension of the public dedicated street frontage: “LOT 10 SHALL BE HELD OUT OF THE MARKET TO PROVIDE TEMPORARY EMERGENCY ACCESS TO S COO Y YAH ST THROUGH A GATED SYSTEM.” Voting yes: Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Mileur. Voting no: none.

c. PUBLIC HEARING:

c1. Enter Public Hearing:

Tyler Ragsdale: Requesting zoning change from CAR (Commercial Automotive Recreational) back to AG (Agricultural) to build a house on this lot which would also require a variance due to the size and setback for the house.

2309 NE 1st

Motion was made by Gonthier, second by Chitwood to enter Public Hearing. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur and Chitwood. Voting no: none.

c2. Exit Public Hearing

Motion was made by Gonthier, second by Chitwood to exit Public Hearing. Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur, Chitwood and Tramel. Voting no: none.

d. Discussion and possible action regarding the request of the zoning change from CAR (Commercial Automotive Recreational) back to AG (Agricultural) for: Tyler Ragsdale: 2309 NE 1st.

Motion was made by Gonthier, second by Chitwood to approve the request of the zoning change from CAR (Commercial Automotive Recreational) back to AG (Agricultural) for: Tyler Ragsdale: 2309 NE 1st. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Tramel and Gonthier. Voting no: none.

e. PUBLIC HEARING

e1. Enter Public Hearing

Applicant: John Rogers for WBPryorOK, LLC submitted a preliminary Plat for property in the City of Pryor:

Proposed Lot #1 A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4 NE/4) AND A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (SE/4 NW/4 NE/4) ALL IN SECTION 36, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MAYES COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 90°00'00" WEST, 1,164.76 FEET; THENCE SOUTH 00°00'00" WEST, 896.88 FEET; THENCE SOUTH 01°36'12" EAST, 217.60 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°36'12" EAST, 235.67 FEET; THENCE SOUTH 88°26'22" WEST, 427.81 FEET; THENCE NORTH 26°32'12" EAST, 59.98 FEET; THENCE NORTH 07°17'07" EAST, 185.70 FEET; THENCE NORTH 88°33'14" EAST, 234.81 FEET; THENCE NORTH 88°33'14" EAST, 136.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.12 ACRES, MORE OR LESS

Proposed Lot #2 A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (SW/4 NE/4 NE/4) IN SECTION 36, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MAYES COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE SOUTH 90°00'00" WEST, 1,164.76 FEET; THENCE SOUTH 00°00'00" WEST, 896.88 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°36'12" EAST, 217.60 FEET; THENCE SOUTH 88°33'14" WEST 136.02 FEET; THENCE NORTH 01°35'11" WEST, 217.31 FEET; THENCE NORTH 88°25'53" EAST, 135.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.68 ACRES, MORE OR LESS.

Motion was made by Gonthier, second by Chitwood to enter Public Hearing. Motion was amended to enter Public Hearing and waive the reading. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Tramel, Gonthier and Smith. Voting no: none.

e2. Exit Public Hearing

Motion was made by Gonthier, second by Chitwood to exit Public Hearing. Voting yes: Shropshire, Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith and Lamar. Voting no: none.

f. Discussion and possible action regarding the preliminary Plat for the properties as listed in the legal descriptions above.

Motion was made by Chitwood, second by Gonthier to approve the preliminary Plat for the properties as listed in the legal descriptions above. Voting yes: Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

Mayor moved back to the Consent Agenda.

3. DISCUSSION AND POSSIBLE ACTION ON CONSENT AGENDA.

(Consent items are to be voted on for approval or denial by one single motion without discussion. Any Council member wishing to discuss an item may request it be removed and placed on the regular agenda. Only those items removed will be read aloud.)

- a. Approve minutes of the October 17th, 2023 Council meeting.
- b. Approve payroll purchase orders through November 10th, 2023.
- c. Approve claims for purchase orders through November 7th, 2023.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	2320231032-911376B	\$72,468.51
STREET & DRAINAGE	911419B-2320231164	\$285,537.50
GOLF COURSE	2320231059-2320231067	\$26,433.15
CAPITAL OUTLAY	2320230775-911405B	\$13,572.82
REAL PROPERTY ACQUISITION RES.	2320231079	\$1,225.00
RECREATION CENTER	2320231031-2320231161	\$34,873.50
E-911 CASH FUND	2320231030	\$426.98
DONATIONS AND EARMARKED	2320231111	\$1,800.00
EDTA	2320231166	\$5,000.00
TOTAL		\$441,337.46

d. Approve Appropriations for August 2023.

August 2023		
COVID	\$	690.59
FLEX SPEND PLAN	\$	32.51
FEE IN LIEU	\$	68.18
STREET & DRAINAGE IMPROV. SALE	\$	174,755.55
CEMETERY CARE INTEREST	\$	145.79
CEMETERY CARE FUND	\$	550.00
GOLF COURSE CASH	\$	75,266.17
CAPITAL OUTLAY/CAPITAL IMPROVE	\$	58,572.17
CAPITAL OUTLAY RESERVE FUND	\$	1,633.82

REAL PROPERTY ACQUISITION RES.	\$	327.86
POLICE TRAINING FEES	\$	54.07
MAIN STREET BOND ACCOUNT	\$	13,155.17
HOTEL/MOTEL TAX	\$	2,876.45
2019 BOND PROJECT	\$	-
LIBRARY BUILDING FUND	\$	297.53
RECREATION CENTER-CASH FUND	\$	96,332.18
PPWA SINKING FUNDS	\$	115,969.61
PPWA BOND PROCEEDS	\$	1,170.59
E-911	\$	1,015.71
LIBRARY SPECIAL	\$	104.20
SEIZURES-POLICE DEPARTMENT	\$	-
DONATIONS	\$	726.50
COMMUNITY DEVELOPMENT BLOCK GRANT	\$	-
EDTA	\$	1,409.68
TOTAL	\$	545,154.33

- e. Approve an expenditure in the amount of \$3,035.75 to CivicPlus to be paid from General Outside Services - Other Account #02-201-5075 for the annual renewal of website services.
- f. Approve an expenditure in the amount of \$4,183.67 to Agriland FS, Inc. for 1,009.5 gallons #2 Ultra LS Clear Diesel and related charges for the Emergency Services Center fuel tank from Fire Gas and Oil Account #02-217-5102.
- g. Approve an expenditure in the amount of \$5,556.62 to Agriland FS, Inc. for 1,846.3 gallons of Unleaded Gasoline and related charges for the Emergency Services Center fuel tank from Police Gas and Oil Account #02-215-5102.
- h. Approve closure of East Graham Avenue from Cherokee Street to Adair Street on December 9th, 2023, for the Pryor Creek Annual Christmas Parade of Lights from 5:00 p.m. until 10:00 p.m.
- i. Approve closure of East Graham Avenue from Coo-Y-Yah Street to Hogan Street on November 16th, 2023, for the Light Up Pryor event from 4:00 p.m. until 8:30 p.m.
- j. Approve accepting a bid from Key Maintenance for Salt Branch South Tributary Ditch Repair in the amount of \$233,250.00 to be paid from Street & Drainage Improvement Sale Account #14-145-5092. No other bids received.
- k. Approve Street Department filling a budgeted A Operator position vacated in June 2023.
- l. Approve Street Department to promote Matthew Bryant from B Operator (Range C, Step 2) to A Operator (Range D, Step 2).
- m. Approve the 2024 City of Pryor Creek / Municipal Utility Board Holiday Calendar.
- n. Approve the 2024 City Council meeting schedule.
- o. Acknowledge 2024 Municipal Utility Board meeting schedule.
- p. Approve the 2024 EDTA meeting schedule.
- q. Approve the 2024 Park Board meeting schedule.
- r. Approve the 2024 Street Committee meeting schedule.
- s. Approve the 2024 Planning and Zoning Commission meeting schedule.
- t. Approve the 2024 Library Board meeting schedule.
- u. Acknowledge receipt of COPS Hiring Program grant from the Department of Justice in the amount of \$125,000.00 to fund the salary of a Police Officer in the Narcotics Division for three years. Grant funds will be deposited and expended from Police - COPS Hiring Program Grant Account #02-215-5017.
- v. Approve the City Clerk to transfer \$1,478.15 from Police Lightbar Donations Account #96-965-5528 to Police Drug Forfeitures 2020 Donations Account #96-965-5555 due to a scrivener's error on Purchase Order #2320230806 to Visual Force, Inc.
- w. Approve accepting Mayor's nomination of Lori Bradshaw to fill the Budget and Personnel Committee seat vacated by the resignation of Dennis Nance.

Motion was made by Gonthier, second by Chitwood to approve the consent agenda less items a, b, j, m, u and w. Voting yes: Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

3a. Approve minutes of the October 17th, 2023 Council meeting.

Motion was made by Gonthier, second by Chitwood to approve minutes of the October 17th, 2023 Council meeting. Voting yes: Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire and Mileur. Abstaining, counting as a no vote: Bradshaw. Voting no: none.

3b. Approve payroll purchase orders through November 10th, 2023.

Motion was made by Chitwood, second by Gonthier to approve payroll purchase orders through November 10th, 2023. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur and Chitwood. Voting no: none.

3j. Approve accepting a bid from Key Maintenance for Salt Branch South Tributary Ditch Repair in the amount of \$233,250.00 to be paid from Street & Drainage Improvement Sale Account #14-145-5092. No other bids received.

Motion was made by Chitwood, second by Gonthier to approve accepting a bid from Key Maintenance for Salt Branch South Tributary Ditch Repair in the amount of \$233,250.00 to be paid from Street & Drainage Improvement Sale Account #14-145-5092. No other bids received. Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur, Chitwood and Tramel. Voting no: none.

3m. Approve the 2024 City of Pryor Creek / Municipal Utility Board Holiday Calendar.

Motion was made by Shropshire, second by Chitwood to approve the 2024 City of Pryor Creek / Municipal Utility Board Holiday Calendar. Motion was amended by Shropshire, second by Chitwood to remove July 5th from the 2024 City of Pryor Creek / Municipal Utility Board Holiday Calendar. Voting yes: Lamar, Shropshire, Bradshaw and Mileur. Abstaining, counting as a no vote: Chitwood. Voting no: Smith, Tramel and Gonthier. Mayor Doyle voted yes to break the tie.

3u. Acknowledge receipt of COPS Hiring Program grant from the Department of Justice in the amount of \$125,000.00 to fund the salary of a Police Officer in the Narcotics Division for three years. Grant funds will be deposited and expended from Police - COPS Hiring Program Grant Account #02-215-5017.

Motion was made by Shropshire, second by Mileur to acknowledge receipt of COPS Hiring Program grant from the Department of Justice in the amount of \$125,000.00 to fund the salary of a Police Officer in the Narcotics Division for three years. Grant funds will be deposited and expended from Police - COPS Hiring Program Grant Account #02-215-5017. Motion amended by Shropshire, second by Mileur to remove “in the Narcotics Division”. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Tramel, Gonthier and Smith. Voting no: none.

3w. Approve accepting Mayor’s nomination of Lori Bradshaw to fill the Budget and Personnel Committee seat vacated by the resignation of Dennis Nance.

Motion was made by Shropshire, second by Mileur to approve accepting Mayor’s nomination of Lori Bradshaw to fill the Budget and Personnel Committee seat vacated by the resignation of Dennis Nance. Voting yes: Shropshire, Mileur, Chitwood, Tramel and Smith. Abstaining, counting as a no vote: Bradshaw and Gonthier. Voting no: none.

4. MAYOR’S REPORT

(These are items possibly requiring discussion and action.)

d. Discussion and possible action to allow the Police Chief to start accepting applications to backfill two of the five budgeted police officer positions.

Motion was made by Chitwood, second by Shropshire to approve the Police Chief to start accepting applications to backfill two of the five budgeted police officer positions. Motion was amended by Chitwood, second by Shropshire to remove “backfill two of the five”. Voting yes: Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

e. Discussion and possible action regarding adding fuel tanks to Park and Cemetery Department properties.

Motion was made by Gonthier, second by Chitwood to approve adding fuel tanks to Park and Cemetery Department properties. Voting yes: Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

5. CITY ATTORNEY'S REPORT:

j. First reading of an Ordinance pertaining to the use of Automated License Plate Readers.

Motion was made by Shropshire, second by Mileur to send the Ordinance pertaining to the use of Automated License Plate Readers back to the Ordinance and Insurance Committee. Voting yes: Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Mileur. Voting no: none.

k. Second and final reading of an Ordinance amending the Pryor Creek Unified Development Ordinances to include an additional rear setback for accessory buildings and outbuildings.

Motion was made by Gonthier, second by Chitwood to waive the second reading of an Ordinance amending the Pryor Creek Unified Development Ordinances to include an additional rear setback for accessory buildings and outbuildings. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur and Chitwood. Voting no: none.

Mayor moved to the Addendum.

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 7TH, 2023 AT 6:00 P.M.**

A1. First reading of an ordinance amending 1-6-5 Personnel Board. Redesignating the term lengths of the Personnel Board.

No action.

Mayor moved back to the regular agenda.

5. CITY ATTORNEY'S REPORT:

g. Possible Executive Session pursuant to the Oklahoma Open Meeting Act for the purpose of discussing the Grievance between the F.O.P. Lodge #116 and the City of Pryor Creek. (25 O.S. 307 (B) (4)).

Motion was made by Chitwood, second by Shropshire to enter Executive Session pursuant to the Oklahoma Open Meeting Act for the purpose of discussing the Grievance between the F.O.P. Lodge #116 and the City of Pryor Creek. (25 O.S. 307 (B) (4)). Voting yes: Smith, Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Tramel and Gonthier. Voting no: none.

h. Consider resuming Regular Session. No action taken during Executive Session.

Motion was made by Gonthier, second by Chitwood to exit Executive Session at 8:34 p.m. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Tramel, Gonthier and Smith. Voting no: none.

i. Discussion and possible action based on Executive Session concerning the Grievance between the F.O.P. Lodge #116 and the City of Pryor Creek. (25 O.S. 307 (B) (4)).

Motion was made by Shropshire, second by Chitwood to approve the Grievance between the F.O.P. Lodge #116 and the City of Pryor Creek. (25 O.S. 307 (B) (4)). Motion was amended by Shropshire, second by Chitwood to deny the Grievance. Voting yes: Shropshire, Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith and Lamar. Voting no: none.

Mayor moved back to the regular agenda.

6. COMMITTEE REPORTS:

(Items, such as next meeting date, needing to be reported. No open discussions. Any items requiring discussion are to be added to the Mayor's report prior to posting of agenda.)

a. Budget and Personnel

Shropshire reported that the next meeting will be Tuesday, November 14th.

b. Ordinance and Insurance

Gonthier reported that there will be a meeting soon, date to be determined.

c. Street

Mileur reported that the next meeting will be Tuesday, November 28th.

7. UNFORESEEABLE BUSINESS.

(ANY MATTER NOT REASONABLY FORESEEN PRIOR TO POSTING OF AGENDA.)

There was no unforeseeable business.

8. ADJOURN.

Motion was made by Chitwood, second by Gonthier to adjourn. Voting yes: Bradshaw, Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 8:38 p.m.

2. APPROVE MINUTES OF OCTOBER 17TH, 2023 MEETING.

Motion was made by Chitwood, second by Gonthier to approve the minutes of the October 17th, 2023 meeting. Voting yes: Mileur, Chitwood, Tramel, Gonthier, Smith, Lamar and Shropshire. Abstaining, counting as a no vote: Bradshaw. Voting no: none.

3. UNFORESEEABLE BUSINESS.

(ANY MATTER NOT REASONABLY FORESEEN PRIOR TO POSTING OF AGENDA.)

There was no unforeseeable business.

4. ADJOURN.

Motion was made by Chitwood, second by Mileur to adjourn at 8:39 p.m. Voting yes: Chitwood, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Mileur. Voting no: none.

MINUTES APPROVED BY MAYOR / P.P.W.A. CHAIRMAN ZAC DOYLE

MINUTES WRITTEN BY CITY CLERK COURTNEY DAVIS
