

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, OCTOBER 20TH, 2015 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* and *The Times* newspapers and emailed to the Council members.

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

Mayor Jimmy Tramel called the meeting to order at 6:00 p.m. The Prayer and the Pledge of Allegiance were conducted by Mayor Tramel. Roll call was conducted by City Clerk Eva Smith. Council members present included: Roger Willcutt, Cheryl White, Yolanda Thompson, Houston Brittain, Greg Rosamond, Randy Chitwood and Drew Stott. Council members absent: Ryan Rains.

Department Heads and other City Officials present: City Attorney K. Ellis Ritchie, Police Chief Steve Lemmings, Assistant Fire Chief B.K. Young, Park Superintendent Frank Powell, Assistant Street Superintendent Buddy Glenn, Library Director Cari Rerat, Building Inspector/ Code Enforcement Officer Doug Moore, Pryor Creek Recreation Center Director Laura Holloway.

Others: Library Board Chairman Jeanette Anderson, Municipal Utility Board General Manager Gary Pruett, Municipal Utility Board Assistant General Manager Jared Crisp, Firefighters Tim Bonea and Kenny Cooper, Pryor Rental Owner Dwayne Willis, Dennis Nichols, Courtside Benefits Representatives Kurt Schultz and Lisa Robertson, Gary Musgrave, Board of Adjustment Member Connie Musgrave, Volunteer Firefighter Kenneth Young, Dillion Hamil, Donna Bowman.

**2. PETITIONS FROM THE AUDIENCE.
(LIMITED TO 5 MINUTES)**

Library Director Cari Rerat invited everyone to Open House at the Library on October 22nd, 2015 from 5 – 7 p.m.

3. MAYOR'S REPORT:

Mayor Tramel recognized the Pryor High School Tiger Softball Team as 2015 State Runner-up. He also invited everyone to the Disabled Veterans Chili Dinner at the Mayes County Fairgrounds on October 22nd, 2015 from 4 – 7 p.m.

- a. RECOGNIZE A 1.72 MILE MARCH THROUGH THE CITY OF PRYOR CREEK FOR DRUNKEN DRIVER AWARENESS IN MEMORY OF KENDRA GONZALEZ WHO DIED FROM AN ACCIDENT IN 2015 INVOLVING A DRUNK DRIVER. THE MARCH IS TENTATIVELY SCHEDULED FOR NOVEMBER 7TH, 2015 AT 10:00 A.M. FROM THE MAYES COUNTY COURTHOUSE.**

Mayor Tramel recognized the 1.72 Mile March through the City of Pryor Creek for Drunken Driver Awareness in memory of Kendra Gonzalez who died from an accident in 2015 involving a drunk driver. He stated the City would spread the word through the pryorcreek.org website.

4. CITY ATTORNEY'S REPORT:

- a. SECOND AND FINAL READING, DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE CLOSING THE EASEMENT DESCRIBED AS FOLLOWS: A STRIP OF LAND SITUATED IN LOT 3 OF THE FAIRLAND ADDITION TO THE CITY OF PRYOR CREEK, MAYES COUNTY, OKLAHOMA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: THE SOUTH 10.0 FEET OF THE NORTH 76.0 FEET OF THE WEST 175.0 FEET AND THE WEST 10.0 FEET OF THE SOUTH 62.0 FEET OF SAID LOT 3.**

Motion was made by Chitwood, second by Willcutt to approve and waive reading of *Ordinance # 2015 – 16* Closing the Easement described as follows: A strip of land situated in Lot 3 of the FAIRLAND ADDITION to the City of PRYOR CREEK, Mayes County, Oklahoma, and more

particularly described as follows, to-wit: The South 10.0 Feet of the North 76.0 Feet of the West 175.0 Feet AND the West 10.0 Feet of the South 62.0 Feet of said Lot 3. Voting yes: Willcutt, White, Thompson, Brittain, Rosamond, Chitwood, Stott. Voting no: none.

b. FIRST READING AND DISCUSSION OF AN ORDINANCE AMENDING PRYOR CREEK CITY CODE SECTION 10-4-1 REGARDING DEFINITIONS PROVIDING FOR INCLUSION OF DEFINITIONS OF "TRANSITIONAL LIVING FACILITY" AND "HALFWAY HOUSE".

There was no action on this item.

c. FIRST READING AND DISCUSSION OF AN ORDINANCE AMENDING PRYOR CREEK CITY CODE TITLE 10 ADDING NEW SECTION 10-13-10 REGARDING "TRANSITIONAL LIVING FACILITIES" AND "HALFWAY HOUSES".

There was no action on this item.

5. PUBLIC HEARING ON A REZONING APPLICATION PRESENTED BY DWAYNE WILLIS WHO IS REQUESTING A ZONING CHANGE FOR THE UNDEVELOPED PROPERTY A.K.A. 427 NORTH MAPLE STREET, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST 10.67 ACRES OF LOT 3; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 681.04 FEET; THENCE EAST, A DISTANCE OF 44.00 FEET; THENCE S14°E, A DISTANCE OF 54 FEET; THENCE S31°30'E, A DISTANCE OF 50 FEET; THENCE S36°30'E, A DISTANCE OF 50 FEET; THENCE S46°30'E, A DISTANCE OF 50 FEET; THENCE S51°30'E, A DISTANCE OF 50 FEET; THENCE S73°E, A DISTANCE OF 155 FEET, TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 2, MCLAIN ADDITION TO PRYOR CREEK, WHICH IS 25 FEET NORTHWESTERLY FROM THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N16°23'E, AND PARALLEL WITH THE EASTERLY LINE OF SAID BLOCK 2, MCLAIN ADDITION, A DISTANCE OF 150 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID ADDITION; THENCE N16°23'E, A DISTANCE OF 194.5 FEET; THENCE N58°46'E, A DISTANCE OF 76 FEET; THENCE N75°26'E, A DISTANCE OF 212 FEET, TO A POINT ON THE EAST LINE OF SAID SOUTHWEST 10.67 ACRES OF SAID LOT 3, OF SECTION 7; THENCE NORTH, A DISTANCE OF 500 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 10.67 ACRES OF LOT 3; THENCE N89°40'W, A DISTANCE OF 703.78 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THE SOUTH 130 FEET OF THE NORTH 155 FEET OF THE WEST 200 FEET OF THE SOUTHWEST 10.67 ACRES OF U.S. GOVERNMENT LOT 3.

THE PRESENT ZONING DESIGNATION FOR THIS PROPERTY IS C-A/R, AUTOMOTIVE AND COMMERCIAL RECREATIONAL DISTRICT. THE PROPERTY OWNER HAS APPLIED FOR A REZONING OF THIS PROPERTY TO I-H, HEAVY INDUSTRIAL DISTRICT.

Motion was made by Chitwood, second by Brittain to enter public hearing and waive the reading. Voting yes: White, Thompson, Brittain, Rosamond, Chitwood, Stott, Willcutt. Voting no: none.

Motion was made by Chitwood, second by White to exit public hearing and resume regular session. Voting yes: Thompson, Brittain, Rosamond, Chitwood, Stott, Willcutt, White. Voting no: none.

6. DISCUSS, POSSIBLY ACT ON RE-ZONING REQUEST PRESENTED BY DWAYNE WILLIS FOR THE ABOVE DESCRIBED PROPERTY.

Motion was made by Chitwood, second by Brittain to deny the re-zoning request presented by Dwayne Willis for the above described property. Voting yes: Brittain, Rosamond, Chitwood, Stott, White, Thompson. Voting no: Willcutt.

**ADDENDUM
CITY COUNCIL MEETING**

TUESDAY, OCTOBER 20TH, 2015 AT 6:00 P.M.

1. REPORT BY CITY ATTORNEY ON STATUS OF NUISANCE ABATEMENT FOR 309 SE 14TH STREET, PRYOR CREEK, OK 74361 (CAROLYN WOMACK).

A Report was given by the City Attorney K. Ellis Ritchie recommending a 6 month extension.

Gary and Connie Musgrave spoke and discussed that the electricity has been turned back on and would like to make sure the holes in the structure are secure.

2. DISCUSS, POSSIBLY ACT ON APPROVAL OF EXTENSION OF ABATEMENT PERIOD FOR 309 SE 14TH STREET, PRYOR CREEK, OK 74361 (CAROLYN WOMACK).

Motion was made by Stott, second by Chitwood to approve of an extension for 6 months to the property owner. Voting yes: Chitwood, Stott. Voting no: Rosamond, Willcutt, White, Thompson, Brittain. The Motion failed.

Motion was made by Rosamond, second by White to give the property owner 30 days to clear up any exterior deficiencies such as holes in exterior siding and broken windows and 6 months to abate the remaining nuisances. Voting yes: Chitwood, Willcutt, White, Thompson, Brittain, Rosamond. Voting no: Stott.

7. DISCUSS, POSSIBLY ACT ON CONSENT AGENDA.

(ITEMS DEEMED NON-CONTROVERSIAL AND ROUTINE IN NATURE TO BE APPROVED BY ONE MOTION WITHOUT DISCUSSION. ANY COUNCIL MEMBER WISHING TO DISCUSS AN ITEM MAY REQUEST IT BE REMOVED AND PLACED ON THE REGULAR AGENDA.)

- a. Approve minutes of October 6th, 2015 Council meeting.
- b. Approve payroll purchase orders through October 23rd, 2015.
- c. Approve claims for purchase orders through October 20th, 2015.

APPROVE PURCHASE ORDERS THROUGH OCTOBER 20th, 2015.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	1520150873 - 910718B	\$ 121,776.98
STREET & DRAINAGE	910641B - 1520150880	8,216.96
GOLF	1520150891 - 1520150817	6,394.44
CAPITAL OUTLAY	910607B - 1520150906	77,677.55
RECREATION CENTER	1520150869 - 1520150927	4,012.73
P.P.W.A	1520150878	1,600.00
E-911 CASH	1520150912 - 1520150913	501.77
DONATIONS	1520150939 - 1520150679	\$ <u>1,101.18</u>
	TOTAL	\$ 221,281.61

NEW BLANKET PURCHASE ORDERS

910720B	INFRASTRUCTURE SOLUTIONS	\$ 55,215.00
910721B	DEWBERRY ENGINEERS, INC	19,900.00
910722B	INFRASTRUCTURE SOLUTIONS	\$ <u>5,600.00</u>
	TOTAL	\$ 80,715.00

- d. Acknowledge receipt of deficient purchase orders.
There were no deficient purchase orders presented.
- e. Approve September Appropriations Request.

SEPTEMBER

FEE IN LIEU	\$ 20.95
STREET & DRAINAGE	\$ 122,770.51
CEMETERY CARE INTEREST	\$ 31.87
CEMETERY CARE FUND	\$ 975.00
GOLF COURSE CASH FUND	\$ 38,452.85
CAPITAL OUTLAY FUND	\$ 39,927.95
CAPITAL OUTLAY RESERVE	\$ 756.47
REAL PROPERTY ACQUISITION	\$ 145.15
HOTEL/MOTEL TAX	\$ 6,239.18
LIBRARY BUILDING FUND	\$ 4.33
GOB 2002-RECREATION CENT	\$ -
PPWA BOND PROCEEDS (86)	\$ -
PPWA SINKING FUNDS	\$ 88,661.35
PPWA BOND PROCEEDS (88)	\$ 2,738.89
RECREATION CENTER-CASH FUND	\$ 73,900.46
E-911	\$ 2,183.56
LIBRARY SPECIAL	\$ 691.28
SEIZURES	\$ 5.87
DONATIONS	\$ 2,711.05
COMMUNITY DEVELOPMENT BLOCK GRANT	\$ 0.00
TOTAL	\$ 380,211.03

- f. Approve closing the following streets on December 3rd, 2015 from 6:00 p.m. to 9:00 p.m. for the annual Christmas Parade: Graham Avenue from Elliott Street to Highway 69, North Adair Street from Graham Avenue to Northeast First Street, North Rowe Street from Graham Avenue to Northeast First Street, North Coo-Y-Yah Street from Graham Avenue to Northeast First Street, North Hogan Street from Graham to Northeast First, Northeast First from U.S. Highway 69 to Elliott Street and South Cherokee Street from Graham Street to Southeast First.
- g. Approve renewal of Community Care Health benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC.
- h. Approve renewal of Mutual of Omaha Life benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC.
- i. Approve renewal of Delta Dental benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC.
- j. Approve acceptance of grant in the amount of \$119,538.25 for the expansion of Google Wifi. Expansion location: Ninth Street to Recreation Center, Ninth Street to Seventeenth Street on Elliott – Centennial Park and Lincoln Elementary School.
- k. Approve bid from Fiber Interactive Technologies in the amount of \$119,538.35 for the expansion of Google Wifi (expansion location: Ninth Street to Recreation Center, Ninth Street to Seventeenth Street on Elliott – Centennial Park and Lincoln Elementary School) from Real Property Acquisition Reserve – City Hall Project (Account #46-465-5422).
- l. Approve authorizing the Street Department to pour and finish a concrete slab for the shelter at Graham Memorial Cemetery and a concrete approach at the Whitaker Park Trail spillway with funds to be reimbursed from the General Fund before the end of fiscal year 2015-2016.
- m. Approve pay increase for temporary Animal Shelter employee Robert Price to \$8.50 per hour through PeopleLink Staffing effective October 26th, 2015.
- n. Approve pay increase for temporary City employee Mark Shallenbarger to \$8.50 per hour through PeopleLink Staffing effective October 26th, 2015.
- o. Approve hiring Dillion Hamil at Range D, Step 1 (annual salary \$28,597.00) to fill vacant dispatch position effective October 24th, 2015.

Motion was made by Willcutt, second by White to approve items a-o less items g, h, i, j, Voting yes: Stott, Willcutt, White, Thompson, Brittain, Rosamond, Chitwood. Voting no: none.

g. APPROVE RENEWAL OF COMMUNITY CARE HEALTH BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO/CLC.

Motion was made Rosamond, second by Willcutt to approve renewal of Community Care Health benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC. Voting yes: Willcutt, White, Thompson, Rosamond, Chitwood, Stott. Voting no: Brittain.

h. APPROVE RENEWAL OF MUTUAL OF OMAHA LIFE BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO/CLC.

Motion was made by Chitwood, second by Rosamond to approve renewal of Mutual of Omaha Life benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC. Voting yes: White, Thompson, Rosamond, Chitwood, Stott, Willcutt. Voting no: Brittain.

i. APPROVE RENEWAL OF DELTA DENTAL BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF

PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO/CLC.

Motion was made by Stott, second by Willcutt to approve renewal of Delta Dental benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO/CLC. Voting yes: Thompson, Rosamond, Chitwood, Stott, Willcutt, White. Voting no: Brittain.

- j. APPROVE ACCEPTANCE OF GRANT IN THE AMOUNT OF \$119,538.25 FOR THE EXPANSION OF GOOGLE WIFI. EXPANSION LOCATION: NINTH STREET TO RECREATION CENTER, NINTH STREET TO SEVENTEENTH STREET ON ELLIOTT – CENTENNIAL PARK AND LINCOLN ELEMENTARY SCHOOL.**

Motion was made by Chitwood, second by Rosamond to approve acceptance of grant in the amount of \$119,538.25 for the expansion of Google Wifi. Expansion location: Ninth Street to Recreation Center, Ninth Street to Seventeenth Street on Elliott – Centennial Park and Lincoln Elementary School. Voting yes: Brittain, Rosamond, Chitwood, Stott, Willcutt, White, Thompson. Voting no: none.

8. COMMITTEE REPORTS:

a. BUDGET / PERSONNEL (ROSAMOND)

Rosamond reported for the Budget / Personnel Committee and stated that everything was covered earlier in this meeting and the Committee would meet next month.

b. ORDINANCE / INSURANCE (CHITWOOD)

Chitwood reported for the Ordinance / Insurance Committee and stated they would meet next month.

c. STREET / MAINTENANCE GARAGE (WILLCUTT)

Willcutt reported for the Street / Maintenance Garage Committee and stated they will meet this month.

9. UNFORESEEABLE BUSINESS.

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

There was no unforeseen business presented.

10. ADJOURN.

Motion was made by White, second by Stott to adjourn. Voting yes: Rosamond, Chitwood, Stott, Willcutt, White, Thompson, Brittain. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Mayor Tramel called the Pryor Public Works Authority meeting to order at 7:10 p.m.

2. DISCUSS, POSSIBLY ACT ON APPROVAL OF MINUTES OF OCTOBER 6th, 2015 MEETING.

Motion was made by Chitwood, second by Brittain to approve minutes of October 6th, 2015 meeting. Voting yes: Chitwood, Stott, Willcutt, White, Thompson, Brittain, Rosamond. Voting no: none.

3. UNFORESEEABLE BUSINESS.

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

There was no unforeseeable business presented.

4. ADJOURN.

Motion was made by Stott, second by Willcutt to adjourn from the Pryor Public Works Authority meeting. Voting yes: Stott, Willcutt, White, Thompson, Brittain, Rosamond, Chitwood. Voting no: none.

MINUTES APPROVED BY MAYOR / P.P.W.A CHAIRMAN JIMMY TRAMEL

MINUTES WRITTEN BY CITY CLERK EVA SMITH
