

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, NOVEMBER 1ST, 2016 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 e-mailed to *The Paper* and *The Times* newspapers and e-mailed to the Council members.

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

Mayor Tramel called the meeting to order at 6:00 p.m. The Prayer was conducted by Scott Craft and the Pledge of Allegiance was led by Mayor Tramel. Roll Call was conducted by City Clerk Eva Smith. Council members present included: Roger Willcutt, Willard Buchanan, Scott Craft, Greg Rosamond, Travis Noland, Jill White and Drew Stott. Members absent: Yolanda Thompson.

Department Heads and other City Officials present: City Attorney K. Ellis Ritchie, Assistant Police Chief James Willyard, Fire Chief Tim Thompson, Assistant Fire Chief B.K. Young, Park Superintendent Frank Powell, Street Superintendent Buddy Glenn, Golf Superintendent Dennis Bowman, Library Director Cari Rerat and Recreation Center Director Laura Holloway.

Others: Police Officer Dustin Van Horn, Pryor Main Street Director BJ Cummings and Library Board Chairperson Jeannette Anderson.

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

There were no petitions from the audience.

3. MAYOR'S REPORT:

Mayor had no report.

4. CITY ATTORNEY'S REPORT:

a. Second and final reading, discussion and possible action regarding an Ordinance amending Title 3 by adding Chapter 2A Sections 3-2A-1 thru 3-2A-14 to the City Code of the City of Pryor Creek, Mayes County, State of Oklahoma, regarding mobile food service establishment, purpose, definitions, permit for operation required / offense, multiple mobile food service permit requirement, conditions for issuance of permit, restrictions on location as to time, possession of valid license and tax permit required, reasonable conduct of operations, special events, use of public property and public rights-of-way, general requirements of operations, appointment of administrative officer, appeals of decisions; providing for repealer and severability.

Motion was made by Willcutt, second by Buchanan to approve Ordinance #2016-3 amending Title 3 by adding Chapter 2A Sections 3-2A-1 thru 3-2A-14 to the City Code of the City of Pryor Creek, Mayes County, State of Oklahoma, regarding mobile food service establishment, purpose, definitions, permit for operation required / offense, multiple mobile food service permit requirement, conditions for issuance of permit, restrictions on location as to time, possession of valid license and tax permit required, reasonable conduct of operations, special events, use of public property and public rights-of-way, general requirements of operations, appointment of administrative officer, appeals of decisions; providing for repealer and severability. Motion was amended by Willcutt, second amended by Buchanan to remove the language regarding tables in 3-2A-12A and remove the 90-day and 180-day period in 3-2A-3E. Voting yes: Willcutt, Buchanan, Craft, Rosamond, Noland, White, Stott. Voting no: none.

b. Second and final reading, discussion and possible action regarding an Ordinance amending Title 1 by adding Chapter 5A Sections 1-5A-1 thru 1-5A-12 to the City Code of the City of Pryor Creek, Mayes County, State of Oklahoma, regarding administrative appeals and setting forth provisions as follows;

purpose, application of this chapter, definitions, filings to be made with the City Clerk, requirement for administrative decision in writing, time limit to file appeal, hearing date and notice, time period calculations, form of appeal, City Council to hear and decide appeals, rules of evidence for appeals, record of hearing; providing for repealer and severability.

Motion was made by Rosamond, second by Willcutt to approve Ordinance #2016-4 amending Title 1 by adding Chapter 5A Sections 1-5A-1 thru 1-5A-12 to the City Code of the City of Pryor Creek, Mayes County, State of Oklahoma, regarding administrative appeals and setting forth provisions as follows; purpose, application of this chapter, definitions, filings to be made with the City Clerk, requirement for administrative decision in writing, time limit to file appeal, hearing date and notice, time period calculations, form of appeal, City Council to hear and decide appeals, rules of evidence for appeals, record of hearing; providing for repealer and severability. Voting yes: Buchanan, Craft, Rosamond, Noland, White, Stott, Willcutt. Voting no: none.

c. Discussion and possible action regarding filing of the Motion to Dismiss for Failure to State a Claim Pursuant to Oklahoma Statute Title 12 § 2012 (B) (6) Regarding the City of Pryor Creek, Oklahoma.

Ritchie reviewed the Motion to Dismiss for Failure to State a Claim Pursuant to Oklahoma Statute Title 12 § 2012 (B) (6) Regarding the City of Pryor Creek, Oklahoma. No action was taken.

d. Discussion and possible action regarding a Resolution calling for the General Election in 2017.

No action was taken regarding a Resolution calling for the General Election in 2017. Item was tabled until the next Council meeting.

5. 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 18th, 2016 Council meeting.
- b. Approve payroll purchase orders through November 4th, 2016.
- c. Approve claims for purchase orders through November 1st, 2016.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	1620161060 - 1620161057	46,812.92
STREET & DRAINAGE	1620161057 - 910833B	103,761.29
GOLF	1620160972 - 1620160981	12,103.53
CAPITAL OUTLAY	1620161034	3,080.00
REAL PROPERTY ACQUISITION	1620161021 - 1620160996	22,309.04
RECREATION CENTER	1620161017 - 1620161057	27,386.35
E-911	1620160962 - 1620160963	201.75
DONATIONS	1620161030 - 1620160961	181.88
	TOTAL	215,836.76
NEW BLANKET PURCHASE ORDERS		
910839B	CHEROKEE PRIDE CONSTRUCTION	23,958.06
	TOTAL	23,958.06

- d. Acknowledge receipt of deficient purchase orders.
No deficient purchase orders were presented.
- e. Discussion and possible action regarding the approval of the Municipal Utility Board's request for the reappointment of Dr. Robert A. Lindsey for a five year term on the Municipal Utility Board, ending June 30th, 2021.
- f. Discussion and possible action regarding closing Graham Avenue from U.S. Highway 69 to Rowe Street on November 11th, 2016 for the annual Veterans' Day Parade from 11:00 a. m. until 12:00 p.m.
- g. Discussion and possible action regarding closing Graham Avenue from U.S. Highway 69 to Rowe Street on November 12th, 2016 for Pryor Main Street Chili Christmas from 6:00 a.m. until 5:00 p.m.
- h. Discussion and possible action regarding closing Graham Avenue from Adair Street to Elliott Street on December 1st, 2016 for Annual Christmas Parade from 5:00 p.m. until 10:00 p.m.
- i. Discussion and possible action regarding approval of the 2017 City of Pryor Creek Holiday Calendar.

- j. Discussion and possible action regarding approval of the schedule for the 2017 regular City of Pryor Creek Council meetings.
- k. Discussion and possible action regarding approval of the schedule for the 2017 City of Pryor Creek Budget / Personnel Committee meetings.
- l. Discussion and possible action regarding approval of the schedule for the 2017 City of Pryor Creek Street Committee meetings.
- m. Discussion and possible action regarding approval of the schedule for the 2017 City of Pryor Creek Park Board meetings.
- n. Discussion and possible action regarding approval of the schedule for the 2017 City of Pryor Creek Planning and Zoning Commission meetings schedule.
- o. Discussion and possible action regarding approval of the schedule for the 2017 City of Pryor Creek Recreation Center Board meetings.
- p. Discussion and possible action regarding approval of the schedule for the 2017 Library Board meetings.
- q. Discussion and possible action regarding approval of the schedule for the 2017 Municipal Utility Board meetings.
- r. Discussion and possible action regarding the approval to close the Library on November 12th, 2016, November 26th, 2016 and December 24th, 2016. These dates are Saturdays that follow Friday holiday closures.
- s. Discussion and possible action regarding authorizing the Mayor to sign the Cooperative Service Field Agreement between the City of Pryor Creek and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (WS).
- t. Approve an expenditure of \$22,269.06 to Fiber Interactive Technologies for Phase 4 - Hardware, Fiber Cabling, Site Survey, RF Optimization for fiber optics project from Real Property Acquisition Fund – City Hall Project Account #46-465-5422.
- u. Discussion and possible action regarding the approval of an expenditure of \$3,080.00 to Infrastructure Solutions Group, LLC in Reference to Roof Repair Bid Documents for Police Station, Graham Community Hall, Thomas J. Harrison Pryor Public Library, Whitaker Swimming Pool, and the Chamber Building from Capital Outlay – Properties Account #44-445-5419.
- v. Approval of an expenditure of \$4,875.00 plus \$112.00 per month for the purchase of the Caselle Human Resources Module in order to interface the current Caselle information with our Affordable Care Act reporting and provide tracking for employee information from General Fund – General Software Account #02-201-5260.
- w. Discussion and possible action regarding the approval for the Street Department to purchase Tracks and Track Rollers for the T-300 Skid Steer, not to exceed \$5,000.00. Tracks are \$1,600.00 each x 2 = \$3,200.00 plus Track Rollers are \$247.00 each x 2 = \$494.00 plus labor = \$300.00 for a total expenditure of \$3,994.00 from Street Fund – Repair and Maintenance Account #14-145-5342.
- x. Discussion and possible action regarding approval of an expenditure of \$23,958.06 to Cherokee Pride Construction, Inc. for Application No: 4 of Street Maintenance 2016 Project from Street – Concrete Repair Account #14-145-5428.
- y. Discussion and possible action regarding the purchase, installation and temporary monitoring of a ground water pump at the Pryor Creek Recreation Center swimming pool from Recreation Center Fund – Repair and Maintenance Account #84-845-5091. Quotes received: Electrical Services, Inc. - \$3,300.00 and American Electric of Pryor Inc. - \$3,950.00. Each quote includes a 2 HP 208 Volt 3 Phase Pump.
- z. Discussion and possible action regarding repair or replacement of transmission of a 2010 Crown Victoria (VIN #2FABP7BV1AX123496) from the following quotes: Roberts Auto Center - \$3,660.00 to replace transmission including an \$800.00 fee owed for checking the current transmission with three-year / 100,000 mile warranty, G & M Automotive - \$3,350.09 with a three-year /unlimited mileage warranty for transmission replacement and Barker's Transmission Repair - \$1,750.00 to repair the current transmission with a one-year, 12,000 mile warranty from General Fund – Police – Repair and Maintenance Account #02-215-5091.
- aa. Discussion and possible action regarding accepting the resignation of City of Pryor Creek Police Officer Nate Reed effective November 6th, 2016.
- bb. Discussion and possible action regarding approval of Derrick McNutt to fill one vacant Volunteer Firefighter position.
- cc. Discussion and possible action regarding approval of Josh Taylor to fill one vacant Volunteer Firefighter position.

Motion was made by Stott, second by Rosamond to approve items a-cc, less items r,s,t,w,x,z. No action necessary on x, due to approval of a blanket purchase order. Voting yes: Craft, Rosamond, Noland, White, Stott, Willcutt, Buchanan. Voting no: none.

Thompson arrived at 6:40 p.m.

r. Discussion and possible action regarding the approval to close the Library on November 12th, 2016, November 26th, 2016 and December 24th, 2016. These dates are Saturdays that follow Friday holiday closures.

Motion was made by Willcutt, second by Buchanan to approve closing the Library on November 12th, 2016, November 26th, 2016 and December 24th, 2016. These dates are Saturdays that follow Friday holiday closures. Voting yes: Rosamond, Noland, White, Willcutt, Buchanan, Thompson. Voting no: Stott and Craft.

s. Discussion and possible action regarding authorizing the Mayor to sign the Cooperative Service Field Agreement between the City of Pryor Creek and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (WS).

Motion was made by Willcutt, second by Buchanan to approve authorizing the Mayor to sign the Cooperative Service Field Agreement between the City of Pryor Creek and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (WS). Voting yes: Noland, White, Willcutt, Buchanan, Thompson, Craft, Rosamond. Voting no: Stott.

t. Approve an expenditure of \$22,269.06 to Fiber Interactive Technologies for Phase 4 - Hardware, Fiber Cabling, Site Survey, RF Optimization for fiber optics project from Real Property Acquisition Fund – City Hall Project Account #46-465-5422.

Motion was made by Rosamond, second by Craft to approve an expenditure of \$22,269.06 to Fiber Interactive Technologies for Phase 4 - Hardware, Fiber Cabling, Site Survey, RF Optimization for fiber optics project from Real Property Acquisition Fund – City Hall Project Account #46-465-5422. Voting yes: White, Stott, Willcutt, Buchanan, Thompson, Craft, Rosamond, Noland. Voting no: none.

w. Discussion and possible action regarding the approval for the Street Department to purchase Tracks and Track Rollers for the T-300 Skid Steer, not to exceed \$5,000.00. Tracks are \$1,600.00 each x 2 = \$3,200.00 plus Track Rollers are \$247.00 each x 2 = \$494.00 plus labor = \$300.00 for a total expenditure of \$3,994.00 from Street Fund – Repair and Maintenance Account #14-145-5342.

Motion was made by Buchanan, second by Stott to approve the Street Department to purchase Tracks and Track Rollers for the T-300 Skid Steer, not to exceed \$5,000.00. Tracks are \$1,600.00 each x 2 = \$3,200.00 plus Track Rollers are \$247.00 each x 2 = \$494.00 plus labor = \$300.00 for a total expenditure of \$3,994.00 from Street Fund – Repair and Maintenance Account #14-145-5342. Motion was amended by Buchanan, second amended by Stott not to exceed \$6,000.00. Voting yes: Stott, Willcutt, Buchanan, Thompson, Craft, Rosamond, Noland, White. Voting no: none.

z. Discussion and possible action regarding repair or replacement of transmission of a 2010 Crown Victoria (VIN #2FABP7BV1AX123496) from the following quotes: Roberts Auto Center - \$3,660.00 to replace transmission including an \$800.00 fee owed for checking the current transmission with three-year / 100,000 mile warranty, G & M Automotive - \$3,350.09 with a three-year /unlimited mileage warranty for transmission replacement and Barker's Transmission Repair - \$1,750.00 to repair the current transmission with a one-year, 12,000 mile warranty from General Fund – Police – Repair and Maintenance Account #02-215-5091.

Motion was made by Rosamond, second by Buchanan to approve expenditure to Roberts Auto Center as in the best interest of the City for replacement of transmission of a 2010 Crown Victoria (VIN # 2FABP7BV1AX12-3496) from the following quotes: Roberts Auto Center - \$3,660.00 to replace transmission including an \$800.00 fee owed for checking the current transmission with three-year / 100,000 mile warranty, G & M Automotive - \$3,350.09 with a three-year /unlimited mileage warranty for transmission replacement and Barker's Transmission Repair - \$1,750.00 to repair the current transmission with a one-year, 12,000 mile warranty from General Fund – Police – Repair and Maintenance Account #02-215-5091. Voting yes: Buchanan, Thompson, Rosamond, Noland, White. Voting no: Willcutt, Craft, Stott.

6. DEPARTMENT HEAD REPORTS:

a. Street Department – Buddy Glenn

Buddy Glenn reported that the drainage project on Pine Street has been finished. They have also put in some head walls on NE 5th Street, have done some work around 214 S. Elliott, SE 18th, have put in an entryway for Golf Course and have done some work on NW 5th Street. They patched the roof on their old building, so they will know next time it rains if that worked. The streets for the next asphalt overlay have been identified. The engineer has the list, and more information will be coming to the Council.

b. Park / Cemetery Department – Frank Powell

Frank Powell reported that the cemetery is still being mowed. There have been 20 funerals since mid-September. They got the millings hauled off from the street project South of town. They have painted tennis poles in the park, have done some repair work on swings and have winterized bathrooms (except for Whitaker). They continue to work on trails and work on things within the shop.

c. Library – Cari Rerat

Cari Rerat handed out October statistics on the Library (see attached).

d. Recreation Center – Laura Holloway

Laura Holloway reported that this is the 10-year anniversary of the Recreation Center. She also handed out a chart that shows the growth over the last two years (see attached).

e. Golf – Dennis Bowman

Dennis Bowman reported that the season is winding down. They are still mowing. They have been spraying the Bermuda grass which is encroaching on the greens. It seems to be working very well. The John Deere mower was stolen. The revenues are down over the last four months and they are watching that closely. A turf conference is coming up regarding new chemicals, one of which is what they are using on the Bermuda grass issue.

f. Police Department – Dennis Nichols

Assistant Police Chief James Willyard handed out a statistics report (see attached).

g. Fire Department – Tim Thompson

Tim Thompson handed out a statistics report (see attached). He reminded everyone that the annual pancake breakfast is coming up on Saturday.

7. COMMITTEE REPORTS:

a. BUDGET / PERSONNEL (ROSAMOND)

Rosamond reported that the Budget / Personnel Committee will meet next week.

b. ORDINANCE / INSURANCE (THOMPSON)

Thompson reported that the Ordinance / Insurance Committee will meet next week.

c. STREET / MAINTENANCE GARAGE (WILLCUTT)

Willcutt reported that the Street Committee met last Tuesday.

8. UNFORESEEABLE BUSINESS.

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

No unforeseeable business was presented.

9. ADJOURN.

Motion was made by Stott, second by Willcutt to adjourn. Voting yes: Buchanan, Thompson, Craft, Rosamond, Noland, White, Stott, Willcutt, Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

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Mayor Tramel called the meeting to order at 7:25 p.m.

2. DISCUSS, POSSIBLY ACT ON APPROVAL OF MINUTES OF OCTOBER 18TH, 2016 MEETING.

Motion was made by Stott, second by Willcutt to approve the minutes of October 18th, 2016 meeting. Voting yes: Thompson, Craft, Rosamond, Noland, White, Stott, Willcutt, Buchanan. Voting no: none.

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

No unforeseeable business was presented.

4. ADJOURN.

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

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

MINUTES WRITTEN BY CITY CLERK EVA SMITH
