

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, FEBRUARY 7th, 2017 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 and the Pledge of Allegiance were led by Mayor Tramel. Roll Call was conducted by City Clerk Eva Smith. Council members present included: Roger Willcutt, Willard Buchanan, Scott Craft, Travis Noland, Jill White and Drew Stott. Members absent: Yolanda Thompson and Greg Rosamond.

Department Heads and other City Officials present: City Attorney K. Ellis Ritchie, Police Chief Dennis Nichols, Fire Chief BK Young, Street Superintendent Buddy Glenn, Assistant Street Superintendent Bobby Spurlock, Recreation Center Director Laura Holloway and Library Director Cari Rerat.

Others: Police Captain Kevin Tramel, Police Officer Dustin Van Horn, Firefighter Tim Bonea, Emergency Management Representative Mike Dunham, IBTS Representative Doug Moore, Mehlburger Brawley Engineer Steve Powell, Houston Brittain, City Auditor from Hood and Associates Violet Kirkendall, Pryor Area Chamber of Commerce President Barbara Hawkins, Recreation Board President Steve Wyneken and Recreation Board Member Jessica Long, John Mozingo, Zac Doyle.

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

IBTS Representative Doug Moore read in *The Paper* about the City's issues with code enforcement. He handed out information to the Council members reminding them of the services IBTS can provide to assist with matters of code enforcement, building inspections, etc.

3. MAYOR'S REPORT:

a. Presentation of the fiscal year 2015 – 2016 financial audit by Violet Kirkendall from Hood and Associates, CPA.

Violet Kirkendall presented and reviewed the fiscal year 2015-2016 audit prepared by Kolker & Kolker.

b. Discussion and review of the 2017 Street Project plan, as recommended by Mehlburger Brawley Engineer Steve Powell.

Mehlburger Brawley Engineer Steve Powell reviewed the 2017 Street Project Plan showing different street options and pricing.

c. Mayor to present Ron Kolker's financial proposals regarding the City of Pryor Creek's budget shortfall. (Discussion only.)

Mayor Tramel reviewed Ron Kolker's financial proposals, as originally presented to the Budget Committee on January 18th, 2017.

4. CITY ATTORNEY'S REPORT:

a. Discussion and possible action regarding approval of Resolution regarding the Fire District boundaries as established by Fire Departments located in Mayes County.

Motion was made by Noland, second by Willcutt to approve Resolution #2017-1 regarding the Fire District boundaries as established by Fire Departments located in Mayes County. Voting yes: Willcutt, Buchanan, Craft, Noland, White, Stott. Voting no: none.

b. Discussion and possible action regarding approval of Resolution of Setting Fees for Fire Services and Emergency Services Rendered By Pryor Creek Fire Department.

Motion was made by Noland, second by Craft to approve Resolution #2017-2 of Setting Fees for Fire Services and Emergency Services Rendered By Pryor Creek Fire Department, with changes as noted. Voting yes: Buchanan, Craft, Noland, White, Stott, Willcutt. Voting no: none. It was agreed that paragraph 2 on page 1 be removed, Hazardous services on page 2 be removed and Manpower each person be updated on page 2 to read \$50 per manpower hour.

c. Status report of City Attorney on pending litigation in Mayes County Case No. CASE NO. CV-2016-81; Douglas vs City and MUB; rate suit.

City Attorney reported on Case No. CV-2016-81; Douglas vs City and MUB; rate suit.

d. Discussion and possible action regarding suspending enforcement of City Code Section 10-13-10 pending amendment to assure compliance with requirements of Federal Fair Housing Amendments Act of 1988 and applicable State and Federal law concerning same.

Motion was made by Willcutt, second by Buchanan to approve Resolution #2017-3, a Resolution of City Council for City of Pryor Creek, Oklahoma Suspending Enforcement of City Code Section 10-13-10 Pending Amendment to Assure Compliance with Requirements of Federal Fair Housing Amendments Act of 1988 and Applicable State and Federal Law Concerning Same. Voting yes: Noland, White, Stott, Willcutt, Buchanan. Voting no: Craft.

e. First reading of an ordinance on residential fire subscriptions and fees outside city limits.

Motion was made by Noland, second by Stott to approve waiving the first reading of an ordinance on residential fire subscriptions and fees outside city limits. Voting yes: Noland, White, Stott, Willcutt, Buchanan, Craft. Voting no: none.

f. First reading of an ordinance regarding surplus or obsolete property be amended providing for definitions of terms; providing for periodic lists of surplus property to the Mayor and Council; providing for Council Action on surplus property; providing methods of disposal of surplus property; prohibiting certain sales of surplus property to City Employees; providing for lump sum bids; providing for notice requirements; and containing other provisions related thereto.

Motion was made by Willcutt, second by Craft to approve waiving the first reading of an ordinance regarding surplus or obsolete property be amended providing for definitions of terms; providing for periodic lists of surplus property to the Mayor and Council; providing for Council Action on surplus property; providing methods of disposal of surplus property; prohibiting certain sales of surplus property to City Employees; providing for lump sum bids; providing for notice requirements; and containing other provisions related thereto. Voting yes: White, Stott, Willcutt, Buchanan, Craft, Noland. Voting no: none.

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 January 17th, 2017 Council meeting.
- b. Approve payroll purchase orders through February 10th, 2017.
- c. Approve claims for purchase orders through February 7th, 2017.

FUNDS	PURCHASE ORDER NUMBER	TOTALS
GENERAL	1620161829 - 1620161762	71,825.02
STREET & DRAINAGE	1620161762 - 910839B	47,991.69
CEMETERY CARE FUND	1620161829	25.00
GOLF	1620161809 - 1620161822	11,860.74
CAPITAL OUTLAY	1620161698 - 1620161238	3,855.41
REAL PROPERTY ACQUISITION RES.	1620161849	2,600.00
RECREATION CENTER	1620161707 - 1620161865	25,002.71
E-911	1620161770 - 1620161828	947.00
DONATIONS	1620161706 - 1620161746	2,018.95
TOTAL		166,126.52
NEW BLANKET PURCHASE ORDERS		
910849B	ROBERTS AUTO CENTER	15,000.00
910850B	CHOUTEAU LIME CO INC	3,000.00
TOTAL		18,000.00

- d. Acknowledge receipt of deficient purchase orders.

- e. Discussion and possible action regarding an expenditure in the amount of \$2,600.00 to Grand Gateway Economic Development Association for successful completion of CDBG Administration for Release of Funds, Environmental, Pre-Construction and Construction Phases (3/4 of administration completed).
- f. Discussion and possible action regarding an expenditure in the amount of \$3,668.00 to Intertribal Software Consultants, Inc. for Laserfiche Software renewal effective February 17, 2017 – February 17th, 2018.
- g. Discussion and possible action regarding an expenditure in the amount of \$4,050.00 to Kolker & Kolker, Inc. for the detail analysis of financial situation and preparation of reports pertaining to same, along with recommendations.
- h. Discussion and possible action regarding Final Pay Application in the amount of \$35,598.06 to Cherokee Pride Construction, Inc. for Street Maintenance 2016, Project No: PRY 15-05. This amount includes in total quantity adjustments covered by Change Order No. 1. The total change in work represents a 6.1% increase over the original contract.
- i. Discussion and possible action regarding Recreation Center Parking Lot Repair bids received as follows: A & A Asphalt, Tulsa, OK - \$ 24,788.00 and Ellsworth Construction, LLC - \$25,972.00.
- j. Discussion and possible action regarding the surplus of one (1) 2000 Ford Ambulance, VIN #1FDXE45F9YHB84058, Title No. 491600334005A from the Fire Department. (Used by the Fire Department as a Support Vehicle.)
- k. Discussion and possible action regarding the proposed fire subscription agreement for individuals residing outside the corporate city limits of the city.
- l. Discussion and possible action regarding approval of resignation of Jeff Mitchell from the Volunteer Fire Department effective immediately.
- m. Discussion and possible action regarding acceptance of grant funds in the amount of \$10,746.00 to the Thomas J. Harrison Pryor Public Library from the State of Oklahoma 2017 Oklahoma Department of Libraries State Aid.
- n. Discussion and possible action regarding hiring Ugoma Gilbert for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee.
- o. Discussion and possible action regarding hiring Autumn Courtney for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.
- p. Discussion and possible action regarding hiring Rachel Schwiesow for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.
- q. Discussion and possible action regarding hiring Sheri Upshaw for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.
- r. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-52-03574, Serial No. EN360-80001794.
- s. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03579, Serial No. EN360-80001812.
- t. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03580, Serial No. EN360-80001816.
- u. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03584, Serial No. EN360-80001796.
- v. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03585, Serial No. EN360-80001792.
- w. Discussion and possible action regarding expenditure of \$6,076.00 to Paddock Enterprises, Inc. for caulking expansion joint on pool perimeter at Pryor Creek Recreation Center from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091.
- x. Discussion and possible action regarding expenditure of \$5,700.00 to Paddock Enterprises, Inc. for refinishing diving board and diving stand including removal, disassembly, assembly and installation from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091.

- y. Discussion and possible action regarding an additional expenditure of \$112.20 to Champion Collision for the repair of 2009 Dodge Charger Police Vehicle damaged in a collision on December 8th, 2016. This was initially approved by Council on January 3rd, 2017 in the amount of \$2,607.80. Total cost of the repair will be \$2,720.00. The insurance company reimbursement is \$3,486.30.
- z. Discussion and possible action regarding hiring Johnny Bark to fill the vacant B Operator position at the Street Department, Range C, Step 1 (annual wage - \$27,102.00) effective February 8th, 2017.

Motion was made by Willcutt, second by Stott to approve items a-z, less items g, h, i, k, n, o, p, q, r, s, t, u, v, w, x. Voting yes: Stott, Willcutt, Craft, Noland, White. Voting no: Buchanan.

g. Discussion and possible action regarding an expenditure in the amount of \$4,050.00 to Kolker & Kolker, Inc. for the detail analysis of financial situation and preparation of reports pertaining to same, along with recommendations.

Motion was made by Willcutt, second by Stott to approve expenditure in the amount of \$4,050.00 to Kolker & Kolker, Inc. for the detail analysis of financial situation and preparation of reports pertaining to same, along with recommendations. A motion was then made by Buchanan, second by Craft to table action pending information regarding charges until February 21st, 2017 Council Meeting. Voting yes: Willcutt, Buchanan, Craft, White. Voting no: Noland and Stott.

h. Discussion and possible action regarding Final Pay Application in the amount of \$35,598.06 to Cherokee Pride Construction, Inc. for Street Maintenance 2016, Project No: PRY 15-05. This amount includes in total quantity adjustments covered by Change Order No. 1. The total change in work represents a 6.1% increase over the original contract.

Motion was made by Willcutt, second by Stott to approve Final Pay Application in the amount of \$35,598.06 to Cherokee Pride Construction, Inc. for Street Maintenance 2016, Project No: PRY 15-05. This amount includes in total quantity adjustments covered by Change Order No. 1. The total change in work represents a 6.1% increase over the original contract. Voting yes: Buchanan, Craft, Noland, White, Stott, Willcutt. Voting no: none.

i. Discussion and possible action regarding Recreation Center Parking Lot Repair bids received as follows: A & A Asphalt, Tulsa, OK - \$ 24,788.00 and Ellsworth Construction, LLC - \$25,972.00.

Motion was made by Willcutt, second by Noland to approve A & A Asphalt, Tulsa, OK -\$24,788.00 as low bid regarding Recreation Center Parking Lot Repair. Other bid received: Ellsworth Construction, LLC - \$25,972.00. Voting yes: Craft, Noland, White, Stott, Willcutt, Buchanan. Voting no: none.

k. Discussion and possible action regarding the proposed fire subscription agreement for individuals residing outside the corporate city limits of the city.

Motion was made by Craft, second by Buchanan to approve fire subscription agreement for individuals residing outside the corporate city limits of the city. Motion was then amended by Craft, second amended by Buchanan to approve with modifications to eliminate A and B, and pro-rate on a yearly basis. A motion was then made by Stott, second by Buchanan to table proposed fire subscription agreement for individuals residing outside the corporate city limits of the city until next Council meeting when City Attorney will present agreed-upon modifications. Voting yes: Noland, White, Stott, Willcutt, Buchanan, Craft. Voting no: none.

n. Discussion and possible action regarding hiring Ugoma Gilbert for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee.

Motion was made by Willcutt, second by Noland to approve hiring Ugoma Gilbert for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee. Voting yes: White, Stott, Willcutt, Buchanan, Craft, Noland. Voting no: none.

o. Discussion and possible action regarding hiring Autumn Courtney for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.

Motion was made by Buchanan, second by Willcutt to approve hiring Autumn Courtney for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee. Voting yes: Stott, Willcutt, Buchanan, Craft, Noland, White. Voting no: none.

p. Discussion and possible action regarding hiring Rachel Schwiesow for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.

Motion was made by Willcutt, second by Buchanan to approve hiring Rachel Schwiesow for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee. Voting yes: Willcutt, Buchanan, Craft, Noland, White, Stott. Voting no: none.

q. Discussion and possible action regarding hiring Sheri Upshaw for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week February 8th, 2017. This position was previously filled by a temporary employee.

Motion was made by Willcutt, second by Noland to approve hiring Sheri Upshaw for part-time position at the Thomas J. Harrison Pryor Public Library at \$8.50 per hour not to exceed eighteen (18) hours per week effective February 8th, 2017. This position was previously filled by a temporary employee. Voting yes: Buchanan, Craft, Noland, White, Stott, Willcutt. Voting no: none.

r. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-52-03574, Serial No. EN360-80001794.

Motion was made by Noland, second by Buchanan to approve the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-52-03574, Serial No. EN360-80001794. Voting yes: Craft, Noland, White, Stott, Willcutt, Buchanan. Voting no: none.

s. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03579, Serial No. EN360-80001812.

Motion was made by Noland, second by Buchanan to approve the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03579, Serial No. EN360-80001812. Voting yes: Noland, White, Stott, Willcutt, Buchanan, Craft. Voting no: none.

t. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03580, Serial No. EN360-80001816.

Motion was made by Stott, second by Noland to approve the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03580, Serial No. EN360-80001816. Voting yes: White, Stott, Willcutt, Buchanan, Craft, Noland. Voting no: none.

u. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03584, Serial No. EN360-80001796.

Motion was made by Stott, second by Noland to approve the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03584, Serial No. EN360-80001796. Voting yes: Stott, Willcutt, Buchanan, Craft, Noland, White. Voting no: none.

v. Discussion and possible action regarding the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03585, Serial No. EN360-80001792.

Motion was made by Noland, second by Craft to approve the surplus of one (1) Multisport Enduro-Cycle 420 Spin Bike from the Pryor Creek Recreation Center, City I.D. No. 845-50-03585, Serial No. EN360-80001792. Voting yes: Willcutt, Buchanan, Craft, Noland, White, Stott. Voting no: none.

w. Discussion and possible action regarding expenditure of \$6,076.00 to Paddock Enterprises, Inc. for caulking expansion joint on pool perimeter at Pryor Creek Recreation Center from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091.

Motion was made by Noland, second by Willcutt to approve expenditure of \$6,076.00 to Paddock Enterprises, Inc. as low quote for caulking expansion joint on pool perimeter at Pryor Creek Recreation Center from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091. Other quotes received: Municipal Industries - \$6,600.00 and Beauty-Crete Inc. - \$7,431.00. Voting yes: Buchanan, Craft, Noland, White, Stott, Willcutt. Voting no: none.

x. Discussion and possible action regarding expenditure of \$5,700.00 to Paddock Enterprises, Inc. for refinishing diving board and diving stand including removal, disassembly, assembly and installation from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091.

Motion was made by Noland, second by Stott to approve expenditure of \$5,700.00 to Paddock Enterprises, Inc. as low quote for refinishing diving board and diving stand including removal, disassembly, assembly and

installation from Recreation Center Aquatic Repair and Maintenance Account #84-846-5091. Other quotes received: Swimtime - \$7,214.60 and Municipal Industries - \$8,800.00. Voting yes: Craft, Noland, White, Stott, Willcutt, Buchanan. Voting no: none.

6. COMMITTEE REPORTS:

a. BUDGET / PERSONNEL (ROSAMOND):

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

b. ORDINANCE / INSURANCE (THOMPSON):

There was no report in Thompson's absence.

c. STREET / MAINTENANCE GARAGE (WILLCUTT):

Willcutt reported that the Street / Maintenance Garage Committee will meet later this month.

7. UNFORESEEABLE BUSINESS.

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

No unforeseeable business was presented.

8. ADJOURN.

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

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Mayor Tramel called the meeting to order at 7:50 p.m.

2. DISCUSS, POSSIBLY ACT ON APPROVAL OF MINUTES OF JANUARY 17TH, 2017 MEETING.

Motion was made by Buchanan, second by Stott to approve the minutes of January 17th, 2017 meeting. Voting yes: White, Stott, Willcutt, Buchanan, Craft, Noland. 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 Buchanan to adjourn the Pryor Public Works Authority meeting. Voting yes: Stott, Willcutt, Buchanan, Craft, Noland, White. Voting no: none.

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

MINUTES WRITTEN BY CITY CLERK/ P.P.W.A SECRETARY EVA SMITH
