

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, MAY 16TH, 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* newspaper 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, William Gibson, Steve Smith, Evett Barham, Travis Noland, Jill White and Zac Doyle. Members absent: Yolanda Thompson.

Department Heads and other City Officials present: Police Chief Dennis Nichols, Assistant Police Chief James Willyard, Fire Chief BK Young, Street Superintendent Buddy Glenn, Golf Superintendent Dennis Bowman, Library Director Cari Rerat and Recreation Center Director Laura Holloway.

Others: Police Captain Kevin Tramel, Former City Councilman Drew Stott, Mary Gibson, Jon Ketcher, Junior City Council Members Jenna Wagner, Hollie Wood, Megan Wild, Annie White, Kobe Harry, Drew Miller, Destiny Mendoza, Norma Bieberdorf, Trevor Long and Malorie McQuary.

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

No petitions were presented.

Mayor moved to Item 4c.

4. MAYOR'S REPORT:

c. Discussion and possible action regarding Mayor's appointment of Billy Gibson to fill Ward 1 City Council seat vacated by Willard Buchanan.

Motion was made by Noland, second by Willcutt to approve Mayor's appointment of Billy Gibson to fill Ward 1 City Council seat vacated by Willard Buchanan. Voting yes: Willcutt, Smith, Barham, Noland, White, Doyle. Voting no: none.

d. Administer Oaths of Office to Billy Gibson upon approval of appointment to vacant Ward 1 City Council seat.

Mayor Tramel administered the Oaths of Office to Billy Gibson upon approval of appointment to vacant Ward 1 City Council seat.

Mayor moved back to Item 3a.

3. CITY ATTORNEY'S REPORT:

a. Second and final reading, discussion and possible action regarding an Ordinance amending Pryor Creek City Code "Title 9 Building Regulations, Chapter 9 Private Sewage Disposal Code".

Motion was made by Willcutt, second by Noland to waive reading and approve Ordinance #2017-4 amending Pryor Creek City Code "Title 9 Building Regulations, Chapter 9 Private Sewage Disposal Code". Voting yes: Gibson, Smith, Barham, Noland, White, Doyle, Willcutt. Voting no: none.

b. Second and final reading, discussion and possible action regarding an Ordinance amending Pryor Creek City Code "Title 6 Motor Vehicles and Traffic" Chapter 1 "Traffic Code" Section 6 "Adoption of State Traffic Code", and including Repealer and Severability Provisions.

Motion was made by Noland, second by Barham to waive reading and approve Ordinance #2017-5 amending Pryor Creek City Code "Title 6 Motor Vehicles and Traffic" Chapter 1 "Traffic Code" Section 6 "Adoption of

State Traffic Code”, and including Repealer and Severability Provisions. Voting yes: Smith, Barham, Noland, White, Doyle, Willcutt, Gibson. Voting no: none.

c. Discussion and possible action regarding a Resolution of City Council for City of Pryor Creek, Oklahoma “Approving City Policy Regarding Presentation of Firearms to Officers Upon Completion of State Retirement with a Minimum of 20 Years of Service”.

No action was taken on this item.

d. Second and final reading of AN ORDINANCE OF THE CITY OF PRYOR CREEK, OKLAHOMA PROVIDING THAT TITLE 2, CHAPTER 2 OF THE CODE OF ORDINANCES, CITY OF PRYOR CREEK, OKLAHOMA, REGARDING CITY SALES TAX BE AMENDED LEVYING AND ASSESSING A .250% EXCISE TAX (SALES TAX) IN ADDITION TO ANY AND ALL OTHER EXCISE TAXES NOW IN FORCE UPON THE GROSS RECEIPTS OR PROCEEDS DERIVED FROM ALL SALES TAXABLE UNDER OKLAHOMA SALES TAX CODE; PROVIDING FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDING FOR THE EFFECTIVE DATE; PROVIDING FOR NO REPEAL OF TAX; PROVIDING FOR SUBSISTING STATE PERMITS; PROVIDING FOR PAYMENT OF TAX; PROVIDING THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Motion was made by Noland, second by White to waive reading and approve Ordinance #2017-6, AN ORDINANCE OF THE CITY OF PRYOR CREEK, OKLAHOMA PROVIDING THAT TITLE 2, CHAPTER 2 OF THE CODE OF ORDINANCES, CITY OF PRYOR CREEK, OKLAHOMA, REGARDING CITY SALES TAX BE AMENDED LEVYING AND ASSESSING A .250% EXCISE TAX (SALES TAX) IN ADDITION TO ANY AND ALL OTHER EXCISE TAXES NOW IN FORCE UPON THE GROSS RECEIPTS OR PROCEEDS DERIVED FROM ALL SALES TAXABLE UNDER OKLAHOMA SALES TAX CODE; PROVIDING FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDING FOR THE EFFECTIVE DATE; PROVIDING FOR NO REPEAL OF TAX; PROVIDING FOR SUBSISTING STATE PERMITS; PROVIDING FOR PAYMENT OF TAX; PROVIDING THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND CONTAINING OTHER PROVISIONS RELATED THERETO. Voting yes: Barham, Noland, White, Doyle, Willcutt, Gibson, Smith. Voting no: none.

e. Discussion and possible action regarding A RESOLUTION REQUESTING THE MAYES COUNTY ELECTION BOARD TO CONDUCT A NON-PARTISAN SPECIAL ELECTION ON AUGUST 8, 2017, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF THE CITY OF PRYOR CREEK, OKLAHOMA THE QUESTION OF WHETHER ORDINANCE NO. 2017- _____ ADOPTED ON THE 16th DAY OF MAY, 2017, SHALL BE APPROVED WHICH LEVIES AND ASSESSES AN ADDITIONAL MUNICIPAL EXCISE TAX (SALES TAX) OF 0.250% UNDER ORDINANCE NO. 2017- _____ UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TO ANY PERSON TAXABLE UNDER THE OKLAHOMA SALES TAX CODE; PROVIDES FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDES FOR THE EFFECTIVE DATE; PROVIDES FOR NO REPEAL OF TAX; PROVIDES FOR SUBSISTING STATE PERMITS; PROVIDES FOR PAYMENT OF TAX; PROVIDES THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED; PROVIDES THAT THE PROVISIONS OF THE ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDES FOR SEVERABILITY OF PROVISIONS; AND NOTIFYING THE MAYES COUNTY ELECTION BOARD OF THE HOLDING OF SUCH ELECTION.

Motion was made by Noland, second by White to approve RESOLUTION #2017-6 REQUESTING THE MAYES COUNTY ELECTION BOARD TO CONDUCT A NON-PARTISAN SPECIAL ELECTION ON AUGUST 8, 2017, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED, QUALIFIED VOTERS OF THE CITY OF PRYOR CREEK, OKLAHOMA THE QUESTION OF WHETHER ORDINANCE NO. 2017-6 ADOPTED ON THE 16th DAY OF MAY, 2017, SHALL BE APPROVED WHICH LEVIES AND ASSESSES AN ADDITIONAL MUNICIPAL EXCISE TAX (SALES TAX) OF 0.250% UNDER ORDINANCE NO. 2017-6 UPON THE GROSS PROCEEDS OR GROSS RECEIPTS DERIVED FROM ALL SALES TO ANY PERSON TAXABLE UNDER THE OKLAHOMA SALES TAX CODE; PROVIDES FOR THE USE OF THE PROCEEDS OF SAID EXCISE TAX; PROVIDES FOR THE EFFECTIVE DATE;

PROVIDES FOR NO REPEAL OF TAX; PROVIDES FOR SUBSISTING STATE PERMITS; PROVIDES FOR PAYMENT OF TAX; PROVIDES THAT THE TAX IS IN ADDITION TO TAXES CURRENTLY LEVIED; PROVIDES THAT THE PROVISIONS OF THE ORDINANCE ARE CUMULATIVE AND IN ADDITION TO ANY AND ALL TAXING PROVISIONS OF OTHER CITY ORDINANCES; PROVIDES FOR SEVERABILITY OF PROVISIONS; AND NOTIFYING THE MAYES COUNTY ELECTION BOARD OF THE HOLDING OF SUCH ELECTION. Voting yes: Noland, White, Doyle, Willcutt, Gibson, Smith, Barham. Voting no: none.

4. MAYOR’S REPORT:

a. Recognize newly-elected members of the Junior City Council.

- **Ward 1 – Norma Bieberdorf & Trevor Long**
- **Ward 2 – Malorie McQuary & Kobe Harry**
- **Ward 3 – Destiny Mendoza**
- **Ward 4 – Annie White & Drew Miller**
- **County – Megan Wild & Hollie Wood**

Barham explained how the Junior City Council evolved. Barham and White recognized the group, including Jenna Wagner as Junior Mayor, who was inadvertently omitted from the agenda.

b. Recognize and present proclamation for Kids to Parks Day on May 20th, 2017.

Motion was made by Noland, second by Doyle to approve proclamation for Kids to Parks Day on May 20th, 2017 as presented. Voting yes: White, Doyle, Willcutt, Gibson, Smith, Barham, Noland. Voting no: none.

e. Discussion and possible action regarding appointment of Billy Gibson to the Ordinance / Insurance Committee to fill vacant position of Willard Buchanan.

Motion was made by Noland, second by Barham to approve appointment of Billy Gibson to the Ordinance / Insurance Committee to fill vacant position of Willard Buchanan. Voting yes: Doyle, Willcutt, Smith, Barham, Noland, White. Abstaining, counting as a no vote: Gibson. Voting no: none.

f. Discussion and possible action regarding resignation of Andy Rogers from Planning and Zoning Commission Seat #6, term expiring 9/30/2016* effective immediately.

Motion was made by Willcutt, second by Barham to approve resignation of Andy Rogers from Planning and Zoning Commission Seat #6, term expiring 9/30/2016* effective immediately. Voting yes: Willcutt, Gibson, Smith, Barham, Noland, White, Doyle. Voting no: none.

**Scrivener’s error: This should have read 9/30/2019.*

g. Discussion and possible action regarding Mayor’s appointment of Andrew Goossen to Planning and Zoning Commission Seat #6, term expiring 9/30/2019 effective immediately.

No action was taken on this item.

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 May 2nd, 2017 Council meeting.
- b. Approve payroll purchase orders through May 19th and June 2nd, 2017.
- c. Approve claims for purchase orders through May 16th, 2017.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	1620162624 - 1620162666	105,141.16
STREET & DRAINAGE	910760B - 910843B	15,736.41
CEMETERY CARE FUND	1620162534 - 1620162627	1,784.97
GOLF	1620162545 - 1620162637	8,945.64
RECREATION CENTER	1620162556 - 1620162652	11,675.95
PRYOR PUBLIC WORKS	1620162647	15.00
E-911 CASH FUND	1620162655	116.50
DONATIONS CASH FUND	1620162561 - 1620162540	5,500.87
TOTAL		148,916.50
<u>NEW BLANKET PURCHASE ORDERS</u>		
910860B	ROBERTS AUTO CENTER	10,000.00
TOTAL		10,000.00

- d. Acknowledge receipt of deficient purchase orders.
No deficient purchase orders were presented.
- e. Approve April Appropriation Requests.

APRIL 2017

FEE IN LIEU	\$	20.95
STREET & DRAINAGE	\$	109,953.60
CEMETERY CARE INTEREST	\$	25.79
CEMETERY CARE FUND	\$	612.50
GOLF COURSE CASH FUND	\$	46,993.39
CAPITAL OUTLAY FUND	\$	19,809.84
CAPITAL OUTLAY RESERVE	\$	345.25
REAL PROPERTY ACQUISITION	\$	1,857.86
HOTEL/MOTEL TAX	\$	4,597.51
LIBRARY BUILDING FUND	\$	3.26
GOB 2002-RECREATION CENT	\$	-
PPWA BOND PROCEEDS (86)	\$	-
PPWA SINKING FUNDS	\$	79,230.24
PPWA BOND PROCEEDS (88)	\$	2,862.71
RECREATION CENTER-CASH FUND	\$	72,865.64
E-911	\$	1,909.45
LIBRARY SPECIAL	\$	855.61
SEIZURES	\$	4.41
DONATIONS	\$	2,722.55
COMMUNITY DEVELOPMENT BLOCK GRANT	\$	-
FUND 47	\$	0.38
TOTAL	\$	344,661.46

- f. Discussion and possible action regarding authorizing the Mayor to sign an Agreement with Branch Communications for A T & T usage of new cell tower.
- g. Discussion and possible action regarding approval of Pryor Public Pool fees for 2017 season as follows:
 - Sunday: \$1.50 (an increase from \$1.00)
 - Tuesday through Saturday: \$3.00 (an increase from \$2.00)
 - Parties: \$200.00 with a \$75.00 deposit (increase from \$150.00 with a \$50.00 deposit)
- h. Discussion and possible action regarding approval to offer Pryor Public Pool Season Passes in the amount of \$30.00 for the first member of a family and \$10.00 for each additional member.
- i. Discussion and possible action regarding Taylor Crupper and Nate Jarboe as Co-Managers for the Pryor Public Pool for the 2017 season at an hourly rate of \$9.50 through PeopleLink.
- j. Discussion and possible action regarding a reduced fee for the Pryor Area Arts and Humanities Art Walk at the Graham Community Building according to the Community Building / Council Chamber Rules and Regulations and approve allowing beer and wine to be served on June 29th, 2017 from 6:00 p.m. until 10:00 p.m.

Motion was made by Willcutt, second by Smith to approve a-j, less a, g, i, and j and take no action on f.
Voting yes: Gibson, Smith, Barham, Noland, White, Doyle Willcutt. Voting no: none.

a. Approve minutes of May 2nd, 2017 Council meeting.

Motion was made by Noland, second by Barham to approve minutes of May 2nd, 2017 Council meeting.
Voting yes: Smith, Barham, Noland, White, Doyle, Willcutt. Abstaining, counting as a no vote: Gibson.
Voting no: none.

g. Discussion and possible action regarding approval of Pryor Public Pool fees for 2017 season as follows:

- **Sunday: \$1.50 (an increase from \$1.00)**
- **Tuesday through Saturday: \$3.00 (an increase from \$2.00)**
- **Parties: \$200.00 with a \$75.00 deposit (increase from \$150.00 with a \$50.00 deposit)**

Motion was made by Willcutt, second by White to approve Pryor Public Pool fees for 2017 season as follows:

- Sunday: \$1.50 (an increase from \$1.00)
- Tuesday through Saturday: \$3.00 (an increase from \$2.00)
- Parties: \$200.00 with a \$75.00 deposit (increase from \$150.00 with a \$50.00 deposit)

Voting yes: Barham, Noland, White, Doyle, Willcutt, Gibson, Smith. Voting no: none.

i. Discussion and possible action regarding Taylor Crupper and Nate Jarboe as Co-Managers for the Pryor Public Pool for the 2017 season at an hourly rate of \$9.50 through PeopleLink.

Motion was made by Noland, second by Barham to approve Taylor Crupper and Nate Jarboe as Co-Managers for the Pryor Public Pool for the 2017 season at an hourly rate of \$9.50 through PeopleLink. Voting yes: White, Doyle, Willcutt, Gibson, Smith, Barham, Noland. Voting no: none.

j. Discussion and possible action regarding a reduced fee for the Pryor Area Arts and Humanities Art Walk at the Graham Community Building according to the Community Building / Council Chamber Rules and Regulations and approve allowing beer and wine to be served on June 29th, 2017 from 6:00 p.m. until 10:00 p.m.

Motion was made by Willcutt, second by Barham to approve a reduced fee for the Pryor Area Arts and Humanities Art Walk at the Graham Community Building according to the Community Building / Council Chamber Rules and Regulations and approve allowing beer and wine to be served on June 29th, 2017 from 6:00 p.m. until 10:00 p.m. Motion and second were then amended to approve a reduced fee for the Pryor Area Arts and Humanities Art Walk at the Graham Community Building according to the Community Building / Council Chamber Rules and Regulations and approve allowing beer and wine to be served on June 29th, 2017 from 6:00 p.m. until 10:00 p.m. with proof of the ABLE Commission approval. Voting yes: Doyle, Willcutt, Gibson, Smith, Barham, Noland, White. Voting no: none.

6. DEPARTMENT HEAD REPORTS:

a. Street Department – Buddy Glenn

The Department has had to do a great deal of mowing, due to all the rain. They have also been trimming weeds and dipping ditches. They are waiting on dry weather to work on the Spruce Court project. As soon as weather permits, they will work on S.E. 14th and Elliott, then S.E. 17th and Elliott and N.E. 5th and Elliott.

b. Park / Cemetery – Frank Powell

Powell was unable to be at the meeting. He was working to get the cemeteries in shape for Memorial Day. He will start filling the pool Thursday and will continue to get the pool ready for opening June 1st.

c. Library – Cari Rerat

Rerat handed out a report (attached).

d. Recreation Center – Laura Holloway

Holloway showed a video of the infant swim classes being held at the Recreation Center.

e. Golf – Dennis Bowman

Bowman reported that the Golf Course is cutting back on their spending. Rain has been rough on the Course, causing the river to back up on it. There are some trees down and they are working to get those cleaned up. They are trying to work on some new programs to increase revenue. They are also working on replacing the stolen mower. They are expecting June to be a busy month.

f. Police Department – Dennis Nichols

Nichols handed out a statistics sheet (attached).

g. Fire Department – B. K. Young

Young reported that calls were down in April. They will be participating in the MDA Fill the Boot campaign. Rocklahoma is coming up at the end of the month.

Mayor moved to the Addendum.

**ADDENDUM
CITY COUNCIL MEETING
TUESDAY, MAY 16TH, 2017 AT 6:00 P.M.**

1. Discussion and possible action regarding a \$10,000.00 donation from the Cherokee Nation to be used for Public Pool operations.

Motion was made by Noland, second by White to approve a \$10,000.00 donation from the Cherokee Nation to be used for Public Pool operations. Voting yes: Willcutt, Gibson, Smith, Barham, Noland, White, Doyle. Voting no: none.

Mayor moved back to Regular Agenda.

7. COMMITTEE REPORTS:

a. BUDGET / PERSONNEL (NOLAND):

Noland reported that the Budget / Personnel Committee met last week. They will meet again next month and begin discussing next year's budget.

b. ORDINANCE / INSURANCE (THOMPSON):

Thompson reported that the Ordinance / Insurance Committee will meet Thursday, May 25th, 2017.

c. STREET / MAINTENANCE GARAGE (WILLCUTT):

Willcutt reported that the Street / Maintenance Garage Committee will meet next week on May 23rd.

8. UNFORESEEABLE BUSINESS.

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

No unforeseeable business was presented.

9. ADJOURN.

Motion was made by Willcutt, second by Barham to adjourn. Voting yes: Gibson, Smith, Barham, Noland, White, Doyle, Willcutt. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Mayor Tramel called the meeting to order at 7:20 p.m.

2. DISCUSS, POSSIBLY ACT ON APPROVAL OF MINUTES OF MAY 2ND, 2017 MEETING.

Motion was made by Noland, second by Willcutt to approve the minutes of May 2nd, 2017 meeting. Voting yes: Smith, Barham, Noland, White, Doyle, Willcutt. Abstaining, counting as a no vote: Gibson. 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 Barham, second by Smith to adjourn the Pryor Public Works Authority meeting. Voting yes: Barham, Noland, White, Doyle, Willcutt, Gibson, Smith. 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 _____