

**MINUTES  
CITY COUNCIL MEETING  
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING  
CITY OF PRYOR CREEK, OKLAHOMA  
TUESDAY, DECEMBER 5<sup>TH</sup>, 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](http://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 Bruce Smith. Roll Call was conducted by Assistant City Clerk Lisa Malone. Council members present included Terry Lamar, Choya Shropshire, Lori Bradshaw, Travis Mileur, Randy Chitwood, Chris Gonthier and Bruce Smith. Members absent: Charles Tramel.

Department Heads and other City Officials present: Chase McBride, Jeremy Cantrell, Kevin Tramel, Buddy Glenn and Cari Rerat.

Others present: Kemmie Shropshire, Gilbert Graybill, Autumn Graybill, Nena Roberts, Marshal Morrison and Terry Aylward.

**2. PETITIONS FROM THE AUDIENCE:**

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

There were no petitions from the audience.

**3. DEPARTMENT HEAD REPORTS.**

**a. Building Inspector**

No report.

**b. Emergency Management**

No report.

**c. Fire**

No report.

**d. Golf**

No report.

**e. Library**

No report.

**f. Parks / Cemetery**

No report.

**g. Police / Animal Shelter**

No report.

**h. Recreation Center**

No report.

**i. Street**

No report.

**j. City Clerk**

No report.

**4. 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 November 21<sup>st</sup>, 2023 Council meeting.
- b. Approve payroll purchase orders through December 8<sup>th</sup>, 2023.
- c. Approve claims for purchase orders through December 5<sup>th</sup>, 2023.

<b>FUNDS</b>	<b>PURCHASE ORDER NUMBER</b>	<b>TOTALS</b>
GENERAL	2320231409 - 911377B	\$44,754.46
STREET & DRAINAGE	911419B - 911413B	\$6,898.54
GOLF COURSE	2320231326 - 2320231309	\$12,829.84
CAPITAL OUTLAY	2320230889 - 2320231352	\$2,531.24
REAL PROPERTY ACQUISITION RES.	2320231323 - 2320231388	\$1,279.00
RECREATION CENTER	2320231325 - 2320231391	\$25,089.28
PPWA SINKING FUND	2320231304	\$29,489.17
PRYOR PUBLIC WORKS AUTHORITY	2320231400	\$1,250.00
E-911	2320231307	\$422.10
DONATIONS AND EARMARKED	2320231336 - 2320231411	\$42,252.60
EDTA	2320231397	\$5,000.00
<b>TOTAL</b>		<b>\$171,796.23</b>
<b>BLANKETS</b>		
911440B	ADVANCE AUTO PARTS	\$2,000.00
<b>TOTAL</b>		<b>\$2,000.00</b>

- d. Approve closure of South Adair Street from East Graham Avenue to S.E. 1<sup>st</sup> Street on December 9<sup>th</sup>, 2023, for the Pryor Creek Hometown Christmas from 9:30 a.m. until 5:30 p.m.
- e. Approve the donation of seventeen bicycles to local non-profit organization, Pryor Area Resource Alliance (PARA) to be provided to local children. These bicycles were awarded to the City of Pryor Creek as unclaimed property in CV-23-90 for donation purposes.
- f. Approve declaring surplus the following items from the Pryor Creek Police Department and listing on the PurpleWave Auction site for sale:
  - 1. 8'x20' White Cargo Trailer
  - 2. Jeep Winch - Serial #60612
- g. Approve a quote from Ranchers Pipe & Steel Corp. to replace the Liftmaster CSL24U commercial Slide Gate at the Emergency Service Building that was damaged on September 20<sup>th</sup>, 2023 in the amount of \$4,240.04 out of Police Maintenance Account #02-215-5091. Other quotes received: Oklahoma Custom Welding, \$5,500.00 and Pryor Overhead Door, \$5,720.00. An insurance claim was submitted and paid out \$3,220.00 which was deposited into Police Maintenance Account #02-215-5091 to be paid towards the cost of repair.
- h. Approve a bid from Kustom Kutts Lawn Care in the amount of \$2,500.00 for the abatement of a property at 144 N.W. 477 to be paid from Real Property Acquisition Reserve – Nuisance Abatement Account #46-465-5450. No other bids received.
- i. Approve a bid from Wade’s Heavy Haul & Demolition for the demolition of a dilapidated structure at 14 N. Mayes in the amount of \$3,980.00 from Real Property Acquisitions Nuisance Abatement Account #46-465-5450. Other bid received: Tibbet’s Trucking, \$5,000.00.
- j. Approve an expenditure in the amount of \$2,584.00 to Biblionix to renew the Apollo subscription for the Thomas J. Harrison Pryor Public Library to be paid from Library Supplies Account #02-221-5031. This is the software the library uses to manage patron accounts, checking materials in and out, and material inventory.
- k. Approve placing fuel tanks at the Pryor Creek Golf Course. Unleaded fuel tank will be placed near the clubhouse and the diesel fuel tank will be placed near the maintenance building.
- l. Approve an expenditure in the amount of \$3,330.00 to W-Jo’s Equipment for an Orec Snow Bull to be paid from Street & Drainage FEMA Reimbursement Funds Account #14-145-5027.

- m. Approve an expenditure in the amount of \$4,100.00 to S & J Plumbing for emergency water leak repair at the Pryor Creek Recreation Center from Recreation Repair & Maintenance Account #84-845-5091. 📄
- n. Approve an expenditure in the amount of \$5,400.00 to Homeland for 108 gift cards in the amount of \$50.00 each to show appreciation to City employees to be paid from the Christmas Employee Appreciation Account #02-201-5333.

Motion was made by Chitwood, second by Gonthier to approve the consent agenda less item h. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Gonthier and Smith. Voting no: none.

**4h. Approve a bid from Kustom Kutts Lawn Care in the amount of \$2,500.00 for the abatement of a property at 144 N.W. 477 to be paid from Real Property Acquisition Reserve – Nuisance Abatement Account #46-465-5450. No other bids received.**

Motion was made by Chitwood, second by Gonthier to approve a bid from Kustom Kutts Lawn Care in the amount of \$2,500.00 for the abatement of a property at 144 N.W. 477 to be paid from Real Property Acquisition Reserve – Nuisance Abatement Account #46-465-5450. No other bids received. Voting yes: Shropshire, Bradshaw, Mileur, Chitwood, Gonthier, Smith and Lamar. Voting no: none.

**5. MAYOR’S REPORT**

(These are items possibly requiring discussion and action.)

**a. Discussion and possible action regarding approval of Application and Certificate for Payment #28 dated November 7<sup>th</sup>, 2023 to CMSWillowbrook, Inc. in the amount of \$29,489.17 from 2019 Bond Project Account #87-875-5426.**

Motion was made by Chitwood, second by Shropshire to approve the Application and Certificate for Payment #28 dated November 7<sup>th</sup>, 2023 to CMSWillowbrook, Inc. in the amount of \$29,489.17 from 2019 Bond Project Account #87-875-5426. Motion was amended by Chitwood, second by Shropshire to table the item until later in the meeting. Voting yes: Bradshaw, Mileur, Chitwood, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

**6. CITY ATTORNEY’S REPORT:**

**a. Possible Executive Session pursuant to 25 O.S. 307(B) (4) of the Oklahoma Open Meeting Act for the purpose of discussing a litigation action with City Attorney that would impair the ability of the public body to process the litigation if done in public.**

Motion was made by Gonthier, second by Chitwood to enter Executive Session at 6:14 p.m. Voting yes: Mileur, Chitwood, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

**b. Consider resuming regular session. No action taken during Executive Session.**

No action. Regular session resumed at 6:55 p.m.

**c. Possible action based on Executive Session pursuant to the Oklahoma Open Meeting Act for the purpose of discussion with City Attorney to advise Council of possible litigation action. (25 O.S. 307 (B) (4))**

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

Mayor moved back to the Mayor’s report.

**5. MAYOR’S REPORT**

(These are items possibly requiring discussion and action.)

**a. Discussion and possible action regarding approval of Application and Certificate for Payment #28 dated November 7<sup>th</sup>, 2023 to CMSWillowbrook, Inc. in the amount of \$29,489.17 from 2019 Bond Project Account #87-875-5426.**

Motion was made by Gonthier, second by Chitwood to approve the Application and Certificate for Payment #28 dated November 7<sup>th</sup>, 2023 to CMSWillowbrook, Inc. in the amount of \$29,489.17 from 2019 Bond Project Account #87-875-5426. Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Mileur and Chitwood. Voting no: none.

Mayor moved back to City Attorney’s Report.

**6. CITY ATTORNEY'S REPORT:**

**d. Discussion and possible action to accept the final plat for WB Pryor OK, LLC as listed in the attached legal and waive reading for the applicant: John Rogers with Crafton Tull representing WB Pryor OK, LLC.**

Motion was made by Gonthier, second by Shropshire to approve the final plat for WB Pryor OK, LLC as listed in the attached legal and waive reading for the applicant: John Rogers with Crafton Tull representing WB Pryor OK, LLC. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Mileur, Chitwood and Gonthier. Voting no: none.

**e. First reading of an Ordinance Pertaining to the Use of Automated License Plate Readers.**

Motion was made by Chitwood, second by Lamar to waive the first reading of an Ordinance Pertaining to the Use of Automated License Plate Readers. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood and Smith. Voting no: Gonthier.

**f. First reading of an Ordinance Pertaining to Oklahoma Medical Marijuana Administration (OMMA) Regulations.**

Motion was made by Gonthier, second by Chitwood to waive the first reading of an Ordinance Pertaining to Oklahoma Medical Marijuana Administration (OMMA) Regulations. Voting yes: Shropshire, Bradshaw, Mileur, Chitwood, Gonthier, Smith and Lamar. Voting no: none.

**g. First reading of an Ordinance Amending Title 5, Chapter 5 - Prevention of Youth Access to Tobacco and Vapor Products.**

Motion was made by Gonthier, second by Chitwood to waive the first reading of an Ordinance Amending Title 5, Chapter 5 - Prevention of Youth Access to Tobacco and Vapor Products. Voting yes: Bradshaw, Mileur, Chitwood, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

**h. Discussion and possible action regarding a Resolution removing a restriction on the original plat for the Ragsdale Addition.**

Motion was made by Shropshire, second by Chitwood to approve a Resolution removing a restriction on the original plat for the Ragsdale Addition. Voting yes: Mileur, Chitwood, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

Mayor moved to the addendum.

**ADDENDUM  
CITY COUNCIL MEETING  
DECEMBER 5<sup>TH</sup>, 2023 AT 6:00 P.M.**

**A1. Discussion and possible action to allow Street Department to hire Seth Jinks as an A Operator at Range D, Step 1.**

Motion was made by Chitwood, second by Shropshire to approve the Street Department to hire Seth Jinks as an A Operator at Range D, Step 1. Voting yes: Chitwood, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Mileur. Voting no: none.

**A2. Discussion and possible action to allow the Pryor Creek Police Department to purchase a 2021 Chevrolet Silverado 150 4WD Crew Cab, from Nissan of Muskogee for \$39,883.00 - \$14,883.00 to be paid from Drug Forfeiture Account #96-965-5555 and \$25,000.00 from Lightbar Donations Account #96-965-5528. This vehicle will be used as a detective vehicle. Other bids received for similar vehicles were Four Stars Dodge, \$40,877.00 and McLarty Daniel Chrysler, \$40,992.00.**

Motion was made by Shropshire, second by Chitwood to approve the Pryor Creek Police Department to purchase a 2021 Chevrolet Silverado 150 4WD Crew Cab, from Nissan of Muskogee for \$39,883.00 - \$14,883.00 to be paid from Drug Forfeiture Account #96-965-5555 and \$25,000.00 from Lightbar Donations Account #96-965-5528. This vehicle will be used as a detective vehicle. Other bids received for similar vehicles were Four Stars Dodge, \$40,877.00 and McLarty Daniel Chrysler, \$40,992.00. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Mileur and Chitwood. Abstaining, counting as a no vote: Gonthier. Voting no: none.

Mayor moved back to the regular agenda.

**7. 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, December 12<sup>th</sup>.

**b. Ordinance and Insurance**

Gonthier reported that the next regular meeting will be Tuesday, January 30<sup>th</sup>, 2024.

**c. Street**

Mileur reported that the next meeting will be Tuesday, December 26<sup>th</sup>.

**8. UNFORESEEABLE BUSINESS.**

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

There was no unforeseeable business.

**9. ADJOURN.**

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

**PRYOR PUBLIC WORKS AUTHORITY**

**1. CALL TO ORDER.**

Meeting was called to order at 7:20 p.m.

**2. APPROVE MINUTES OF NOVEMBER 21<sup>ST</sup>, 2023 MEETING.**

Motion was made by Chitwood, second by Gonthier to approve the minutes of the November 21<sup>st</sup>, 2023 meeting. Voting yes: Lamar, Shropshire, Bradshaw, Mileur, Chitwood, Gonthier and Smith. 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 Gonthier to adjourn. Voting yes: Shropshire, Bradshaw, Mileur, Chitwood, Gonthier, Smith and Lamar. Voting no: none.

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

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MINUTES WRITTEN BY CITY CLERK COURTNEY DAVIS

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To the Mayes County Excise Board: This is to certify that, pursuant to the 5th Proviso of H.B. No. 300, 17th Oklahoma Legislature, there has accrued in the Treasury and is hereinbefore certified to as available for appropriation and use in the cash funds of the City of Pryor Creek, Oklahoma, Mayes County, an amount of money equal to or greater than the total estimated needs hereinafter set out, that the itemized purposes hereinafter named are lawful purposes to which said funds may be put, and we hereby respectfully request approval and appropriation therefore as follows, to-wit:

Fund	Purpose	Amount Requested	Approved by Board
COVID	COVID REIMBURSEMENT	\$ -	\$ -
	FLEX SPENDING PLAN	27.99	27.99
	FEE IN LIEU	74.79	74.79
	STREET & DRAINAGE IMPROV. SALE	153,722.40	153,722.40
	CEMETERY CARE INTEREST	159.93	159.93
	CEMETERY CARE FUND	468.75	468.75
	GOLF COURSE CASH	63,225.28	63,225.28
	CAPITAL OUTLAY/CAPITAL IMPROVE	49,335.75	49,335.75
	CAPITAL OUTLAY RESERVE FUND	1,695.41	1,695.41
	REAL PROPERTY ACQUISITION RES.	359.66	359.66
	POLICE TRAINING FEES	59.31	59.31
	MAIN STREET BOND ACCOUNT	11,116.13	11,116.13
	HOTEL/MOTEL TAX	16,268.21	16,268.21
	2019 BOND PROJECT	-	-
	LIBRARY BUILDING FUND	326.38	326.38
	RECREATION CENTER-CASH FUND	81,918.61	81,918.61
	PPWA SINKING FUNDS	97,382.86	97,382.86
	PPWA BOND PROCEEDS	3,662.26	3,662.26
	E-911	987.20	987.20
	LIBRARY SPECIAL	368.26	368.26
	SEIZURES-POLICE DEPARTMENT	0.37	0.37
	DONATIONS	744.50	744.50
	COMMUNITY DEVELOPMENT BLOCK GRANT	-	-
	EDTA	145.47	145.47
	ECONOMIC DEVELOPMENT	482,049.52	482,049.52
	TOTAL	482,049.52	482,049.52

Done by order of the City Council of the City of Pryor Creek, Oklahoma, Mayes County, and recorded in the minutes of the City Clerk at Pryor Creek, Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Attest: \_\_\_\_\_  
City Clerk

**CERTIFICATE OF MAYES COUNTY EXCISE BOARD**

WE, THE UNDERSIGNED DULY QUALIFIED AND ACTING MEMBERS OF THE EXCISE BOARD OF MAYES COUNTY, OKLAHOMA, FIRST HAVING GIVEN NOTICE BY PUBLICATION IN THE OFFICIAL COUNTY PAPER OF SUCH COUNTY AND BY SUCH NOTICE FIXED A TIME AND PLACE OF HEARING EITHER FOR OR AGAINST ANY PART OF STATEMENTS OF ESTIMATED NEEDS ON FILE WITH THE SECRETARY OF THE COUNTY EXCISE BOARD FOR CONSIDERATION AND, THE DAY AND A DATE HEREINAFTER INSCRIBED, BEING ONE OF THE TEN DAYS BEGINNING ON THE DATE FIXED IN SAID NOTICE AND SAID HEARING HAVING BEEN CONCLUDED WE HAVE GIVEN DUE CONSIDERATION TO THE FINANCIAL STATEMENTS OF THE TREASURER AND TO THE VARIOUS ITEMS OF THE ESTIMATE OF NEEDS SUBMITTED BY THE CITY COUNCIL OF THE CITY OF PRYOR CREEK, OKLAHOMA AND, TO THE EXTENT THAT THE SAME WAS WITHIN THE AMOUNT OF CASH AVAILABLE FOR SUCH PURPOSES WE HAVE APPROVED THE SEVERAL ITEMS OF APPROPRIATION ASCERTAINED TO BE PURPOSES AUTHORIZED BY LAW AND HAVE INDICATED THE ITEMS AND AMOUNTS FOR APPROVAL IN THE LAST COLUMN OF SAID ESTIMATE OF NEEDS. THEREFORE, SAID APPROPRIATIONS ARE HEREBY MADE AND THE SECRETARY OF THE MAYES COUNTY EXCISE BOARD IS HEREBY ORDERED AND DIRECTED TO CERTIFY THE SAME TO THE CITY CLERK OR ISSUING OFFICER AND TO THE TREASURER OR REGISTERING AND PAYING OFFICER FORTHWITH, WITH INSTRUCTIONS TO ENTER THE SAME ON THEIR ACCOUNTS.

Done at Pryor Creek, Oklahoma, this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_. MAYES COUNTY EXCISE BOARD

Attest: \_\_\_\_\_  
Mayor

Secretary of Mayes County Excise Board. \_\_\_\_\_ Chairman \_\_\_\_\_ Member \_\_\_\_\_ Member  
(seal)

**CITY OF PRYOR CREEK, OKLAHOMA**  
**Appropriation Request for the Month of October 2023**

Certificate of City Treasurer

I hereby certify that I received and now hold, in actual cash actually on hand available for the subject to the following cash funds of the City of Pryor Creek, Mayes County, Oklahoma, derived from the following designated sources and restricted by statute to expenditure for purposes for which such funds were created as follows, to wit:

Fund	Amount	Fund	Amount	Fund	Amount	Fund	Amount	Fund	Amount
<b>COVID (5)</b>		<b>GOLF COURSE CASH (41)</b>		<b>POLICE TRAINING FEES (47)</b>		<b>PPWA Sinking Funds (87)</b>		<b>DONATIONS (96)</b>	
Interest Income	\$ -	Golf Cart&Stall Rentals	\$ 18,987.38	Police Fines & Fees	\$ 446.64	Sales Tax	\$ 110,878.80	Police- Miscellaneous	\$ -
ARPA Funds	\$ -	Rental of Pull Carts	\$ 32.00	Interest	\$ 104.14	Interest Income	\$ 646.51	Interest Income	\$ -
<b>TOTAL</b>	\$ -	Interest Income	\$ 968.67	Police - Miscellaneous	\$ -	Transfers In	\$ -	Grants and Donations	\$ 274.00
		Halloween Festival	\$ -	<b>TOTAL</b>	\$ 550.78	Misc Receipts	\$ -	Animal Shelter Restitution	\$ 200.00
<b>FLEX SPEND PLAN (9)</b>		Green Fees	\$ 19,216.43			<b>TOTAL</b>	\$ 111,526.31	<b>TOTAL</b>	\$ 474.00
Interest Income	\$ 26.06	Memberships	\$ 8,643.96	<b>MAIN STREET BOND ACCOUNT-2019 (68)</b>					
<b>TOTAL</b>	\$ 26.06	Membership Corporate	\$ 3,784.46	Sales Tax	\$ 12,319.87	<b>PPWA Bond Proceeds (88)</b>		<b>COMMUNITY DEVELOPMENT BLOCK</b>	
		Silver Ann. Membership	\$ -	Interest Income	\$ 1,239.43	Franchise Fees	\$ 3,568.23	<b>GRANT (93)</b>	
<b>FEE IN LIEU (13)</b>		Irrigation Project Donations	\$ -	<b>TOTAL</b>	\$ 13,559.30	Rental Income	\$ -	Grant Proceeds	\$ -
Interest Income	\$ 62.19	Miscellaneous	\$ 380.00			Interest Income	\$ 219.05	<b>TOTAL</b>	\$ -
Master Drainage FEMA Grant	\$ -	Public Schools Facility Use	\$ -	<b>HOTEL/MOTEL TAX Income (75)</b>		Misc.	\$ -		
<b>TOTAL</b>	\$ 62.19	<b>TOTAL</b>	\$ 52,012.90	Hotel/Motel Tax Income	\$ 6,813.83	<b>TOTAL</b>	\$ 3,787.28		
				Interest Income	\$ 54.92				
<b>STREET &amp; DRAINAGE IMPROV. SALE (14)</b>		<b>CAPITAL OUTLAY/CAPITAL IMPROVE (44)</b>		Miscellaneous	\$ -				
Sales Tax	\$ 160,158.26	Sales Tax	\$ 55,439.40	<b>TOTAL</b>	\$ 6,868.75	<b>E-911 CASH FUND (91)</b>		Sales Tax	\$ -
Auto/Mileage Tax	\$ 12,516.26	Interest Income	\$ 2,147.85			Interest Income	\$ 31.59	Interest	\$ 143.40
Gasoline Tax	\$ 1,500.17	City Use Tax	\$ -			Telephone Users Fees	\$ 1,020.32	Donations	\$ -
Interest Income	\$ 10,366.15	Insurance Reimb	\$ -	<b>2019 BOND PROJECT (78)</b>		Miscellaneous	\$ -	Transfer from other funds	\$ 60,000.00
Misc. Income	\$ -	<b>TOTAL</b>	\$ 57,587.25	Interest Income	\$ -	<b>TOTAL</b>	\$ -	<b>TOTAL</b>	\$ 60,143.40
Sale of Surplus	\$ -			Transfers In	\$ -				
<b>TOTAL</b>	\$ 184,540.84	<b>CAPITAL OUTLAY RESERVE FUND (45)</b>		<b>TOTAL</b>	\$ -	<b>LIBRARY SPECIAL (92)</b>			
		Interest Income	\$ 598.71			Interest Income	\$ 1.72		
<b>CEMETERY CARE INTEREST (15)</b>		Sales Tax	\$ -	<b>LIBRARY BUILDING FUND (80)</b>		Grants	\$ -		
Interest Income	\$ 283.89	Outside Fire Runs	\$ 20.00	Interest Income	\$ 2.43	Donations	\$ 116.00		
<b>TOTAL</b>	\$ 283.89	Miscellaneous Income	\$ -	Donations	\$ -	Miscellaneous income	\$ 10.05		
		Fire Subscriptions	\$ 738.71	<b>TOTAL</b>	\$ 2.43	<b>TOTAL</b>	\$ 127.77		
		<b>TOTAL</b>	\$ 738.71						
<b>CEMETERY CARE FUND (19)</b>		<b>REAL PROPERTY ACQUISITIONS RES. (46)</b>		<b>RECREATION CASH FUND (84)</b>		<b>SEIZURES-POLICE DEPARTMENT (95)</b>			
Income	\$ 1,793.75	Misc (Nuisance Abatement)	\$ -	Sales Tax	\$ 61,588.83	Interest Income & Seizures	\$ 0.60		
<b>TOTAL</b>	\$ 1,793.75	Sales Tax	\$ -	Interest	\$ 7,917.58	<b>TOTAL</b>	\$ 0.60		
		Interest Income	\$ -	Miscellaneous Income	\$ 35,290.36				
		<b>TOTAL</b>	\$ -	<b>TOTAL</b>	\$ 104,796.77				

Total unappropriated available for purpose of said funds: \$ 599,933.89

Said sum includes no part of any revenues heretofore reported and appropriated for the purpose of said cash funds and are being held subject to action by the Mayes County Excise Board.

CERTIFIED TO THIS 14th DAY OF December, 20 23

(signed) *Shirley Ballew* Treasurer



To the Mayes County Excise Board: This is to certify that, pursuant to the 5th Proviso of H.B. No. 300, 17th Oklahoma Legislature, there has accrued in the Treasury and is hereinbefore certified to as available for appropriation and use in the cash funds of the City of Pryor Creek, Oklahoma, Mayes County, an amount of money equal to or greater than the total estimated needs hereinafter set out, that the itemized purposes hereinafter named are lawful purposes to which said funds may be put, and we hereby respectfully request approval and appropriation therefore as follows, to-wit:

Fund	Purpose	Amount Requested	Approved by Board
COVID	COVID REIMBURSEMENT	\$ -	\$ -
FLEX SPEND PLAN	FLEX SPENDING PLAN	\$ 26.06	\$ 26.06
FEE IN LIEU	CAPITAL IMPROVEMENT	\$ 62.19	\$ 62.19
STREET & DRAINAGE IMPROV. SALE	SERVICE/MAINTENANCE	\$ 184,540.84	\$ 184,540.84
CEMETERY CARE INTEREST	SERVICE/MAINTENANCE	\$ 283.89	\$ 283.89
CEMETERY CARE FUND	CAPITAL IMPROVEMENT	\$ 1,793.75	\$ 1,793.75
GOLF COURSE CASH	SERVICE/MAINTENANCE	\$ 52,012.90	\$ 52,012.90
CAPITAL OUTLAY/CAPITAL IMPROVE	CAPITAL IMPROVEMENT	\$ 57,587.25	\$ 57,587.25
CAPITAL OUTLAY RESERVE FUND	CAPITAL OUTLAY	\$ 738.71	\$ 738.71
REAL PROPERTY ACQUISITION RES.	CAPITAL IMPROVEMENT	\$ -	\$ -
POLICE TRAINING FEES	POLICE FINES AND FEES	\$ 550.78	\$ 550.78
MAIN STREET BOND ACCOUNT	CAPITAL IMPROVEMENT	\$ 13,559.30	\$ 13,559.30
HOTEL/MOTEL TAX	CAPITAL IMPROVEMENT	\$ 6,868.75	\$ 6,868.75
2019 BOND PROJECT	CAPITAL IMPROVEMENT	\$ -	\$ -
LIBRARY BUILDING FUND	CAPITAL IMPROVEMENT	\$ 2.43	\$ 2.43
RECREATION CENTER-CASH FUND	SERVICE/MAINTENANCE	\$ 104,796.77	\$ 104,796.77
PPWA SINKING FUNDS	CAPITAL IMPROVEMENT	\$ 111,525.31	\$ 111,525.31
PPWA BOND PROCEEDS	CAPITAL IMPROVEMENT	\$ 3,787.28	\$ 3,787.28
E-911	MAINTENANCE	\$ 1,051.91	\$ 1,051.91
LIBRARY SPECIAL	MAINTENANCE	\$ 127.77	\$ 127.77
SEIZURES-POLICE DEPARTMENT	MAINTENANCE	\$ 0.60	\$ 0.60
DONATIONS	MAINTENANCE	\$ 474.00	\$ 474.00
COMMUNITY DEVELOPMENT BLOCK GRANT		\$ -	\$ -
EDTA	ECONOMIC DEVELOPMENT	\$ 60,143.40	\$ 60,143.40
	<b>TOTAL</b>	\$ 599,933.89	\$ 599,933.89

Done by order of the City Council of the City of Pryor Creek, Oklahoma, Mayes County, and recorded in the minutes of the City Clerk at Pryor Creek, Oklahoma this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Attest: \_\_\_\_\_ Mayor \_\_\_\_\_ City Clerk

**CERTIFICATE OF MAYES COUNTY EXCISE BOARD**

WE, THE UNDERSIGNED DULY QUALIFIED AND ACTING MEMBERS OF THE EXCISE BOARD OF MAYES COUNTY, OKLAHOMA, FIRST HAVING GIVEN NOTICE BY PUBLICATION IN THE OFFICIAL COUNTY PAPER OF SUCH COUNTY AND BY SUCH NOTICE FIXED A TIME AND PLACE OF HEARING EITHER FOR OR AGAINST ANY PART OF STATEMENTS OF ESTIMATED NEEDS ON FILE WITH THE SECRETARY OF THE COUNTY EXCISE BOARD FOR CONSIDERATION AND, THE DAY AND A DATE HEREINAFTER INSCRIBED, BEING ONE OF THE TEN DAYS BEGINNING ON THE DATE FIXED IN SAID NOTICE AND SAID HEARING HAVING BEEN CONCLUDED WE HAVE GIVEN DUE CONSIDERATION TO THE FINANCIAL STATEMENTS OF THE TREASURER AND TO THE VARIOUS ITEMS OF THE ESTIMATE OF NEEDS SUBMITTED BY THE CITY COUNCIL OF THE CITY OF PRYOR CREEK, OKLAHOMA AND, TO THE EXTENT THAT THE SAME WAS WITHIN THE AMOUNT OF CASH AVAILABLE FOR SUCH PURPOSES WE HAVE APPROVED THE SEVERAL ITEMS OF APPROPRIATION ASCERTAINED TO BE PURPOSES AUTHORIZED BY LAW AND HAVE INDICATED THE ITEMS AND AMOUNTS FOR APPROVAL IN THE LAST COLUMN OF SAID ESTIMATE OF NEEDS. THEREFORE, SAID APPROPRIATIONS ARE HEREBY MADE AND THE SECRETARY OF THE MAYES COUNTY EXCISE BOARD IS HEREBY ORDERED AND DIRECTED TO CERTIFY THE SAME TO THE CITY CLERK OR ISSUING OFFICER AND TO THE TREASURER OR REGISTERING AND PAYING OFFICER FORTHWITH, WITH INSTRUCTIONS TO ENTER THE SAME ON THEIR ACCOUNTS.

Done at Pryor Creek, Oklahoma, this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_. MAYES COUNTY EXCISE BOARD

Secretary of Mayes County Excise Board. \_\_\_\_\_ Chairman \_\_\_\_\_ Member \_\_\_\_\_ Member

(seal)



Quote

Order Number: 23-5407
Order Date: 11/30/2023
Expire Date: 12/30/2023
Terms: Upon Credit Approval
Customer P.O.: QUOTE
Confirm To: JOHNNY JAZEN
Ship VIA: PREPAID & ADD
F.O.B.: ALLENTOWN PA
Freight Terms: PREPAID & ADD
Salesperson: GSA CONTACT

Customer: 00-QQ
CITY OF PRYOR CREEK OK
PRYOR, OK 74361
Phone:
Alt Phone: 918-530-6114
Fax:
E-Mail: mayscountyem@yahoo.com

ALL PRICES IN US DOLLARS

Sold To:
CITY OF PRYOR CREEK OK
PRYOR, OK 74361

Ship To:
CITY OF PRYOR CREEK OK
PRYOR, OK 74361

Table with 7 columns: Item Number, Unit, Ordered, Shipped, Back Order, Price, Amount. Includes items like SILENT MSGR 2LR and OP-0169.

ANNOUNCING: Support Guides in Command Center Mobile App!

Access over 35 troubleshooting guides and videos.

All available to you 24/7!

Look for Command Center Mobile wherever you download your Apps.

ACKNOWLEDGEMENT - PLEASE SIGN & RETURN VIA EMAIL:
mkleckner@solartechology.com

Please verify billing and shipping addresses.

Terms & Conditions of Sale are attached. This order is accepted as entered above.

ACCEPTED BY TITLE DATE
Enter Purchase Order Number if not shown above. Purchase Order #

Summary table with 2 columns: Description, Amount. Includes Net Order, Less Discount, Freight, Deposit, Sales Tax, Order Total, and Order Balance.

WARNING: Any and All Products, Assemblies, Subassemblies, Parts, Components, Documents, etc. (i.e. Anything and Everything Offered and/or Provided By Solar Technology, Inc. Either for Sale or Free of Charge) May Contain Chemicals Known To The State Of California To Cause Cancer, Or Birth Defects Or Other Reproductive Harm. For more information go to: www.p65warnings.ca.gov.



December 13, 2023

City of Pryor Creek  
12 N. Rowe Street  
Pryor Creek, OK74361

Re: 2023 Street Rehabilitation  
Contractor's Pay Application No. Two (2) and Three (3) – Final  
Final Change Order No. Three (3)

Dear Mr. Doyle:

Enclosed for your review and approval is the Final Change Order No. Three (3), review and approval of the Contractor's Pay Application No. Two (2) and review and approval of Pay Application No. Three (3) – Final, which covers the final contract time period through 11/30/2023. During this time period, all work was completed on the project and a Final Inspection was performed on December 6, 2023. At this time, the Contractor has addressed all the deficiencies listed in the Final Inspection Report dated December 6, 2023.

Also enclosed for your records please find the following close-out documents:

1. Release of Claimants
2. Certificate of Substantial Completion
3. Contractor's Certification and Guarantee
4. Consent of Surety to Final Payment

We recommend approval of payment of Pay Application No. Two (2) in the amount of \$22,636.01 approval of Pay Application No. Three (3) - Final in the amount of \$20,927.71, for a total of \$43,563.72. We also recommend final acceptance of the referenced project, and the warranty period of one year shall be in effect beginning on the effective date of completion November 9, 2023. Please record acceptance of the project in the minutes of your next regularly scheduled meeting and sign the Certificate of Substantial Completion.

Please place Change Order No. Three (3), Pay Application No. Two (2), Pay Application No. Three (3)- Final, and Certificate of Substantial Completion on the agenda for approval at your next meeting and upon approval please sign and email Change Order No. Three (3), executed Pay Application No. Two (2), executed Pay Application No. Three (3) – Final, and Certificate of Substantial Completion to [dale.burke@isgengineering.com](mailto:dale.burke@isgengineering.com). Send one copy to the Contractor with payment and retain the original for your records.

It has been a pleasure working with the City of Pryor Creek on this project. If you have any questions concerning this Final Pay Application, please do not hesitate to contact our office at (918) 420-5500

Sincerely,

Infrastructure Solutions Group, LLC



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Dale Burke, P.E.  
President

DB/ew  
Enclosures  
Project No. PRY-23-04

**RELEASE OF CLAIMANTS**

Date: DECEMBER 12, 2023

Project: 2023 Street Rehabilitation Phase II

City of Pryor Creek

Dear Sir:

Contingent upon receiving the final payment of \$43,563.73, I hereby acknowledge receipt of FOUR HUNDRED-EIGHTEEN THOUSAND, FIVE HUNDRED FIFTY-FOUR AND 18/100.

Dollars (\$ 418,554.18 ) in full payment of my contract dated 07/18/2023, for improvement work which I did for you and which is described in my contract.

I certify that I have paid in full for all materials purchased and all labor employed in the performance of this contract and that there are no claims against me as an employer under this contract on account of injuries sustained by workmen employed by me thereunder. I hereby release you from any claims arising by virtue of this contract.

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**WARNING**

The making of any false statement or representation herein may be a crime punishable under Title 18 U.S.C. §1001 which provides in part: "Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully makes false representation, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000.00 or imprisoned not more than five years, or both."

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Sincerely,

Contractor: Tri-Star Construction, LLC

By:   
(Signature)

Name: MARK HUFF  
(Print or Type)

Title: MANAGING MEMBER  
(Print or Type)

# Certificate of Substantial Completion

Project: 2023 Street Rehabilitation – PH II	Owner: City of Pryor Creek	Owner's Contract No.: PRY-23-04
Contract: 2023 Street Rehabilitation – PH II		Date of Contract: July 18, 2023
Contractor: Tri-Star Construction, LLC		Engineer's Project No.: PRY-23-04

This ~~tentative~~ **definitive** Certificate of Substantial Completion applies to:

- All Work under the Contract Documents:                       The following specified portions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11/09/2023

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A ~~tentative~~ ~~revised tentative~~ **definitive** list of items to be completed or corrected, is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

- Amended Responsibilities     Not Amended

Owner's Amended Responsibilities:

\_\_\_\_\_

N/A.

Contractor's Amended Responsibilities:

\_\_\_\_\_

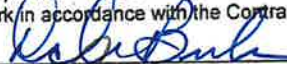
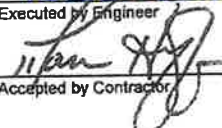
N/A.

The following documents are attached to and made part of this Certificate:

\_\_\_\_\_

N/A.

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

 Executed by Engineer	12/12/23 Date
 Accepted by Contractor	MARK HUFF 12/12/2023 Date
_____ Accepted by Owner	_____ Date

# Certificate of Substantial Completion

Project: 2023 Street Rehabilitation – PH II	Owner: City of Pryor Creek	Owner's Contract No.: PRY-23-04
Contract: 2023 Street Rehabilitation – PH II	Date of Contract: July 18, 2023	
Contractor: Tri-Star Construction, LLC	Engineer's Project No.: PRY-23-04	

This  tentative  definitive Certificate of Substantial Completion applies to:

- All Work under the Contract Documents:                       The following specified portions:

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11/09/2023

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A  tentative  revised tentative  definitive list of items to be completed or corrected, is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

- Amended Responsibilities     Not Amended

Owner's Amended Responsibilities:

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N/A.

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Contractor's Amended Responsibilities:

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N/A.

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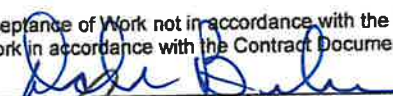
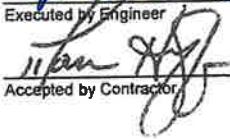
The following documents are attached to and made part of this Certificate:

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N/A.

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This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

 Executed by Engineer	12/12/23 Date
 Accepted by Contractor, MARK HUFF	12/12/2023 Date
Accepted by Owner	Date

# Certificate of Substantial Completion

Project: 2023 Street Rehabilitation – PH II	Owner: City of Pryor Creek	Owner's Contract No.: PRY-23-04
Contract: 2023 Street Rehabilitation – PH II	Date of Contract: July 18, 2023	
Contractor: Tri-Star Construction, LLC	Engineer's Project No.: PRY-23-04	

This  tentative  definitive Certificate of Substantial Completion applies to:

- All Work under the Contract Documents:                       The following specified portions:

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11/09/2023

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

A  tentative  revised tentative  definitive list of items to be completed or corrected, is attached hereto. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

The responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

- Amended Responsibilities     Not Amended

Owner's Amended Responsibilities:

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N/A.

Contractor's Amended Responsibilities:

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N/A.

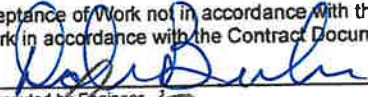
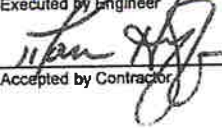
The following documents are attached to and made part of this Certificate:

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N/A.

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

 Executed by Engineer	12/12/23 Date
 Accepted by Contractor	MARK HUFF 12/12/2023 Date
Accepted by Owner	Date



**CONTRACTOR'S CERTIFICATION AND GUARANTEE**

Date: December 12, 2023

Project: 2023 Street Rehabilitation – PH II

Owner: City of Pryor Creek

Contractor: Tri-Star Construction, LLC

TRI-STAR CONSTRUCTION, LLC hereby certifies that all work on the above referenced project has been completed in accordance with the contract documents for the project.

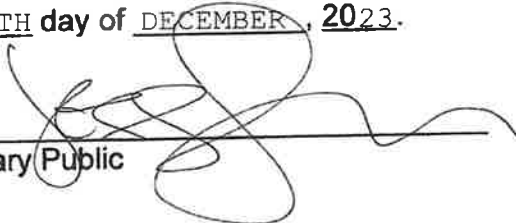
We also certify that all bills have been paid and upon receipt of \$ 418,554.18, representing final project payment, we do hereby waive our right to lien against the above project.

Furthermore we guarantee all materials and equipment furnished and Work performed for a period of one (1) year from the effective date of completion, 11/09/2023.

By:  , MARK HUFF  
MANAGING MEMBER

Date: DECEMBER 12TH, 2023

Subscribed and sworn to before me this 12TH day of DECEMBER, 2023.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: MAY 28TH, 2024

# Change Order

## No. ~~Two~~ (3)

Date of Issuance: December 11, 2023

Effective Date: December 19, 2023

Project:	Owner:	Owner's Contract No.:
2023 Street Rehabilitation Phase 2	City of Pryor Creek	N/A
Contract:		Date of Contract:
2023 Street Rehabilitation Phase 2		TBD
Contractor:		Engineer's Project No.:
Tri-Star Construction, LLC		PRY-23-04

The Contract Documents are modified as follows upon execution of this Change Order:

Description:		Qty	Unit	Unit Price	Total Price	Revised Qty	Revised Total Price	Change Order #3	
2	4" White Strip	4,795	LF	\$ 1.20	\$ 5,754.00	0	\$ -	-4,795	\$ (5,754.00)
3	(2) 4" Yellow Strip	4,628	LF	\$ 2.00	\$ 9,256.00	4,602	\$ 9,204.00	-26	\$ (52.00)
4	24" Solid White Line	10	LF	\$ 9.36	\$ 93.60	0	\$ -	-10	\$ (93.60)
7	Mountable Curb	100	LF	\$ 71.50	\$ 7,150.00	93.5	\$ 6,685.25	-6.5	\$ (464.75)
Total Amount									-\$6,364.35

Add Days for Additional Work: 0 days  
 Add Days for Weather: From \_\_\_\_\_ to \_\_\_\_\_ days

Attachments: (List documents supporting change): None.

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$472,000.00	Original Contract Times: Working days X - Calendar days Substantial completion (days or date): 90 days 11/30/2023 Ready for final payment (days or date): <u>N/A</u>
From previously approved Change Orders No. 1 to No. 2: (\$47,081.47)	Increase from previously approved Change Orders No. 1 to No. 2: Substantial completion (days or date): 0 days Ready for final payment (days or date): <u>N/A</u>
Contract Price prior to this Change Order: \$424,918.53	Contract Times prior to this Change Order: Substantial completion (days or date): 90 days 11/30/2023 Ready for final payment (days or date): <u>N/A</u>
Increase of this Change Order: (\$6,364.35)	Increase of this Change Order: Substantial completion (days or date): 0 days Ready for final payment (days or date): <u>N/A</u>
Contract Price incorporating this Change Order: \$418,554.18	Contract Times with all approved Change Orders: Substantial completion (days or date): 90 days 11/30/2023 Ready for final payment (days or date): <u>N/A</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: 12/12/23	Date: _____	Date: 12/12/2023
Approved by Funding Agency (if applicable): _____	Date: _____	Date: _____



**AIA Type Document  
Application and Certification for Payment**

**TO (OWNER):** City of Pryor Creek  
12 North Rowe Street  
Pryor Creek, OK 74361

**PROJECT:** COPC - 23 Str Rehab - PH II  
PO Box 400  
Catoosa, OK 74015

**APPLICATION NO:** 2323-02R1  
**PERIOD TO:** 11/30/2023

**DISTRIBUTION TO:**  
- OWNER  
- CONSTRUCTION  
- MANAGER  
- ARCHITECT  
- CONTRACTOR

**FROM (CONTRACTOR):** Tri-Star Construction LLC  
PO Box 400  
Catoosa, OK 74015

**ARCHITECT'S PROJECT NO:** PRY-23-04

**VIA CONSTRUCTION MANAGER:** Dale Burke, P.E.

**CONTRACT FOR:** 2023 Street Rehabilitation - PH II      **VIA ARCHITECT:** Infrastructure Solutions Group, LLC      **CONTRACT DATE:** 7/18/2023

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Type Document is attached.

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

- 1. ORIGINAL CONTRACT SUM ..... \$ 472,000.00
- 2. Net Change by Change Orders ..... \$ -53,445.82
- 3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 418,554.18
- 4. TOTAL COMPLETED AND STORED TO DATE ..... \$ 418,554.18

**CONTRACTOR:** Tri-Star Construction LLC  
PO Box 400 Catoosa, OK 74015

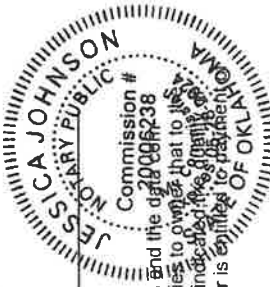
By:  Date: 12/13/2023  
Shaun Hinkle / Operations Manager

- 5. RETAINAGE:
  - a. 5.00 % of Completed Work \$ 20,927.71
  - b. 0.00 % of Stored Material \$ 0.00

State of: OK  
County of: Roger

Subscribed and Sworn to before me this 12<sup>th</sup> Day of DEC 2023

Notary Public:   
My Commission Expires: May 28, 2024



**CERTIFICATE FOR PAYMENT**

In Accordance with the Contract Documents, based on on-site observations and the data provided in the above application, the Construction Manager and Architect certify to owner that to the best of their knowledge, information and belief the Work has progressed as indicated on the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** ..... \$

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

**CONSTRUCTION MANAGER:**  
By:  Date: \_\_\_\_\_  
**ARCHITECT:** \_\_\_\_\_ Date: 12/13/23

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	16,794.00	-76,248.40
Total approved this Month	14,623.38	-2,250.45
<b>TOTALS</b>	<b>31,417.38</b>	<b>-78,498.85</b>
<b>NET CHANGES by Change Order</b>		<b>-47,081.47</b>

9. **BALANCE TO FINISH, INCLUDING RETAINAGE**  
(Line 3 less Line 6) \$ 20,927.71

6. **TOTAL EARNED LESS RETAINAGE** ..... \$ 397,626.47  
(Line 4 less Line 5 Total)

7. **LESS PREVIOUS CERTIFICATES FOR PAYMENT** ..... \$ 374,990.46  
(Line 6 from prior Certificate)

8. **CURRENT PAYMENT DUE** ..... \$ 22,636.01

AIA Type Document  
Application and Certification for Payment

**TO (OWNER):** City of Pryor Creek  
12 North Rowe Street  
Pryor Creek, OK 74361

**PROJECT:** COPC - 23 Str Rehab - PH II  
PO Box 400  
Catoosa, OK 74015

**APPLICATION NO:** 2323-02R1  
**PERIOD TO:** 11/30/2023

**DISTRIBUTION TO:**  
- OWNER  
- CONSTRUCTION  
- MANAGER  
- ARCHITECT  
- CONTRACTOR

**FROM (CONTRACTOR):** Tri-Star Construction LLC  
PO Box 400  
Catoosa, OK 74015

**ARCHITECT'S PROJECT NO:** PRY-23-04

**VIA CONSTRUCTION MANAGER:** Dale Burke, P.E.

**VIA ARCHITECT:** Infrastructure Solutions Group, LLC

**CONTRACT DATE:** 7/18/2023

**CONTRACT FOR:** 2023 Street Rehabilitation - PH II

ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE
1	2" ASPHALT OVERLAY	2,698.000	135.0000	364,230.00	2,698.000	364,230.00	.000	0.00	0.00	364,230.00	100.00	.00
2	4" WHITE STRIP	8,457.000	1,2000	10,148.40	.000	0.00	8,457.000	10,148.40	0.00	10,148.40	100.00	.00
3	(2) 4" YELLOW STRIP	8,290.000	2.0000	16,580.00	.000	0.00	8,290.000	16,580.00	0.00	16,580.00	100.00	.00
4	24' SOLID WHITE LINE	10.000	9.3600	93.60	.000	0.00	10.000	93.60	0.00	93.60	100.00	.00
5	EDGE MILLING	6,911.000	6.0000	41,466.00	6,911.000	41,466.00	.000	0.00	0.00	41,466.00	100.00	.00
6	CROSS STREET DRAIN	236.000	137.0000	32,332.00	236.000	32,332.00	.000	0.00	0.00	32,332.00	100.00	.00
7	REMOVE & REPLACE MOUNTABLE CURB	100.000	71.5000	7,150.00	93.500	6,685.25	6.500	464.75	0.00	7,150.00	100.00	.00
1	2" ASPHALT OVERLAY	-478.000	135.0000	-64,530.00	-478.000	-64,530.00	.000	0.00	0.00	-64,530.00	100.00	.00
2	4" WHITE STRIP	-3,662.000	1.2000	-4,394.40	.000	0.00	-3,662.000	-4,394.40	0.00	-4,394.40	100.00	.00
3	(2) 4" YELLOW STRIP	-3,662.000	2.0000	-7,324.00	.000	0.00	-3,662.000	-7,324.00	0.00	-7,324.00	100.00	.00
5	EDGE MILLING	2,799.000	6.0000	16,794.00	2,799.000	16,794.00	.000	0.00	0.00	16,794.00	100.00	.00
1	2" ASPHALT OVERLAY	-16.670	135.0000	-2,250.45	-16.670	-2,250.45	.000	0.00	0.00	-2,250.45	100.00	.00
6	CROSS STREET DRAIN	106.740	137.0000	14,623.38	.000	0.00	106.740	14,623.38	0.00	14,623.38	100.00	.00
2	4" WHITE STRIP	-4,795.000	1.2000	-5,754.00	.000	0.00	-4,795.000	-5,754.00	0.00	-5,754.00	100.00	.00
3	(2) 4" YELLOW STRIP	-26.000	2.0000	-52.00	.000	0.00	-26.000	-52.00	0.00	-52.00	100.00	.00
4	24' SOLID WHITE LINE	-10.000	9.3600	-93.60	.000	0.00	-10.000	-93.60	0.00	-93.60	100.00	.00
7	REMOVE & REPLACE MOUNTABLE CURB	-6.500	71.5000	-464.75	.000	0.00	-6.500	-464.75	0.00	-464.75	100.00	.00

**REPORT TOTALS**

\$418,554.18

\$394,726.80

\$23,827.38

\$418,554.18

\$0.00

\$0.00

**AIA Type Document  
Application and Certification for Payment**

**TO (OWNER):** City of Pryor Creek  
12 North Rowe Street  
Pryor Creek, OK 74361

**PROJECT:** COPC - 23 Str Rehab - PH II  
PO Box 400  
Catoosa, OK 74015

**APPLICATION NO:** 2323-03F  
**PERIOD TO:** 11/30/2023

**DISTRIBUTION TO:**  
- OWNER  
- CONSTRUCTION MANAGER  
- ARCHITECT  
- CONTRACTOR

**FROM (CONTRACTOR):** Tri-Star Construction LLC  
PO Box 400  
Catoosa, OK 74015

**ARCHITECT'S PROJECT NO:** PRY-23-04

**VIA CONSTRUCTION MANAGER:** Dale Burke, P.E.

**VIA ARCHITECT:** Infrastructure Solutions Group, LLC      **CONTRACT DATE:** 7/18/2023

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Type Document is attached.

<b>1. ORIGINAL CONTRACT SUM</b> .....	\$	472,000.00
<b>2. Net Change by Change Orders</b> .....	\$	-53,445.82
<b>3. CONTRACT SUM TO DATE (Line 1 + 2)</b> .....	\$	418,554.18
<b>4. TOTAL COMPLETED AND STORED TO DATE</b> .....	\$	418,554.18

**5. RETAINAGE:**

a. <u>00</u> % of Completed Work	\$	0.00
b. <u>000</u> % of Stored Material	\$	0.00
Total retainage (Line 5a + 5b) .....	\$	0.00

**6. TOTAL EARNED LESS RETAINAGE** .....

(Line 4 less Line 5 Total)      \$      418,554.18

**7. LESS PREVIOUS CERTIFICATES FOR PAYMENT** .....

(Line 6 from prior Certificate)      \$      397,626.47

**8. CURRENT PAYMENT DUE** .....

(Line 6 less Line 7)      \$      20,927.71

**9. BALANCE TO FINISH, INCLUDING RETAINAGE** .....

(Line 3 less Line 6)      \$      0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	16,794.00	-76,248.40
Total approved this Month	14,623.38	-2,250.45
<b>TOTALS</b>	<b>31,417.38</b>	<b>-78,498.85</b>
<b>NET CHANGES by Change Order</b>		<b>-47,081.47</b>

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the work covered by this application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

**CONTRACTOR:** Tri-Star Construction LLC  
PO Box 400 Catoosa, OK 74015

By:       **Date:** 12/12/2023

Shaun Hinkle / Operations Manager  
State of: OK  
County of: Roger

Subscribed and Sworn to before me this 12<sup>th</sup> Day of DEC 2023

Notary Public:   
My Commission Expires: May 28, 2024




**CERTIFICATE FOR PAYMENT**

In Accordance with the Contract Documents, based on on-site observations and the data provided, the Contractor certifies that to the best of their knowledge, information and belief the Work has progressed as indicated by the work in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** .....

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

**CONSTRUCTION MANAGER:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
By:       **Date:** 12/13/23

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

**AIA Type Document  
Application and Certification for Payment**

<p><b>TO (OWNER):</b> City of Pryor Creek 12 North Rowe Street Pryor Creek, OK 74361</p>	<p><b>PROJECT:</b> COPC - 23 Str Rehab - PH II PO Box 400 Catoosa, OK 74015</p>
<p><b>FROM (CONTRACTOR):</b> Tri-Star Construction LLC PO Box 400 Catoosa, OK 74015</p>	<p><b>APPLICATION NO:</b> 2323-03F <b>PERIOD TO:</b> 11/30/2023</p>
	<p><b>ARCHITECT'S PROJECT NO:</b> PRY-23-04</p>
	<p><b>DISTRIBUTION TO:</b> - OWNER - CONSTRUCTION MANAGER - ARCHITECT - CONTRACTOR</p>

**VIA CONSTRUCTION MANAGER:** Dale Burke, P.E.  
**VIA ARCHITECT:** Infrastructure Solutions Group, LLC      **CONTRACT DATE:** 7/18/2023

ITEM	DESCRIPTION	PLAN QTY	UNIT PRICE	SCHEDULED VALUE	PREVIOUSLY COMP QTY/%	PREVIOUS APPL	COMP QTY/% THIS PERIOD	COMP AMT THIS PERIOD	STORED MATERIAL	COMPLETED AND STORED	%	BALANCE
1	2" ASPHALT OVERLAY	2,698.000	135.0000	364,230.00	2,698.000	364,230.00	.000	0.00	0.00	364,230.00	100.00	.00
2	4" WHITE STRIP	8,457.000	1.2000	10,148.40	8,457.000	10,148.40	.000	0.00	0.00	10,148.40	100.00	.00
3	(2) 4" YELLOW STRIP	8,290.000	2.0000	16,580.00	8,290.000	16,580.00	.000	0.00	0.00	16,580.00	100.00	.00
4	24' SOLID WHITE LINE	10.000	9.3600	93.60	10.000	93.60	.000	0.00	0.00	93.60	100.00	.00
5	EDGE MILLING	6,911.000	6.0000	41,466.00	6,911.000	41,466.00	.000	0.00	0.00	41,466.00	100.00	.00
6	CROSS STREET DRAIN	236.000	137.0000	32,332.00	236.000	32,332.00	.000	0.00	0.00	32,332.00	100.00	.00
7	REMOVE & REPLACE MOUNTABLE CURB	100.000	71.5000	7,150.00	100.000	7,150.00	.000	0.00	0.00	7,150.00	100.00	.00
1	2" ASPHALT OVERLAY	-478.000	135.0000	-64,530.00	-478.000	-64,530.00	.000	0.00	0.00	-64,530.00	100.00	.00
2	4" WHITE STRIP	-3,662.000	1.2000	-4,394.40	-3,662.000	-4,394.40	.000	0.00	0.00	-4,394.40	100.00	.00
3	(2) 4" YELLOW STRIP	-3,662.000	2.0000	-7,324.00	-3,662.000	-7,324.00	.000	0.00	0.00	-7,324.00	100.00	.00
5	EDGE MILLING	2,799.000	6.0000	16,794.00	2,799.000	16,794.00	.000	0.00	0.00	16,794.00	100.00	.00
1	2" ASPHALT OVERLAY	-16.670	135.0000	-2,250.45	-16.670	-2,250.45	.000	0.00	0.00	-2,250.45	100.00	.00
6	CROSS STREET DRAIN	106.740	137.0000	14,623.38	106.740	14,623.38	.000	0.00	0.00	14,623.38	100.00	.00
2	4" WHITE STRIP	-4,795.000	1.2000	-5,754.00	-4,795.000	-5,754.00	.000	0.00	0.00	-5,754.00	100.00	.00
3	(2) 4" YELLOW STRIP	-26.000	2.0000	-52.00	-26.000	-52.00	.000	0.00	0.00	-52.00	100.00	.00
4	24' SOLID WHITE LINE	-10.000	9.3600	-93.60	-10.000	-93.60	.000	0.00	0.00	-93.60	100.00	.00
7	REMOVE & REPLACE MOUNTABLE CURB	-6.500	71.5000	-464.75	-6.500	-464.75	.000	0.00	0.00	-464.75	100.00	.00

<b>REPORT TOTALS</b>		\$418,554.18		\$418,554.18
		\$0.00		\$0.00
		\$418,554.18		\$418,554.18



December 13, 2023

City of Pryor Creek  
12 N. Rowe Street  
Pryor Creek, OK 74362

Re: 2023 Street Rehabilitation – Phase 1  
City of Pryor Creek  
Contractor's Pay Application No. One (1)

Dear Mr. Doyle:

Enclosed you will find one (1) copy of the Contractor's Pay Request No. One (1) for the referenced project which covers the time period through November 30, 2023.

We recommend payment of this Pay Application No. One (1) in the amount of \$108,056.33. By copy of this letter, we are notifying the City of Pryor Creek, of our recommendation.

Please place this item on the agenda for approval at your next meeting and upon approval please sign and send one copy to the Contractor with payment and email One (1) copy to [dale.burke@isgengineering.com](mailto:dale.burke@isgengineering.com).

If you have any questions please do not hesitate to contact our office at (918) 420-5500.

Sincerely,

Infrastructure Solutions Group, LLC

Dale Burke, P.E.  
President

DB/ew  
Enclosures

Project No. PRY-23-01

**APPLICATION AND CERTIFICATE FOR PAYMENT**

QTY Overrun

PROJECT: Pryor 2023 Streets  
 PRY - 23-01 Rebid  
 Pryor

City of Pryor creek  
 12 N rowe street  
 Pryor Ok. 74362

APP # 1  
 Billing Date: 11.30.2023  
 PERIOD TO: 11.30.2023

FROM: Apac- Central DBA Dunham's Asphalt S&C  
 4608 S Garnett Road - Suite 600  
 Tulsa Ok 74146

VIA: Street improvements

CONTRACT FOR: Street improvements CONTRACT DATE: 9.7.2023

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet, is attached.

CONTRACTOR'S APPLICATION FOR PAYMENT		
CHANGE ORDER SUMMARY		
Change Orders approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL	\$0.00	\$0.00
Approved this Month		
Number	Date Approved	
TOTALS	\$0.00	\$0.00
Net change by Change Orders		\$0.00

1. ORIGINAL CONTRACT SUM \$449,990.00
2. Net change by Change Orders
3. CONTRACT SUM TO DATE (Line 1+2) \$449,990.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on Continuation Sheet) \$113,743.50
5. RETAINAGE:
  - a. 5% of Completed Work (Column D + E on Continuation Sheet) \$5,687.18
  - b. 5% of Stored Material (Column F on Continuation Sheet) \$0.00
6. TOTAL EARNED LESS RETAINAGE Total Retainage \$5,687.18
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$108,056.33
8. CURRENT PAYMENT DUE \$0.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 - Line 6) \$108,056.33

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Apac- Central - DBA Dunhams Asphalt Services,  
 By: *Tim Quattrocchi* Date: 11.30.2023

State of: OKLAHOMA County of: Tulsa  
 Subscribed and sworn to before me this 30th day of Nov 2023  
 Notary Public:

My Commission expires:

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Owner's Representative (Manager) certifies to the Owner that to the best of the Owner Representative's knowledge, information and belief the Work has progressed as indicated on the quality of the Work in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED OWNER'S REPRESENTATIVE

AMOUNT CERTIFIED (Attach explanation if amount certified differs from the amount applied for.)

\$108,056.33

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without Prejudice to any rights of the Owner or Contractor under this Contract.

By: *Robert D. Duke* Date: 12/13/23

By: \_\_\_\_\_ Date: \_\_\_\_\_



CONTINUATION SHEET		PROJECT: PRY 2023 Street Improvements										APPLICATION #	1	THROUGH:	11.30.2023
APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed certification is attached. Amounts are to nearest dollar. See column I if variable retainage applies.															
A ITEM #	B DESCRIPTION OF WORK	Total Units	Unit Cost	Total Units to Date	Total Units this Period	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN DORE)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G/C)	H BALANCE TO FINISH (C-G)	I RETAINAGE G (5%)	
							FROM PREVIOUS APPLICATION (D+E)	THIS PERIOD							
<b>VALUED ENGINEERING</b>															
1	Mill	3811	\$ 5.00	0.00	0.00	\$19,055.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0%	\$19,055.00	\$0.00	
2	Pc Full Depth Patch	530	\$ 181.00	0.00	411.00	\$95,930.00	\$0.00	\$ 74,391.00	\$0.00	\$0.00	74,391.00	78%	\$21,539.00	\$3,719.55	
3	Cross Street Drain	395	\$ 175.00	0.00	151.00	\$69,125.00	\$0.00	\$ 26,425.00	\$0.00	\$0.00	26,425.00	38%	\$42,700.00	\$1,321.25	
4	Remove and replace curb	150	\$ 60.00	0.00	78.00	\$9,000.00	\$0.00	\$ 4,680.00	\$0.00	\$0.00	4,680.00	52%	\$4,320.00	\$234.00	
5	2" Asphalt overlay	507	\$ 160.00	0.00	0.00	\$81,120.00	\$0.00	\$ -	\$0.00	\$0.00	0.00	0%	\$81,120.00	\$0.00	
6	Remove and replace mountable curb	34	\$ 60.00	0.00	0.00	\$2,040.00	\$0.00	\$ -	\$0.00	\$0.00	0.00	0%	\$2,040.00	\$0.00	
7	edge milling	831	\$ 10.00	0.00	0.00	\$8,310.00	\$0.00	\$ -	\$0.00	\$0.00	0.00	0%	\$8,310.00	\$0.00	
8	APC Full depth patch	539	\$ 165.00	0.00	0.00	\$88,935.00	\$0.00	\$ -	\$0.00	\$0.00	0.00	0%	\$88,935.00	\$0.00	
9	adjust manhole	15	\$ 1,200.00	0.00	2.00	\$18,000.00	\$0.00	\$ 2,400.00	\$0.00	\$0.00	2,400.00	13%	\$15,600.00	\$120.00	
10	Mobilization	1	\$ 58,475.00	0.00	0.10	\$58,475.00	\$0.00	\$ 5,847.50	\$0.00	\$0.00	5,847.50	10%	\$52,627.50	\$292.38	
<b>ORIGINAL CONTRACT</b>						<b>\$449,990.00</b>	<b>\$0.00</b>	<b>\$</b>	<b>\$</b>	<b>\$0.00</b>	<b>\$113,743.50</b>	<b>25%</b>	<b>\$336,246.50</b>	<b>\$5,687.18</b>	
<b>Change Orders</b>						<b>\$0.00</b>	<b>\$0.00</b>	<b>\$</b>	<b>\$</b>	<b>\$0.00</b>	<b>\$113,743.50</b>	<b>25%</b>	<b>\$336,246.50</b>	<b>\$5,687.18</b>	
<b>Totals</b>						<b>\$0.00</b>	<b>\$0.00</b>	<b>\$</b>	<b>\$</b>	<b>\$0.00</b>	<b>\$113,743.50</b>	<b>25%</b>	<b>\$336,246.50</b>	<b>\$5,687.18</b>	



December 13, 2023

City of Pryor Creek  
PO Box 1167  
12 N. Rowe Street  
Pryor Creek, OK 74362

Re: Traffic Study (SE 9<sup>th</sup> Street and S Elliott Street)  
Work Order PRY-23-06

Dear Mr. Doyle:

Enclosed please a copy of the Work Order for Professional Service on the referenced project. Please add this to your next agenda for approval. If this Work Order is agreeable, please sign and have your signature attested the Work Order. Please email a copy to [dale.burke@isgengineering.com](mailto:dale.burke@isgengineering.com) and retain a copy for your records.

Thank you and we look forward to working with you on this project. If you have any questions, please feel free to call me at (918) 420-5500.

Sincerely,

Infrastructure Solutions Group, LLC

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Dale Burke, P.E.  
President

DB/ew

Enclosures

Project No. PRY-23-06



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## WORK ORDER FOR PROFESSIONAL SERVICES

**City of Pryor Creek**

**Project Number PRY-23-06**

This will constitute authorization by the City of Pryor Creek (Owner) for Infrastructure Solution Group LLC (Engineer) to proceed with the following described as "Project":

Project Description: Traffic Study (SE 9<sup>th</sup> Street and S Elliott Street)

- Provide a Traffic Study on the Intersection of SE 9<sup>th</sup> Street and S Elliott Street. The study shall include existing and estimated future traffic data, traffic control options, and construction options and cost estimates.
- Perform all work in accordance with STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES as prepared by ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC).

For performing the services described, the Engineer is to be paid a Lump Sum of \$9,500.00.

APPROVED:  
City of Pryor Creek


By: \_\_\_\_\_  
Zac Doyle  
Mayor

ATTEST:

\_\_\_\_\_

DATE: \_\_\_\_\_

ACCEPTED:  
Infrastructure Solutions Group LLC,

By:   
Dale Burke  
President

ATTEST:

\_\_\_\_\_  
Crysta Watson  
Project Engineer

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE TO REGULATE THE INSTALLATION AND USE OF AUTOMATED LICENSE PLATE READERS AND THE DATA COLLECTED

WHEREAS, the City of Pryor Creek, Oklahoma, finds and declares as the legislative body of the City, that it is in the best interests of the citizens of the City for the Pryor Police Department to begin using Automated License Plate Reader (ALPR) technology to collect data, however also recognizes the Constitutional privacy of the citizens of the City.

WHEREAS, the City of Pryor Creek, Oklahoma believes the Pryor Police Department should have access to the data collected from the ALPRs for the purpose of investigations, crime prevention and for the overall protection of the City's citizens.

WHEREAS, the City of Pryor Creek, Oklahoma also believes the citizens should have their privacy rights fully protected from the unlawful collection and distribution of data or tracking of movements or actions.

NOW, THEREFORE, be it ordained by the Mayor, and the Council of the City of Pryor Creek, Mayes County, Oklahoma to wit:

5-11-1 of the Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma shall be added to the City's code to include the following addition:

“5-11-1: USE OF AUTOMATED LICENSE PLATE READERS (ALPRS)

A. Authorization for Use

1. The Police Department is authorized to install and utilize ALPR technology within the corporate limits of the City for the purpose of capturing and storing digital license plate data and images.
2. All data and images gathered by an ALPR is for the official use of the Police Department.

B. Operation of ALPR

1. An ALPR may only be used for official law enforcement business
2. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation.
3. No ALPR operator may access confidential Pryor Creek Police Department, state or federal data unless authorized to do so.

4. No ALPR shall be utilized for the purpose of tracking any right protected by the United States Constitution or the Constitution of the State of Oklahoma including but not limited to: Right to Religion, Right to Express, Right to Assemble, and the Right to Petition.

#### C. Data Storage

1. All stored ALPR data should be retained for a period of ten (10) calendar days. Thereafter, ALPR data should be purged unless it has become evidence in a criminal investigation or is subject to a discovery request or other lawful action to produce records. In those circumstances, the applicable data should be downloaded onto portable media and booked into evidence. Under no circumstance shall any data be sold, distributed or given to any third party unless required by law.

#### D. Releasing ALPR Data

1. The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise required by law.

#### E. Punishment & Sentence

1. Any person who intentionally misuses the system or intentionally sells, shares or distributes any information collected by an ALPR shall be guilty of a misdemeanor and upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code.

#### F. Department Policy

1. The Police Department shall develop and maintain a Department Policy regarding the use of License Plate Readers and the data collected. The policy must be consistent with Federal, State and local ordinances.

#### G. Third Parties

1. All third-parties who provide services to the City of Pryor for the use of an ALPR, or the storage of data collected from an ALPR, shall also be required to follow all provisions regarding privacy and data storage contained within this Ordinance.”

The language in the ordinance above shall hereby be included in Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma as 5-11-1. It shall be incorporated as an enforceable ordinance within the City of Pryor Creek, Oklahoma.

This ordinance shall be published as provided by law.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 202\_.

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Mayor

ATTEST:

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City Clerk

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City Attorney

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE FOR CERTIFICATES TO BE ISSUED IN COMPLIANCE WITH OKLAHOMA MEDICAL MARIJUANA AUTHORITY

WHEREAS, the State of Oklahoma recently passed a law regarding medical marijuana certificates of compliance for businesses dealing with in the medical marijuana industry under the Oklahoma Medical Marijuana Authority (OMMA) within a municipality,

WHEREAS, the City of Pryor Creek currently does not have any ordinance regarding the issuing of certificates of compliance to businesses within the medical marijuana industry,

WHEREAS, the City of Pryor Creek recognizes the need to be able to issue these certificates of compliance under Oklahoma state law,

WHEREAS, The City Council of the City of Pryor Creek, Oklahoma, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, for the City to be able to issue certificates of compliance,

NOW, THEREFORE, be it ordained by the Mayor, and the Council of the City of Pryor Creek, Mayes County, Oklahoma to wit:

The City of Pryor Creek, Oklahoma hereby directs the following to be included in Title 3, Chapter 12 of the Code of Ordinances specifically as Medical Marijuana Control:

**3-12-1 OKLAHOMA MEDICAL MARIJUANA AUTHORITY (OMMA) CERTIFICATES; APPLICATION.**

- A. Required: Every applicant for a certificate of compliance with the zone, fire, health and safety codes of the city, required by Oklahoma Medical Marijuana Authority (OMMA). Rules, shall apply at the office of the City Clerk by:
  - a. Application Form: Filing a written application on forms prescribed by that office; and
  - b. Fee: Paying a verification and certification fee in such amount as set by the City Council at the time of filing.
- B. Investigation: Upon receipt of an application for a certificate of compliance, the city clerk shall cause an investigation to be made to determine whether the premises proposed for licensed operations comply with the provisions of the zoning title and any health, fire, building and other safety codes applicable to it.

**3-12-2 ISSUANCE OF CERTIFICATES:**

- C. Zoning: Upon finding that the premises of an applicant for a certificate is in compliance with all applicable zoning ordinances, a certificate of zoning shall be issued to the Oklahoma Medical Marijuana Authority (OMMA).
- D. Fire, Safety And Health Codes: Upon finding that the premises of an applicant for a certificate is in compliance with all applicable fire, safety, and health codes, a certificate of compliance shall be issued to the Oklahoma Medical Marijuana Authority (OMMA).
- E. Signatures Required: The above certificates of compliance shall be signed by the Mayor or by the City Clerk.

The language in this his ordinance above shall hereby be included in Pryor Creek’s Ordinances and be codified as 3-12-1 and 3-12-2. It shall be incorporated as an enforceable ordinance within the City of Pryor Creek, Oklahoma.

This ordinance shall be published as provided by law.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney



ORDINANCE NO. 2023-\_\_\_\_\_

**AN ORDINANCE TO AMEND SECTION 5-5-4 OF THE CITY'S CODE TO MAKE THE UNLAWFUL SALE OF NICOTINE PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21) A PUNISHABLE OFFENSE**

WHEREAS, several youths of the City of Pryor through the Impact Council have presented to the City the request for the City to make it be a punishable offense for anyone to sale nicotine products to persons under the age of twenty-one (21) years of age.

WHEREAS, the State of Oklahoma has recently passed legislation making the sale of nicotine products to persons under the age of twenty-one (21) years of age a punishable offense.

WHEREAS, the City of Pryor Creek, Oklahoma, finds and declares as the legislative body of the City, that it is in the best interests of the citizens of the City to make the sale of nicotine products to persons under the age of twenty-one (21) years of age a punishable offense.

NOW, THEREFORE, be it ordained by the Mayor, and the Council of the City of Pryor Creek, Mayes County, Oklahoma to wit:

5-5-4 entitled "PURCHASE, RECEIPT OR POSSESSION; FALSIFYING AGE" of the Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma shall be amended to include the sale of "nicotine products" to persons under the age of twenty-one (21) as an unlawful act and shall specifically be amended to read as follows:

5-5-4: PURCHASE, RECEIPT OR POSSESSION; FALSIFYING AGE:

- A. Prohibited: It is unlawful for a person who is under twenty-one (21) years of age to purchase, accept receipt of, or have in their possession a tobacco product, nicotine product or vapor product, or to present or offer to any person any purported proof of age which is false, fraudulent or not actually his or her own, for the purpose of purchasing or receiving any tobacco product, nicotine product or vapor product; provided, however, that it shall not be unlawful for such a person to handle such tobacco product, nicotine product or vapor product when required in the performance of such person's duties.
- B. Administrative Fine; Failure To Pay: When a person violates subsection A of this section, the Municipal Court may assess such person an administrative fine of twenty five dollars (\$25.00) for the first offense within a one-year period and an administrative fine of fifty dollars (\$50.00) for a second or subsequent offense within a one-year period. Upon failure of the individual to pay such administrative fine within ninety (90) days of the day of such fine, the Court Clerk shall notify the Department of Public Safety and request the department suspend or not issue a driver's license to said individual until proof of payment has been furnished to the Department of Public Safety. (Ord. 2018-8, 2-6-2018; amd. Ord. 2021-8, 2-2-2021).

The language in the amended ordinance above shall hereby replace the current language of 5-5-4 and shall be included in Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma

as 5-5-4. It shall be incorporated as an enforceable ordinance within the City of Pryor Creek, Oklahoma.

This ordinance shall be published as provided by law.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

**ORDINANCE NO. 2024 -**

**AN ORDINANCE CHANGING AND AMENDING ZONING CLASSIFICATION FROM “CAR” (Commercial Automotive and Recreation) TO “AG” (Agriculture) OF PROPERTY DESCRIBED AS FOLLOWS:**

A tract of land being a part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Nine (9), Township Twenty-one (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma, more particularly described as follows, to-wit:

**BEGINNING** at the Southeast corner of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4);

**THENCE** North 01°30'40" West along the East line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) a distance of 881.13 feet to a ½ inch iron pin;

**THENCE** South 88°35'06" West a distance of 245.75 feet to a ½ inch iron pin;

**THENCE** South 01°31'41" East a distance of 881.11 feet to a MAG nail on the South line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4);

**THENCE** North 88°35'20" East a distance of 245.75 feet to the point of beginning

**WHEREAS**, the record owners of the above described property made application to the City by proper application for rezoning of the aforesaid property seeking the rezoning of the property from its current designation of Commercial Automotive and Recreation (CAR) to Agriculture (AG); and

**WHEREAS**, the application was subsequently heard and considered by the Planning and Zoning Commission for said City resulting in a recommendation by the Planning and Zoning Commission to the City Council for approval of said application of the landowner; and

**WHEREAS**, the matter came before the City Council for the City of Pryor Creek with recommendation for approval by the Planning and Zoning Commission and the Council being advised in the premises found that the requested change and amendment of zoning from “CAR” to “AG” would not be inharmonious with other property uses in the immediate vicinity, the change would have no apparent adverse impact on the public health, safety, morale and general welfare of the community and that the change would be consistent with the Comprehensive Plan for the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PRYOR CREEK, OKLAHOMA THAT:**

**SECTION 1:**

The zoning classification of the property described as follows is hereby changed and amended and rezoned from Commercial Automotive and Recreation (CAR) to Agriculture (AG) under the Zoning Code of the said City, to-wit:

A tract of land being a part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Nine (9), Township Twenty-one (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma, more particularly described as follows, to-wit:

**BEGINNING** at the Southeast corner of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4);

**THENCE** North 01°30'40" West along the East line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) a distance of 881.13 feet to a ½ inch iron pin;

**THENCE** South 88°35'06" West a distance of 245.75 feet to a ½ inch iron pin;

**THENCE** South 01°31'41" East a distance of 881.11 feet to a MAG nail on the South line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4);

**THENCE** North 88°35'20" East a distance of 245.75 feet to the point of beginning

**SECTION 2:**

That upon passage and publication of this ordinance amending and changing the zoning classification of the afore described property the official zoning map of the City of Pryor Creek be amended to reflect the amended zoning of the said property from(CAR) to (AG).

Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this \_\_ day of \_\_\_\_, 2024.

**CITY OF PRYOR CREEK, OKLAHOMA**

\_\_\_\_\_  
**Zac Doyle, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Courtney Davis, City Clerk**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Chase McBride, City Attorney**

**Dated:** \_\_\_\_\_

ORDINANCE NO. 2023-\_\_\_\_\_

AN ORDINANCE AMENDING FIRE WORK REGULATIONS

WHEREAS, the City of Pryor Creek currently has enacted an ordinance regarding the use and sale of fireworks within the City's boundaries.

WHEREAS, The City Council of the City of Pryor Creek, Oklahoma, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City to amend the current ordinance to allow for the limited sale and use of fireworks within the City limits.

NOW, THEREFORE, be it ordained by the People of Pryor Creek by and through the Mayor, and the Council of the City of Pryor Creek, Mayes County, Oklahoma to wit:

5-4C-2 entitled "FIREWORKS REGULATED" of the Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma shall be amended as follows:

- A. "Fireworks Defined: For the purpose of this section, "fireworks" shall have the meaning prescribed by state law, 68 Oklahoma Statutes section 1622.
- B. Fireworks Usage: The discharge, firing or use of fireworks within the corporate limits of the City is allowed for residential purposes as stated within this Ordinance. Public Firework Displays are hereby prohibited excepting only such activity which is carried out pursuant to a permit issued by the City effective for the current year in which such activity is carried out.
  - 1. Public Fireworks Displays:
    - a. Supervised public displays utilizing either IAG or 1.3G fireworks shall be lawful when conducted pursuant to a permit issued by the City and otherwise performed in such a manner as to be in compliance with all requirements of this code and such restrictions as may be made or required by the fire department and National Fire Protection Association (NFPA 1123). The permit holder shall:
      - (1) Furnish a diagram of the site for the display which shall show the location of the firing site, spectator area and shall meet the requirements of NFPA 1123.
      - (2) Furnish an inventory list of the proposed fireworks to be fired at the site.
      - (3) Conform to all requirements of NFPA 1123.
      - (4) Obtain a site inspection prior to the operation of the display.

- (5) All public displays including displays utilizing IAG fireworks shall (within 10 days prior to the display) publish a public notice in a newspaper legally authorized for legal notices published for circulation in the city.
  - (6) Any company performing fireworks displays utilizing 1.3G fireworks shall have on file with the city of Pryor Creek a copy of their state license for fireworks displays and proof of public liability insurance in such amount as may be required by the city at the city council's discretion.
  - (7) Any and all subcontractors of the permit holder participating in any manner with the public display shall be required to be disclosed upon the permit to be obtained and each subcontractor shall be subject to the requirements of subsection B1a(6) of this section.
- b. Every public fireworks display shall obtain the commercial fireworks permit as passed and approved by city council at a fee as established for public displays (see appendix A of this code).
  - c. Public fireworks displays must be pre-approved by city council and meet the requirements of subsections B1a and B1b of this section.
2. Residential Fireworks: "Residential fireworks" shall mean and refer to all use of fireworks not otherwise described in subsection B1a of this section.
- a. The "season" for residential fireworks discharge, firing or burning shall be limited to be only on July 1 and July 4, between the hours of nine o'clock (9:00) A.M. to eleven fifty nine o'clock (11:59) P.M. on each of said dates, and on New Year's Eve and New Year's Day between the hours of nine o'clock (9:00) P.M. and twelve o'clock (12:00) A.M. The discharge, firing or burning of residential fireworks at dates and times not specifically set forth herein shall be unlawful.
  - b. Fireworks shall not be discharged within twenty-five feet (25') to any permanent structure or within five hundred feet (500') of any church, hospital, school, public park, or where fireworks are stored or sold.
  - c. No person may use or discharge fireworks on any, public easement, or public property unless approved by the city council of the city of Pryor Creek.
  - d. No person shall ignite or discharge any fireworks within or neither throw the same from a motor vehicle nor shall any person place or throw any ignited article or fireworks into or at such a motor vehicle, or at or near any group of people.
  - e. No person under the age of eighteen (18) years of age shall engage in the use of residential fireworks unless under the supervision, which term "supervision" shall require the physical presence in the immediate area such that visual observation of the use may be had during all times of use, of an adult person (over 18 years of age).

- f. An adult person (over 18 years of age) overseeing the use of fireworks by persons under the age of eighteen (18) years may not supervise more than four (4) persons under the age of eighteen (18) years in the use of fireworks.
          - g. The adult person (over 18 years of age) in charge of the use must be physically present for any household member to use the fireworks and said use shall be within sixty feet (60') of the front door of the residence. The adult person (over 18 years of age) is further responsible for cleaning up any debris caused by any person discharging fireworks under the supervision of the adult person (over 18 years of age) and such debris must be cleaned up and removed the same day the fireworks are discharged.
- C. Permit Exception: The council of the city of Pryor Creek shall approve an exception for the discharge at such times the City of Pryor Creek sponsors a public display and only on the area so designated.
- D. Sale of Fireworks from Firework Stands
  - 1. Application for License: Any person, organization, or business seeking to sell fireworks must apply for a license between April 15 and June 1 of the license year by filing a written application in such form and content as the city manager may prescribe.
  - 2. Eligibility of Applicant:
    - a. Age: Applicants must be at least twenty-one (21) years of age at the time of application.
    - b. Insurance: Applicants must provide minimum liability insurance of five hundred thousand dollars (\$500,000.00) for bodily injury and property damage from an insurance agency currently licensed to do business within the state of Oklahoma. Proof of insurance must be submitted with the application.
    - c. Invoicing Of Fireworks: All fireworks must be invoiced from a distributor or wholesaler licensed to do business in the state of Oklahoma. The original invoice must be in the applicant's name and be available upon request.
    - d. Proof Of Tax Payment: Applications must be accompanied with proof of tax payment for the previous year. Applications of a new business venture must be accompanied by an affidavit verifying that the applicant has not engaged in selling fireworks previously or, in the alternative, was not required to pay city, state or federal taxes.
    - e. Proof Of State Permit: Applicants must supply proof of state permit for the license year and comply with all fireworks laws of the state, 68 Oklahoma Statutes sections 1621 through 1634.

3. Fees: A fee of five hundred dollars (\$500.00) must accompany the application. A license fee is required for each fireworks stand.
4. Firework Stand Requirements:
  - a. Location; Property Owner Consent: Each stand must be located on property zoned commercial, with written consent from the property owner dated and filed with the application, or on property owned by the City, contingent upon written approval of the Mayor.
  - b. Distance From Other Structures: A minimum of one hundred feet (100') must exist between all fireworks stands and any other structures.
  - c. Posting Of Signs:
    - (1) No Smoking: A "no smoking" sign must be posted on the fireworks stand within public view.
  - d. Fire Extinguisher: Each fireworks stand must have at least one approved ABC fire extinguisher, minimum size of five (5) pounds.
  - e. Distance From Fuel Tanks: Fireworks must be a minimum of one hundred fifty feet (150') away from fuel pumps, propane tanks, or any other facility or structure where flammable liquid is commercially sold or dispensed.
  - f. Time Limitation: Firework stands may only be erected from June 1 - July 7, and December 27 – December 31 of the license year.
  - g. Adult Person In Charge: A person eighteen (18) years of age or older shall be present and in charge of the fireworks stand at all times.
  - h. Hours: Fireworks stands may conduct business between the hours of eight o'clock (8:00) A.M. and eleven o'clock (11:00) P.M. of the license year excluding the evenings of December 31, July 3, July 4 when they may remain open until twelve o'clock (12:00) A.M.
  - i. Sales To Underage Persons: It shall be unlawful to offer for sale any fireworks to children under the age of twelve (12) years, unless accompanied by an adult.
  - j. Inspection: The Code Enforcement officer and/or Fire Marshal must inspect the fireworks site and stand, for safety and ordinance compliance, prior to opening for business.
  - k. Noncombustible Surface: All fireworks stands shall be on a noncombustible surface (asphalt, concrete, gravel), with the surface area being twice the size in square feet as the actual tent, or in the absence of a tent, the fireworks stand.



1. Restrooms: All fireworks stands shall have working restroom facilities on site, whether those be in an enclosed camper on the premises or through the rental of a portable unit.
- E. Penalty: Any person found violating any provision of this section shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished as provided in section 1-4-1 of this code.

This ordinance shall be published as provided by law.

The territory described in this ordinance shall be removed from the corporate limits of City of Pryor Creek, Oklahoma, upon publication of this ordinance. Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

RESOLUTION NO. 2023- \_\_\_\_\_

**A RESOLUTION CALLING FOR A SPECIAL ELECTION FOR THE PURPOSE OF AMENDING CITY CHARTER PROVISIONS REGARDING THE TERM OF THE CHIEF OF POLICE, CITY CLERK AND CITY TREASURER.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PRYOR CREEK, OKLAHOMA:**

That a special election shall be held Tuesday, April 2, 2024, for the purpose of amending Article II, Section 3, of the City Charter as follows {additions underlined, deletions stricken}:

B. An election shall be held on the second Tuesday in ~~February, 2013~~ April, 2024, and each ~~two (2)~~ four (4) years thereafter in which there should be elected for the City at large one Chief of Police, one City Clerk and one City Treasurer.

D. The terms of the officials elected hereunder shall begin on the first Monday in May following the elections and they shall serve for a period of two (2) years, except for the Mayor, Chief of Police, City Clerk and City Treasurer, who shall serve for four (4) years, and until their successors are elected and qualified.

Ballot language for said amendment shall be as follows:

The measure proposes an amendment to Article II, Section 3 of Pryor Creek City Charter to provide for the election of Chief of Police, City Clerk, and City Treasurer of the City of Pryor Creek for a term of four (4) years. Shall the amendment be approved?

**BE IT FURTHER RESOLVED** that notice of the proposed amendment and election shall be given in a newspaper of general circulation within the municipality once per week for three (3) consecutive weeks.

Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Zac Doyle, Mayor

ATTEST:

\_\_\_\_\_  
Courtney Davis, City Clerk

\_\_\_\_\_  
Chase McBride, City Attorney

**RESOLUTION NO. 2023-\_\_\_\_\_**

**A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF PRYOR CREEK TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) FOR USE OF RURAL BUSINESS DEVELOPMENT GRANT FUNDS SET FORTH BY THE USDA FOR THE GRAHAM COMMUNITY CENTER REMODEL PROJECT IN PRYOR CREEK, OKLAHOMA AND AUTHORIZING THE MAYOR TO SIGN THIS APPLICATION.**

**WHEREAS**, the City of Pryor Creek, Oklahoma, is submitting an application to the United States Department of Agriculture (USDA) for Rural Business Development Grant funds in the amount of \$500,000.00 set forth by the USDA and as outlined in Rural Business Development Grant application packet for 2024; and

**WHEREAS**, the City of Pryor Creek, Oklahoma, is participating as an eligible project sponsor in the USDA's Rural Business Development Grant set forth by USDA; and

**WHEREAS**, Federal monies are available under a Rural Business Development Grant program set forth and administered by the United States Department of Agriculture, for the purpose of updating Graham Community Building's commercial kitchen and leasing the space out to home bakers/sauce makers who need access to a commercial equipment to create and package their products; and

**WHEREAS**, the City of Pryor Creek, Oklahoma, acknowledges availability of the required local match of no less than \_\_\_\_\_; and

**WHEREAS**, the City Council of the City of Pryor Creek, has recommended that an application be submitted to the United States Department of Agriculture for the Graham Community Center Remodel Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PRYOR CREEK, OKLAHOMA:**

SECTION 1: That the City of Pryor Creek, Oklahoma does hereby authorize the Mayor to submit an application to the United States Department of Agriculture for Rural Development Grant funds set forth by USDA on behalf of the citizens of Pryor Creek, Oklahoma.

SECTION 2: That the City of Pryor Creek, Oklahoma, hereby assures the United States Department of Agriculture that sufficient funding for the Graham Community Center Remodel Project is available.

SECTION 3: That the City of Pryor Creek, Oklahoma, hereby assures the United States Department of Agriculture that sufficient funding for the operation and maintenance for the Graham Community Center Remodel Project will be available for the life of the project.

SECTION 4: That the Mayor of the City of Pryor Creek, Oklahoma, is authorized to sign the application and submit additional information as may be required and act as the official representative of the City of Pryor Creek, Oklahoma, in this and subsequent related activities to the United States Department of Agriculture for Rural Business Development Grant funds set forth by USDA on behalf of the citizens of Pryor Creek, Oklahoma,

**APPROVED, this \_\_\_\_ day of December, 2023 in regular session of the City Council for the City of Pryor Creek, Oklahoma.**

\_\_\_\_\_  
**Zachariah Doyle, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Courtney Davis, City Clerk**

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
**Chase McBride, City Attorney**

**Dated:** \_\_\_\_\_