

ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING TITLE 1, CHAPTER 6, SECTION 5 REGARDING “PERSONNEL BOARD” AMENDING MANNER OF SELECTION OF MEMBERS AND ALTERNATE MEMBER OF THE BOARD, AMENDING PROVISION RELATED TO REMOVAL OF A MEMBER FROM THE BOARD, EXCLUDING COUNCIL MEMBERS OR EMPLOYEES FROM SERVING ON THE BOARD, PROVIDING FOR DIVERSITY OF GENDER ON THE BOARD, AND PROVIDING FOR REPEALER AND SEVERABILITY.

WHEREAS, THE MAYOR AND CITY COUNCIL FIND IT IN THE BEST INTEREST OF THE SERVICE OF THE CITY AND IN THE BEST INTEREST OF THE PUBLIC AND EMPLOYEES OF THE CITY TO AMEND THE PROVISION OF THE CODE GOVERNING THE CREATION, COMPOSITION AND DUTIES OF THE PERSONNEL BOARD FOR THE CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR, AND THE COUNCIL OF THE CITY OF PRYOR CREEK, MAYES COUNTY, STATE OF OKLAHOMA, TO-WIT:

SECTION 1.

Title 1, Chapter 6, Secon 5 of the Code of Ordinances of the City of Pryor Creek, Mayes County, State of Oklahoma, is hereby amended to read as follows, to-wit: (deleons indicated by strike through and addions indicated by underline)

1-6-5: PERSONNEL BOARD:

A. Created; Term: There is hereby established a personnel board, as authorized by the statutes of the state, consisting of three (3) members and (1) alternate member. Appointment of members and alternate member shall be made by the Mayor with confirmation of the appointment by the Council. The terms of the members and the alternate member shall be for staggered terms of ~~six (6) years~~ eight (8) years. The terms of the original three (3) members shall expire on the first Monday in May at seven thirty o'clock (7:30) P.M. in each succeeding even numbered year following the enactment of this ordinance in order to achieve the staggered terms of service. The term of the alternate member shall expire on the first Monday in May at seven thirty o'clock (7:30) P.M. in the next succeeding even numbered year following the enactment of this ordinance. The terms of their successors shall be for ~~six (6) years~~ eight (8) years, beginning at seven thirty o'clock (7:30) P.M. on the first Monday in May. Members shall serve until their successors are appointed by the Mayor and confirmed by the Council. The Mayor, after adequate opportunity for a public hearing, may remove a member for the good of the service, and may fill the vacancy for the unexpired term. The Board shall consist of mixed

representation of two (2) female and two (2) male members, one of which will serve as the alternate member. The members of the Board may not be comprised of City Council Members or City Employees.

B. Officers; Meetings: At the time prescribed for the beginning of the term of each newly appointed member, or as soon thereafter as practicable, the members of the personnel board shall elect a chairman, a vice chairman and a secretary. The secretary need not be a member of the board. The board shall determine the time and place of its regular meetings and the chairman or two (2) members may call special meetings of the board.

C. Duties: The personnel board shall hold a public hearing on the appeal of any layoff, suspension, demotion, disciplinary action or removal of an employee of the City who has completed a probationary period of six (6) months as soon as practicable after an appeal has been filed. The personnel board shall not have a duty or authority to act concerning employees of the Municipal Utility Department which by Charter are under the authority of the Municipal Utility Board. The duty and authority to act of the Personnel Board shall extend to all non-elected employees of the City.

D. Report Findings And Recommendations: The personnel board shall report in writing its findings and recommendations to the mayor as the municipal officer designated by the City's Charter, Section 32, in the charge of appointment of all employees of the City.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 3 SEVERABILITY.

If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

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

ATTEST: ZAC DOYLE, MAYOR

COURTNEY DAVIS, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

K. ELLIS RITCHIE

Dated: _____, 2023