

**MINUTES
ORDINANCE AND INSURANCE COMMITTEE
SPECIAL MEETING
THURSDAY, JUNE 3RD, 2021
5:00 P.M.**

THE ORDINANCE AND INSURANCE COMMITTEE MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE STREET, PRYOR, OKLAHOMA AT THE ABOVE DATE AND TIME.

COMMITTEE MEMBERS: CHOYA SHROPSHIRE, DENNIS NANCE, JIMMY TRAMEL, STEVE SMITH (ALTERNATE)

1. CALL MEETING TO ORDER.

The meeting was called to order by Choya Shropshire at 5:00 p.m. Committee members present: Choya Shropshire, Dennis Nance and Steve Smith. Members absent: Jimmy Tramel.

Others present: Mayor Larry Lees, Brown & Brown representatives Jennifer Brittain and Kristy Hinojosa, Kemmie Shropshire.

2. DISCUSS, POSSIBLY APPROVE MINUTES OF JANUARY 11TH, 2021 SPECIAL MEETING.

Motion was made by Nance, second by Smith to approve minutes of January 11th, 2021 Special Meeting. Voting yes: Shropshire and Nance. Abstaining, counting as a no vote: Smith. Voting no: none.

3. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING APPROVAL OF 2021-2022 CITY GROUP HEALTH INSURANCE PLAN FROM PLANS PRESENTED.

Motion was made by Nance, second by Smith to recommend Council action regarding approval of 2021-2022 city group health insurance plan from plans presented.

Brittain talked through the information regarding the different plans and companies Brown & Brown shopped. She stated that BCBS initially showed a 21% increase in the costs from last year, but after negotiations they settled at an 8% increase. The other companies, including Aetna and United Healthcare, came in at even higher rates. Although St. Francis is still in negotiations with BCBS Brittain recommended the city remain with BCBS.

Nance and Smith then amended their motion and second to recommend Council action to approve renewing with Blue Cross Blue Shield with no changes. All voted yes.

4. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING RENEWAL OF CITY GROUP LIFE, VISION AND DENTAL INSURANCE.

Motion was made by Nance, second by Smith to recommend Council action regarding renewal of city group life, vision and dental insurance with no changes. Voting yes: Nance, Smith, Shropshire. Voting no: none.

5. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING CONTINUED OFFERING OF OPTIONAL VOLUNTARY LIFE, SHORT-TERM DISABILITY AND LONG-TERM DISABILITY.

Motion was made by Nance, second by Smith to recommend Council action regarding continued offering of optional voluntary life, short-term disability and long-term disability with no changes. Voting yes: Smith, Shropshire, Nance. Voting no: none.

6. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING OFFERING A FLEXIBLE SPENDING ACCOUNT.

Motion was made by Nance, second by Smith to recommend Council action regarding offering a Flexible Spending Account.

Brittain explained how an FSA works and the benefits to the employee. She stated that an employee can carry a \$2,750.00 maximum balance per year with the option to carry over \$500.00 at year-end; however, she stated that, due to COVID 19, there is currently no maximum carry-over, so if an employee has more the \$500 left in their account all will carry over to the next year. She also stated that it will cost the city \$150 annually, as well as a \$5 per employee fee that the City will pay.

Voting yes: Shropshire, Nance, Smith. Voting no: none.

7. SCHEDULE NEXT MEETING.

No action.

8. ADJOURN.

Motion was made by Nance, second by Smith to adjourn at 5:21 p.m. Voting yes: Nance, Smith, Shropshire. Voting no: none.

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING TITLE 3, CHAPTER 10A, SECTION 1 REGARDING DEFINITIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

WHEREAS, UPON REVISION OF CERTAIN STATE STATUTES THE CITY COUNCIL FINDS IT REASONABLY NECESSARY TO AMEND THE CITY CODE FOR CONSISTENCY WITH STATE STATUTES.

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 3, Chapter 10A, Section 1 "DEFINITIONS" of the City of Pryor Creek, Mayes County, State of Oklahoma, is hereby amended to read as follows, to-wit: (deletions indicated by strike through and additions indicated by underline)

3-10A-1: DEFINITIONS:

Words, phrases and terms used in this article shall have the meaning prescribed by, and be construed in conformity with, the definitions of the same set forth in the Oklahoma alcoholic beverage control act codified at ~~37 Oklahoma Statutes section 501 et seq.~~ 37A Oklahoma Statutes section 1-101 et seq., as now existing or hereafter modified, with the same force and effect as if the definitions were set forth in full in this article, unless the context clearly indicates a different meaning or construction.

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 _____, 2021

LARRY LEES, MAYOR

ATTEST:

EVA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

K. ELLIS RITCHIE

Dated: _____, 2021

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING TITLE 3, CHAPTER 10A, SECTION 2 REGARDING APPLICATIONS FOR CERTIFICATE OF COMPLIANCE WITH ZONING, FIRE, HEALTH AND SAFETY CODES UNDER OKLAHOMA STATUTES; AND PROVIDING FOR REPEALER AND SEVERABILITY.

WHEREAS, UPON REVISION OF CERTAIN STATE STATUTES THE CITY COUNCIL FINDS IT REASONABLY NECESSARY TO AMEND THE CITY CODE FOR CONSISTENCY WITH STATE STATUTES.

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 3, Chapter 10A, Section 2 “APPLICATION; CERTIFICATES” of the City of Pryor Creek, Mayes County, State of Oklahoma, is hereby amended to read as follows, to-wit: (deletions indicated by strike through and additions indicated by underline)

3-10A-2: APPLICATION; CERTIFICATES:

A. Required: Every applicant for a certificate of compliance with the zoning, fire, health and safety codes of the city, required by ~~37~~ 37A Oklahoma Statutes, shall apply at the office of the city clerk by:

1. Application Form: Filing a written application on forms prescribed by that office; and
2. 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.

C. Time Limit For Action: The city clerk shall act on all such applications within twenty (20) days of receipt thereof. (1988 Code § 3-105)

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

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Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session
on this ____ day of _____, 2021

LARRY LEES, MAYOR

ATTEST:

EVA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

K. ELLIS RITCHIE

Dated: _____, 2021

ORDINANCE NO. 2021-_____

AN ORDINANCE AMENDING TITLE 3, CHAPTER 10A, SECTION 7 REGARDING RULES AND REGULATIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

WHEREAS, UPON REVISION OF CERTAIN STATE STATUTES THE CITY COUNCIL FINDS IT REASONABLY NECESSARY TO AMEND THE CITY CODE FOR CONSISTENCY WITH STATE STATUTES.

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 3, Chapter 10A, Section 7 “RULES AND REGULATIONS” of the City of Pryor Creek, Mayes County, State of Oklahoma, is hereby amended to read as follows, to-wit: (deletions indicated by strike through and additions indicated by underline)

3-10A-7: RULES AND REGULATIONS:

A. Dates And Hours Of Sale:

~~— 1. Retail Alcoholic Beverage Store: No person shall open for business or keep open for business or sell or deliver alcoholic beverages, as defined by the Oklahoma alcoholic beverage control act as now existing or hereinafter modified, to any person at a retail alcoholic beverage store in the city on any Sunday, New Year's Day, Memorial Day, Fourth Of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day or while the polls are open on the day of any general, primary, runoff primary or a special election, whether national, state, county or city, or any other day, except between the hours of ten o'clock (10:00) A.M. and nine o'clock (9:00) P.M. for in store sales and between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. for drive-through sales.~~

1. Retail Spirits Licensee: No retail spirits licensee shall:

Sell any alcoholic beverages at any hour other than between the hours of 8:00 a.m. and midnight Monday through Saturday and shall not be permitted to be open on Thanksgiving Day or Christmas day; provided sales shall be allowed between the hours of noon and midnight on Sunday in the event Mayes County, Oklahoma, pursuant to the provisions of subsections B and C of Section 3-124 of Title 37A of the Oklahoma Statutes, has elected to allow such sales between the hours of noon and midnight on Sunday. Retail spirits licensees shall be permitted to sell alcoholic beverages on the day of any General, Primary, Runoff Primary or Special Election whether on a national, state, county or city election, provided that the election day does not occur on any day on which such sales are otherwise prohibited by law.

2. Wholesale Dealer: No wholesale dealer in alcoholic beverages and no officer, agent or employee of such a dealer shall sell or deliver to any retail alcoholic beverage store within the city any amount of spirits or wines ~~on Saturday of any week, on Sunday of any week, on New Year's Day, on Memorial Day, on the Fourth Of July, on Labor Day, on the day of any general, primary, runoff primary or special election, whether national, state, county or city.~~

3. Retail Wine and Beer Licensee: No retail wine License or a retail beer license shall:

Sell any beer or wine at any hour other than between the hours of 6:00 a.m. and 2:00 a.m. the following day, Monday through Sunday. Retail wine and retail beer licensees shall be permitted to sell beer and wine on the day of any General, Primary, Runoff Primary or Special Election whether on a national, state, county or city election;

B. Advertising Signs:

1. No person owning, operating or maintaining a retail alcoholic beverage store shall cause or permit it to be designated by more than one sign, which shall contain only the words "Retail Alcoholic Liquor Store" or any combination of such words or any of them, and which shall contain no letter or figure more than four inches (4") in height or more than three inches (3") in width and in which the lines of words, if more than one, shall not be more than one inch (1") apart.

2. No person shall advertise or cause to be advertised in any manner, other than as authorized by subsection B1 of this section, for the sale of alcoholic beverages within the limits of the city.

C. Sales And Deliveries:

e. No person shall sell or deliver alcoholic beverages out of any retail alcoholic beverage store other than:

- a. In retail containers;
- b. At ordinary room temperatures;
- c. In the original package; and
- d. For consumption off the premises.

2. No person owning, employed in or in any manner assisting in the maintenance and operation of such a store shall suffer or permit any alcoholic beverage to be consumed, or any retail container of such beverage to be opened on the premises of such a store.

D. Consumption On Premises: No person shall drink or consume in any manner alcoholic beverages on the premises of a retail alcoholic beverage store, nor shall any person open or break the seal of any original package or retail container containing alcoholic beverages on the premises of any such retail alcoholic beverage store.

E. Intoxicated Or Deficient Persons: No person shall sell, deliver or furnish alcoholic beverages within the city to an intoxicated person or knowingly to any person who has been adjudged insane or mentally deficient.

F. Transportation In Vehicle: It is unlawful to transport any alcoholic beverage, unless the same is:

1. In an unopened original container with seal unbroken and the original cap or cork not removed from the container; or
2. In the trunk or other closed compartment or other container, out of public view and out of reach of the driver or any occupant of a vehicle.

G. Public Drinking And Intoxication: No person within this city shall drink intoxicating liquor or alcoholic beverage in any public place, nor shall any person be intoxicated in a public place within this city, nor shall any owner, operator or manager of any business or public place to which the public is generally invited allow an intoxicated person to remain in or upon said premises.

H. Recreational Places: No person operating a cafe, restaurant, club or any place of recreation within this city, and no employee engaged in connection with the operation of such a cafe, restaurant, club or place of recreation, shall permit any person to be drunk or intoxicated in said place of business.

I. Public Property: It shall be unlawful for any person to consume alcoholic beverages or low point beer while upon any city owned or city controlled property unless the city council shall have previously authorized the premises or the event at which such consumption is authorized, for the lawful consumption of alcoholic beverages or low point beer subject to such reasonable restrictions and conditions as the council prescribes.

H. Recreational Places: No person operating a cafe, restaurant, club or any place of recreation within this city, and no employee engaged in connection with the operation of such a cafe, restaurant, club or place of recreation, shall permit any person to be drunk or intoxicated in said place of business.

I. Public Property: It shall be unlawful for any person to consume alcoholic beverages or low point beer while upon any city owned or city controlled property unless the city council shall have previously authorized the premises or the event at which such consumption is authorized, for the lawful consumption of alcoholic beverages or low point beer subject to such reasonable restrictions and conditions as the council prescribes.

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Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this ___ day of _____, 2021

LARRY LEES, MAYOR

ATTEST:

EVA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY:

K. ELLIS RITCHIE

Dated: _____, **2021**