

**MINUTES
ORDINANCE AND INSURANCE COMMITTEE
SPECIAL MEETING
TUESDAY, JULY 25TH, 2023
5:30 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, RANDY CHITWOOD, CHRIS GONTHIER, CHARLES TRAMEL

1. CALL MEETING TO ORDER.

The meeting was called to order by Gonthier at 5:30 p.m. Committee members present: Chris Gonthier, Choya Shropshire and Randy Chitwood. Members absent: Charles Tramel.

Others present: Mayor Zac Doyle, Darren Darnell, Chris Kennedy, Jennifer Brittain and Terry Aylward.

2. DISCUSS, POSSIBLY APPROVE MINUTES OF THE JUNE 1ST, 2023 SPECIAL MEETING.

Motion was made by Shropshire, second by Chitwood to approve minutes of the June 1st, 2023 special meeting. Voting yes: Gonthier, Shropshire and Chitwood. Voting no: none.

3. DISCUSSION REGARDING CITY WORKERS' COMPENSATION BROKER.

No action was taken. The Board discussed the recent transition for the City's Workers' Compensation Broker from RCI to Brown & Brown with input from Mayor Doyle, Darnell and Kennedy.

4. SCHEDULE NEXT MEETING.

No action was taken.

5. ADJOURN.

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

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:

_____ of the Code of Ordinances of Pryor Creek, Mayes County, State of Oklahoma shall be amended to include the following addition:

1. Automated License Plate Reader (ALPR)

a. Authorization for Use

- i. 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.
- ii. All data and images gathered by an ALPR is for the official use of the Police Department. Because such data may contain confidential information, it is not open to public review.

b. Operation of ALPR

- i. An ALPR may only be used for official law enforcement business.
- ii. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

- iii. No ALPR operator may access confidential Pryor Creek Police Department, state or federal data unless authorized to do so.
- iv. No ALPR shall be utilized solely 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

- i. 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, or it is reasonable to believe it will become, evidence in a criminal or civil action 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

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

e. Punishment & Sentence

- i. Any person who 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

- i. 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

- i. 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 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 _____. 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 DIRECTING THE DETACHMENT OF CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF PRYOR CREEK

WHEREAS, the City of Pryor Creek currently has within the corporate municipal boundaries the property described below.

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, and the citizens of the affected area, to detach the area described below from the corporate limits of the City of Pryor Creek, Oklahoma.

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 detachment of the street described below from any and all corporate city limits:

SE 29th St/W 510 RD
[MAP]

The City hereby retains any existing easement rights, if any.

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

ORDINANCE NO. 2023-____

AN ORDINANCE TO AMEND THE PRYOR CREEK UNIFIED DEVELOPMENT ORDINANCES TO INCLUDE AN ADDITIONAL REAR SET BACK FOR ACCESSORY BUILDINGS AND OUTBUILDINGS.

WHEREAS, the City of Pryor Creek, Oklahoma currently has within its governing ordinances a Unified Development Ordinance (UDO).

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 amend the UDO to include a rear set back requirement for accessory buildings and outbuildings for the uniformity and the safety of the community, employees, workers and others.

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 10, Chapter 1 of the Unified Development Ordinances specifically as 10-8-1(F)(3):

Rear setback for accessory buildings or outbuildings cannot be less than 10 feet from the rear property line or cannot be placed within a utility easement, whichever is greater. Houses and living quarters shall follow the R District Lot and Building Regulation Table located in 10-2-4.

The language in this his ordinance above shall hereby be included in Pryor Creek's Unified Development Ordinance and be codified as 10-8-1(F)(3). 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