

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, FEBRUARY 2ND, 2021 AT 6:00 P.M.**

The City Council of the City of Pryor Creek, Oklahoma met in regular session on the above date and time in the Council Chamber upstairs at City Hall, 12 North Rowe Street in Pryor Creek, Oklahoma. This meeting was followed immediately by a meeting of the Pryor Public Works Authority. Notice of these meetings was posted on the East bulletin board located outside to the South of the entrance doors and the City website at www.pryorcreek.org. Notice was also e-mailed to The Paper newspaper and e-mailed to the Council members.

1. CALL TO ORDER, PRAYER, PLEDGE OF ALLEGIANCE, ROLL CALL.

Mayor Lees called the meeting to order at 6:00 p.m. The Prayer and Pledge of Allegiance were led by Briana Brakefield. Roll Call was conducted by City Clerk Eva Smith. Council members present included: Jon Ketcher, Choya Shropshire, Steve Smith, Randy Chitwood, Briana Brakefield and Jimmy Tramel. Members absent: Dennis Nance and Yolanda Thompson.

Department Heads and other City Officials present: Police Chief Dennis Nichols, Assistant Fire Chief James Baumert, Street Superintendent Buddy Glenn, Library Director Cari Rerat, Building Inspector Kenneth Young, Assistant Recreation Center Director Jerome Hopkins.

Others present: Police Officer Dustin VanHorn, Chris Gonthier and Kemmie Shropshire.

2. PETITIONS FROM THE AUDIENCE. (LIMITED TO 5 MINUTES, MUST REQUEST IN ADVANCE.)

There were no petitions.

3. DEPARTMENT HEAD REPORTS IF NEEDED.

a. Building Inspector

Young reported that 22 permits were sold in the month of January for a revenue of \$6,185.00. In 2020 39 demolition permits were purchased for an amount of \$2,850.00, and 18 new-build permits were issued for almost \$2 million.

b. Emergency Management

No report.

c. Fire

Baumert had no report but asked if anyone had questions.

d. Golf

No report.

e. Library

Rerat reported that the Library has Federal tax forms available if anyone needs them. She also reported that she has Internet access and free Wi-Fi people can use with their own devices to access the COVID vaccine portals.

f. Parks / Cemetery

No report.

g. Police

Nichols had no report, but Mayor reported that the fencing will be going up this Friday around the old Homeland building and its demolition is to begin next Monday.

h. Recreation Center

Hopkins reported that they started using their new software yesterday. The glass partition around the check-in desk is now in place. Hopkins also reported that they have started having pool parties.

i. Street

Glenn reported that they have been busy dipping ditches, running the street sweeper and trimming trees.

4. MAYOR'S REPORT:

Mayor reported that of the CARES Act funding in the amount of \$722,935.44 we received, \$3,812.00 was used in January 2021 bringing the total funds used to \$52,326.15. He reminded Council that \$202,422.00 of these funds were placed in a reserve account, so there is still \$468,187.00 available for our use, as needed.

5. CITY ATTORNEY'S REPORT:

a. Second and final reading, discussion and possible action regarding an ordinance amending Title 9, Chapter 7, Sections 1 & 2 regarding amendment of Chapter 7 "Property Maintenance Code" to update City Code from 2006 version by adoption of 2015 International Property Maintenance Code.

Motion was made by Shropshire, second by Smith to approve and waive reading of Ordinance #2021 – 4 amending Title 9, Chapter 7, Sections 1 & 2 regarding amendment of Chapter 7 "Property Maintenance Code" to update City Code from 2006 version by adoption of 2015 International Property Maintenance Code. Voting yes: Ketcher, Shropshire, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

b. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 1 regarding amendment of the definition of "Proof of Age" as used in Title 5, Chapter 5, Section 1 relative to tobacco and vapor product ordinances; and providing for repealer and severability.

Motion was made by Chitwood, second by Brakefield to approve and waive reading of Ordinance #2021 – 5 amending Title 5, Chapter 5, Section 1 regarding amendment of the definition of "Proof of Age" as used in Title 5, Chapter 5, Section 1 relative to tobacco and vapor product ordinances; and providing for repealer and severability. Voting yes: Shropshire, Smith, Chitwood, Brakefield, Tramel, Ketcher. Voting no: none.

c. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 2 regarding enforcement by City police of tobacco and vapor products ordinances; and providing for repealer and severability.

Motion was made by Brakefield, second by Smith to approve and waive reading of Ordinance #2021 – 6 amending Title 5, Chapter 5, Section 2 regarding enforcement by City police of tobacco and vapor products ordinances; and providing for repealer and severability. Voting yes: Smith, Chitwood, Brakefield, Tramel, Ketcher, Shropshire. Voting no: none.

d. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 3 regarding unlawful sale of tobacco products or vapor products to persons under 21 years of age; requirement of vendor to verify age of purchaser and providing for repealer and severability.

Motion was made by Shropshire, second by Chitwood to approve and waive reading of Ordinance #2021 – 7 amending Title 5, Chapter 5, Section 3 regarding unlawful sale of tobacco products or vapor products to persons under 21 years of age; requirement of vendor to verify age of purchaser and providing for repealer and severability. Voting yes: Chitwood, Brakefield, Tramel, Ketcher, Shropshire, Smith. Voting no: none.

e. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 4 regarding unlawful purchase or possession of tobacco products or vapor products by persons under 21 years of age; administrative fine on first and subsequent offenses and failure to pay notice to Department of Public Safety and suspension of driver's license and providing for repealer and severability.

Motion was made by Brakefield, second by Smith to approve and waive reading of Ordinance #2021 – 8 amending Title 5, Chapter 5, Section 4 regarding unlawful purchase or possession of tobacco products or vapor products by persons under 21 years of age; administrative fine on first and subsequent offenses and failure to pay notice to Department of Public Safety and suspension of driver's license and providing for repealer and severability. Voting yes: Brakefield, Tramel, Ketcher, Shropshire, Smith, Chitwood. Voting no: none.

f. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 5 regarding required posting of minimum age sign at place of business for purchase of tobacco; penalty for violation and providing for repealer and severability.

Motion was made by Chitwood, second by Smith to approve and waive the reading of Ordinance #2021 – 9 amending Title 5, Chapter 5, Section 5 regarding required posting of minimum age sign at place of business for purchase of tobacco; penalty for violation and providing for repealer and severability. Voting yes: Tramel, Ketcher, Shropshire, Smith, Chitwood, Brakefield. Voting no: none.

g. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 6 regarding required notice to employees by vendor of prohibition on sale of tobacco or vapor products to persons under 21 years of age and providing for repealer and severability.

Motion was made by Ketcher, second by Smith to approve and waive the reading of Ordinance #2021 – 10 amending Title 5, Chapter 5, Section 6 regarding required notice to employees by vendor of prohibition on sale of tobacco or vapor products to persons under 21 years of age and providing for repealer and severability. Voting yes: Ketcher, Shropshire, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

h. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 7 regarding restrictions on sale of tobacco products through vending machines and providing for repealer and severability.

Motion was made by Ketcher, second by Chitwood to approve and waive reading of Ordinance #2021 – 11 amending Title 5, Chapter 5, Section 7 regarding restrictions on sale of tobacco products through vending machines and providing for repealer and severability. Voting yes: Shropshire, Smith, Chitwood, Brakefield, Tramel, Ketcher. Voting no: none.

i. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 8 regarding prohibition on samples of tobacco or vapor products to persons under 21 years of age; restrictions of distribution of tobacco or vapor samples in proximity to playgrounds, schools and other facilities used primarily by persons under 21 years of age; providing for fine and notice to Department of Public Safety for failure to pay; and providing for repealer and severability.

Motion was made by Ketcher, second by Shropshire to approve and waive reading of Ordinance #2021 – 12 amending Title 5, Chapter 5, Section 8 regarding prohibition on samples of tobacco or vapor products to persons under 21 years of age; restrictions of distribution of tobacco or vapor samples in proximity to playgrounds, schools and other facilities used primarily by persons under 21 years of age; providing for fine and notice to Department of Public Safety for failure to pay; and providing for repealer and severability. Voting yes: Smith, Chitwood, Brakefield, Tramel, Ketcher, Shropshire. Voting no: none.

j. Second and final reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 5, Section 10 regarding duty to provide information concerning source of vapor or tobacco product to officials and providing for repealer and severability.

Motion was made by Ketcher, second by Smith to approve and waive reading of Ordinance #2021 – 13 amending Title 5, Chapter 5, Section 10 regarding duty to provide information concerning source of vapor or tobacco product to officials and providing for repealer and severability. Voting yes: Chitwood, Brakefield, Tramel, Ketcher, Shropshire, Smith. Voting no: none.

k. Second and final reading, discussion and possible action regarding an ordinance amending Title 10, Chapter 7, regarding “Supplemental Use and Building Regulations” by the addition of a new section to be codified at Title 10, Chapter 7, Section 15 regarding the use of liquefied petroleum tanks / containers within the municipal limits of the city, and providing for repealer and severability.

Motion was made by Ketcher, second by Smith to approve and waive reading of Ordinance #2021 – 14 amending Title 10, Chapter 7, regarding “Supplemental Use and Building Regulations” by the addition of a new section to be codified at Title 10, Chapter 7, Section 15 regarding the use of liquefied petroleum tanks / containers within the municipal limits of the city, and providing for repealer and severability. Voting yes: Brakefield, Tramel, Ketcher, Shropshire, Smith, Chitwood. Voting no: none.

l. Second and final reading, discussion and possible action regarding an ordinance amending Title 10, Chapter 6, Table 6-1 Use Regulations by the addition under “Other” uses specified therein concerning regulation of the placement of tanks/containers use for the storage or use of liquefied petroleum gases as a special exception in all districts; and providing for repealer and severability.

Motion was made by Ketcher, second by Smith to approve and waive reading of Ordinance #2021 – 15 amending Title 10, Chapter 6, Table 6-1 Use Regulations by the addition under “Other” uses specified therein concerning regulation of the placement of tanks/containers use for the storage or use of liquefied petroleum gases as a special exception in all districts; and providing for repealer and severability. Voting yes: Tramel, Ketcher, Shropshire, Smith, Chitwood, Brakefield. Voting no: none.

m. Discussion and possible action to direct the City Attorney to draft an amendment to the City’s Unified Development Ordinance (UDO) to provide for the use of property by way of a “Special Exception” for “Low-Impact Manufacturing and Industry” in Commercial Automotive and Recreation (CAR), Commercial General (CG) and Commercial Restricted (CR) Districts for referral to the Planning and Zoning Board for consideration and recommendation.

Motion was made by Brakefield, second by Chitwood to approve directing the City Attorney to draft an amendment to the City’s Unified Development Ordinance (UDO) to provide for the use of property by way of a “Special Exception” for “Low-Impact Manufacturing and Industry” in Commercial Automotive and Recreation (CAR), Commercial General (CG) and Commercial Restricted (CR) Districts for referral to the Planning and Zoning Board for consideration and recommendation. Voting yes: Ketcher, Shropshire, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

6. DISCUSSION AND POSSIBLE ACTION ON CONSENT AGENDA.

(Items deemed non-controversial and routine in nature to be approved by one motion without discussion. Any Council member wishing to discuss an item may request it be removed and placed on the regular agenda.)

- a. Approve minutes of the January 19th, 2021 Council meeting.

- b. Approve payroll purchase orders through February 5th, 2021.
- c. Approve claims for purchase orders through February 2nd, 2021.

FUNDS	PURCHASE ORDER NUMBER	TOTALS
GENERAL	2020201870 - 911206B	56,339.95
STREET & DRAINAGE	911199B - 911198B	5,679.24
GOLF COURSE	2020201788 - 2020201789	5,400.96
CAPITAL OUTLAY	2020201838 - 2020201144	2,067.50
REAL PROPERTY ACQUIS.	911224B - 2020201847	6,367.40
RECREATION CENTER	2020201866 - 2020201825	20,310.80
E-911	2020201777	1,557.50
LIBRARY SPECIAL	2020201771	566.99
	TOTAL	98,290.34

NO BLANKETS

- d. Acknowledge receipt of deficient purchase orders.
There were no deficient purchase orders.
- e. Discussion and possible action regarding allowing Roosevelt Elementary art students to exhibit their artwork at the Graham Community Building March 18th – 20th, 2021 and waive the rental fee.
- f. Discussion and possible action regarding eliminating Class B CDL Driver’s License requirement for Street Department employees, as all equipment can now be operated with a standard Class D license.
- g. Discussion and possible action regarding accepting the retirement of City of Pryor Creek Reserve Police Officer Tom Cravens after 23 years of service, effective January 29th, 2021.
- h. Discussion and possible action authorizing the Police Department to retire Officer Cravens’ Glock 17 according to Article 28, Section 9 of the Collective Bargaining Agreement.

Motion was made by Ketcher, second by Smith to approve items a – h, less items g and h. Voting yes: Shropshire, Smith, Chitwood, Brakefield, Tramel, Ketcher. Voting no: none.

g. Discussion and possible action regarding accepting the retirement of City of Pryor Creek Reserve Police Officer Tom Cravens after 23 years of service, effective January 29th, 2021.

Motion was made by Shropshire, second by Smith to accept the retirement of City of Pryor Creek Reserve Police Officer Tom Cravens after 23 years of service, effective January 29th, 2021. Chitwood thanked Mr. Cravens for his service and congratulated him on his retirement. Voting yes: Smith, Chitwood, Brakefield, Tramel, Ketcher, Shropshire. Voting no: none.

h. Discussion and possible action authorizing the Police Department to retire Officer Cravens’ Glock 17 according to Article 28, Section 9 of the Collective Bargaining Agreement.

Motion was made by Chitwood, second by Shropshire to authorize the Police Department to retire Officer Cravens’ Glock 17 according to Article 28, Section 9 of the Collective Bargaining Agreement.

Chitwood and Shropshire then amended their motion and second to include “to surplus and retire with no value.” Voting yes: Chitwood, Brakefield, Tramel, Ketcher, Shropshire, Smith. Voting no: none.

7. COMMITTEE REPORTS:

a. Budget and Personnel (Brakefield)

Brakefield reported that the Budget and Personnel Committee will meet Tuesday, February 9th, 2021 at 5:30 p.m.

b. Ordinance and Insurance (Shropshire)

Shropshire reported that no meeting is scheduled at this time.

c. Street (Smith)

Smith had no report at this time.

8. UNFORESEEABLE BUSINESS.

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

There was no unforeseeable business.

9. ADJOURN.

Motion was made by Ketcher, second by Smith to adjourn. Voting yes: Brakefield, Tramel, Ketcher, Shropshire, Smith, Chitwood. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 6:35 p.m.

2. APPROVE MINUTES OF JANUARY 19TH, 2021 MEETING.

Motion was made by Smith, second by Chitwood to approve minutes of January 19th, 2021 meeting. Voting yes: Tramel, Ketcher, Shropshire, Smith, Chitwood, Brakefield. Voting no: none.

3. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A 3% RATE INCREASE FROM PRYOR WASTE AND RECYCLING FOR TWICE PER WEEK RESIDENTIAL REFUSE PICK-UP. THIS ACTION IS CONSISTENT WITH THE MUTUAL AGREEMENT OF OCTOBER 2007 FOR AN ALLOWED 3% INCREASE FOR REFUSE PICK-UP.

Motion was made by Chitwood, second by Smith to approve a 3% rate increase from Pryor Waste and Recycling for twice per week residential refuse pick-up. This action is consistent with the mutual agreement of October 2007 for an allowed 3% increase for refuse pick-up. Voting yes: Ketcher, Shropshire, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

4. UNFORESEEABLE BUSINESS.

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

There was no unforeseeable business.

5. ADJOURN.

Motion was made by Ketcher, second by Brakefield to adjourn. Voting yes: Shropshire, Smith, Chitwood, Brakefield, Tramel, Ketcher. Voting no: none.

MINUTES APPROVED BY MAYOR / P.P.W.A. CHAIRMAN LARRY LEES

MINUTES WRITTEN BY CITY CLERK/P.P.W.A. SECRETARY EVA SMITH
