

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, MAY 18TH, 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 Rev. Dan Hazelton. Roll Call was conducted by Deputy Clerk Darla Coats. Council members present included: Jon Ketcher, Choya Shropshire, Dennis Nance, Steve Smith, Randy Chitwood, Briana Brakefield, Jimmy Tramel and Yolanda Thompson. Members absent: none.

Department Heads and other City Officials present: City Attorney Kim Ritchie, Police Chief Dennis Nichols, Assistant Police Chief James Willyard, Fire Chief BK Young, Park Superintendent Frank Powell, Golf Director Dennis Bowman, Library Director Cari Rerat, Building Inspector Kenneth Young, Recreation Center Director Jessica Long, Assistant Recreation Center Director Jerome Hopkins.

Others present: Police Captain Kevin Tramel, Police Officer Dustin VanHorn, City Engineer Steve Powell, Dalton Powell, Library Board Chairman Jeanette Anderson, Dan Hazelton, John Mozingo, Rickey Hayes, Jim Bloom, Kimmie Shropshire and Terry Aylward.

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

John Mozingo spoke regarding his damaged fence and whistle.

3. DEPARTMENT HEAD REPORTS IF NEEDED:

a. Building Inspector

Young had no report.

b. Emergency Management

No report.

c. Fire

Young had no report.

d. Golf

Bowman reported that the new equipment has arrived. He provided an updated membership report to the Council members. He reported that the membership promotion went well. He also reported that all the tournaments that were recently held went well and there are more coming soon. The plans for the Halloween Festival are also going well. There has been some minimal Bermuda grass loss, but it is manageable and the course is in good shape.

e. Library

Rerat handed out a statistics report for April. She reported that they sold a low number of library cards, and they had 193 physical visitors and 2,250 digital visitors. They have in-person, online and grab-and-go programs, and the Summer Reading Program begins next week.

f. Parks / Cemetery

Powell reported that they are getting the parks ready for summer and the cemeteries ready for Memorial Day. He reported that the Splash Pad is now open for the season. The State inspector did a walk-through of the Whitaker Park pool today and his findings will go to the Park Board next week. He reported that the Whitaker Park restrooms should be finished within the next three weeks and the plans to install the equipment at Bobby Buck are still on for the week after Memorial Day.

g. Police

Nichols included his statistics report in the Council packet. Councilman Tramel asked him about the juveniles who have been harassing people in the park. Nichols stated those issues are being addressed.

h. Recreation Center

Long reported that their new sign is up and she is still learning how to work it. She reported that plans for summer programs are finalized and will start on June 7th. They plan to increase the water aerobics classes due to large groups. They have added new senior classes and new senior challenges. She reported that they will increase family swim hours to seven days a week after Memorial Day. When asked about the Fitness Court, she stated that she has been in contact with possible donors and is awaiting their responses. She also reported that the new awning is still in the design phase. There has been some fishing taking place, as well.

i. Street

No report.

4. MAYOR'S REPORT:

a. Possible Executive Session pursuant to the Oklahoma Open Meeting Act for the purpose of conferring on matters pertaining to economic development, including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate within the jurisdiction of the City of Pryor Creek where the public disclosure of the matter discussed would interfere with the development of products or services or would violate the confidentiality of the business. (25 O.S. § 307 (C) (11).

Motion was made by Thompson, second by Chitwood to enter Executive Session at 6:35 p.m. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield, Thompson. Voting no: Tramel.

b. Discussion and possible action regarding resuming regular session. No action taken during Executive Session.

Motion was made by Chitwood, second by Nance to resume regular session at 8:08 p.m. No action taken during Executive Session. Voting yes: Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel, Thompson, Ketcher. Voting no: none.

c. Discussion and possible action regarding renewal with or without change in contract language (automatic renewal) or termination of the agreement between City of Pryor Creek, Oklahoma and Retail Attractions, LLC (consultant) as provided in Part II, Term of Agreement and Part VII, Miscellaneous Provision Paragraph 1, Termination, Modification, and Suspension.

Motion was made by Chitwood, second by Smith to approve renewal without change in contract language (automatic renewal) of the agreement between City of Pryor Creek, Oklahoma and Retail Attractions, LLC (consultant) as provided in Part II, Term of Agreement and Part VII, Miscellaneous Provision Paragraph 1, Termination, Modification, and Suspension. Voting yes: Nance, Smith, Chitwood, Brakefield, Thompson, Ketcher, Shropshire. Voting no: Tramel.

d. Discussion and possible action regarding removing from the table Item d. from Mayor's Report on May 4th, 2021.

Motion was made by Ketcher, second by Nance to approve removing from the table Item d. from Mayor's Report on May 4th, 2021. Voting yes: Smith, Chitwood, Brakefield, Tramel, Thompson, Ketcher, Shropshire, Nance. Voting no: none.

e. Discussion and possible action regarding spending the remainder of the CARES Act Relief funds towards remedy of the Salt Branch Creek seasonal flooding.

Motion was made by Shropshire, second by Smith to approve spending the remainder of the CARES Act Relief funds towards remedy of the Salt Branch Creek seasonal flooding.

After some discussion, Shropshire and Smith amended their motion and second to table spending the remainder of the CARES Act Relief funds towards remedy of the Salt Branch Creek seasonal flooding.

Voting yes: Chitwood, Brakefield, Tramel, Thompson, Shropshire, Smith. Voting no: Ketcher and Nance.

f. A few updates.

- 1. Whitaker Park Pool**
- 2. Castle Theater (PYO)**
- 3. Local cleanup of rights-of-way and drainage improvements**
- 4. Budget progress – 2021-2022 FY**

No action. Mayor briefly spoke to each item.

Mayor moved to the Addendum.

**ADDENDUM
CITY COUNCIL MEETING
TUESDAY, MAY 18TH, 2021 AT 6:00 P.M.**

1. Discussion and possible action regarding removing the Cares Act Funding, which has been awarded to City of Pryor Creek by the State of Oklahoma, from the General Revenue and Expenditure Accounts, 02-000-4401, 02-000-4405, and 02-201-5401 respectively, and creating a separate fund for receiving, expending, and accounting of the Cares Act Funding.

Motion was made by Chitwood, second by Thompson to approve removing the Cares Act Funding, which has been awarded to City of Pryor Creek by the State of Oklahoma, from the General Revenue and Expenditure Accounts, 02-000-4401, 02-000-4405, and 02-201-5401 respectively, and creating a separate fund for receiving, expending, and accounting of the Cares Act Funding. Voting yes: Brakefield, Tramel, Thompson, Ketcher, Shropshire, Nance, Smith, Chitwood. Voting no: none.

Mayor moved back to regular Agenda.

5. CITY ATTORNEY’S REPORT:

No report.

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 May 4th, 2021 Council meeting.
- b. Approve payroll purchase orders through May 28th, 2021.
- c. Approve claims for purchase orders through May 18th, 2021.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	2020202753 – 2020202851	192,212.33
STREET & DRAINAGE	2020202751 – 911226B	5,277.96
GOLF COURSE	2020202871 - 2020201989	44,685.16
CAPITAL OUTLAY	2020202812 - 2020202305	8,804.15
RECREATION CENTER	2020202825 - 2020202836	48,144.29
DONATIONS AND EARMARKED	2020202794 - 2020202757	881.99
TOTAL		300,005.88
NO BLANKETS		

- d. Acknowledge receipt of deficient purchase orders.
There were no deficient purchase orders.
- e. Approve March 2021 Appropriation Requests.

MARCH 2021

FEE IN LIEU	\$ (0.63)
STREET & DRAINAGE	\$ 128,855.03
CEMETERY CARE INTEREST	\$ 12.97
CEMETERY CARE FUND	\$ 843.75
GOLF COURSE CASH FUND	\$ 39,853.88
CAPITAL OUTLAY FUND	\$ 42,669.38
CAPITAL OUTLAY RESERVE	\$ 391.72
REAL PROPERTY ACQUISITION	\$ 26.88
HOTEL/MOTEL TAX	\$ 15,426.92
2019 BOND PROJECT	\$ 69.78
LIBRARY BUILDING FUND	\$ 1.45
GOB 2020	\$ -
RECREATION CASH FUND	\$ 79,053.77
PPWA BOND PROCEEDS (86)	\$ -
PPWA SINKING FUNDS	\$ 85,327.36
PPWA BOND PROCEEDS (88)	\$ 3,140.33
E-911	\$ 1,941.19
LIBRARY SPECIAL	\$ 6.69
SEIZURES	\$ 0.01
DONATIONS	\$ 11,890.85
COMMUNITY DEVELOPMENT BLOCK GRANT	\$ -
FUND 47	\$ 1,157.88
MAIN STREET BOND ACCOUNT-2019	\$ 9,484.28
TOTAL	\$ 420,153.49

- f. Discussion and possible action regarding expenditure in the amount of \$3,000.00 to OverDrive for the Thomas J Harrison Pryor Public Library from Library Non-Book Materials Account #02-221-5032.
- g. Discussion and possible action regarding accepting bid for hot water pressure washer from Northern Tool and Equipment in the amount of \$3,799.99 as lowest and best bid for the Pryor

Creek Park Department from Covid Reimbursement Account #02-201-5401. Other bids received: Best Buy Automotive Equipment: \$3,860.00; Pressure Washers Direct: \$3,899.99; C&A Sales: \$5,069.50.

- h. Discussion and possible action regarding accepting bid for ice machine from Air Heat Systems, LLC in the amount of \$3,700.00 as lowest and best bid for the Pryor Creek Fire Department from Fire Repair and Maintenance Account #02-217-5091. Other bids received: Masters Heating Cooling & Appliances: \$4,200.00; Melton's A/C & Appliance: \$4,027.98.
- i. Discussion and possible action regarding an expenditure in the amount of \$10,080.00 to UpCurve Cloud for the GSuite Basic Annual License subscription from May 12th, 2021 – May 11th, 2022, from General Software Account #02-201-5260.
- j. Discussion and possible action regarding accepting bid from Carman Concrete, LLC in the amount of \$27,646.52 for extended parking on North end of existing fire building to accommodate firefighters and assist in Medivac transport, from Covid Reimbursement Account #02-201-5401. Other bids received: Matlock Construction: \$28,700.00.
- k. Discussion and possible action regarding removing from the table Item 6.i. on May 4th, 2021.
- l. Discussion and possible action regarding Change Order No. 1, for Drainage Project at 3rd and Eastmanor.
- m. Discussion and possible action regarding acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Police Department Miscellaneous Account #96-000-4502.
- n. Discussion and possible action regarding acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Fire Department Cherokee Nation Contribution Account #96-000-4535.
- o. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Wilma Ruth Wells, 604 Belmont, Pryor Creek, Oklahoma (Property ID: 1010-00-004-031-0-001-00) Base ID: 16714, Legal Description: BELMONT ADDITION, BLK 4 LOT 31 in an amount not to exceed \$3,700.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.
- p. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Antolino Villegas, 203 N. Adair, Pryor Creek, Oklahoma (Property ID: 1001-00-004-011-0-001-00) Base ID: 15975, Legal Description: PRYOR ORIG BLK 4 N 50' LOT 11 in an amount not to exceed \$8,500.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.
- q. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Mitchell S. Smith, 302 S. Whitaker, Pryor Creek, Oklahoma (Property ID: 1300-00-006-001-0-001-00) Base ID: 18100, Legal Description: LANDRUM ADDITION BLK 6 N 65' LOT 1, in an amount not to exceed \$1,200.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.

Motion was made by Ketcher, second by Smith to approve items a – q, less items j, k, l, m n, o, p and q.

Voting yes: Tramel, Thompson, Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield. Voting no: none.

j. Discussion and possible action regarding accepting bid from Carman Concrete, LLC in the amount of \$27,646.52 for extended parking on North end of existing fire building to accommodate firefighters and assist in Medivac transport, from Covid Reimbursement Account #02-201-5401. Other bids received: Matlock Construction: \$28,700.00.

Motion was made by Thompson, second by Chitwood to approve accepting bid from Carman Concrete, LLC in the amount of \$27,646.52, and amend item by the addition of a third bid from Rick Ogden Construction, for extended parking on North end of existing fire building to accommodate firefighters and assist in Medivac transport, from Covid Reimbursement Account #02-201-5401. Other bids received: Matlock Construction: \$28,700.00; Rick Ogden Construction: \$29,642.00. Voting yes: Thompson, Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

k. Discussion and possible action regarding removing from the table Item 6.i. on May 4th, 2021.

Motion was made by Chitwood, second by Smith to approve removing from the table Item 6.i. on May 4th, 2021. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel, Thompson. Voting no: none.

l. Discussion and possible action regarding Change Order No. 1, for Drainage Project at 3rd and Eastmanor.

Motion was made by Tramel, second by Chitwood to approve Change Order No. 1, for Drainage Project at 3rd and Eastmanor and include amount of \$308,401.75. Mayor commended the City Engineer for his diligence and hard work on all the projects he oversees for the City. Voting yes: Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel, Thompson, Ketcher. Voting no: none.

m. Discussion and possible action regarding acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Police Department Miscellaneous Account #96-000-4502.

Motion was made by Chitwood, second by Smith to approve acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Police Department Miscellaneous Account #96-000-4502. Chitwood thanked the Cherokee Nation for their partnership with the City of Pryor Creek. Voting yes: Nance, Smith, Chitwood, Brakefield, Tramel, Thompson, Shropshire. Abstaining, counting as a no vote: Ketcher. Voting no: none.

n. Discussion and possible action regarding acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Fire Department Cherokee Nation Contribution Account #96-000-4535.

Motion was made by Shropshire, second by Chitwood to approve acceptance of donation from the Cherokee Nation in the amount of \$3,500.00 to the Pryor Creek Fire Department Cherokee Nation Contribution Account #96-000-4535. Chitwood thanked the Cherokee Nation for their partnership with the City of Pryor Creek. Voting yes: Smith, Chitwood, Brakefield, Tramel, Thompson, Shropshire, Nance. Abstaining, counting as a no vote: Ketcher. Voting no: none.

o. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Wilma Ruth Wells, 604 Belmont, Pryor Creek, Oklahoma (Property ID: 1010-00-004-031-0-001-00) Base ID: 16714, Legal Description: BELMONT ADDITION, BLK 4 LOT 31 in an amount not to exceed \$3,700.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.

Motion was made by Shropshire, second by Smith to approve the City of Pryor Creek bidding on property owned by Wilma Ruth Wells, 604 Belmont, Pryor Creek, Oklahoma (Property ID: 1010-00-004-031-0-001-00) Base ID: 16714, Legal Description: BELMONT ADDITION, BLK 4 LOT 31 in an amount not to exceed \$3,700.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office. Ketcher stated that Ms. Wells is his late grandmother, so he will be abstaining. Voting yes: Chitwood, Brakefield, Tramel, Thompson, Shropshire, Nance, Smith. Abstaining, counting as a no vote: Ketcher. Voting no: none.

p. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Antolino Villegas, 203 N. Adair, Pryor Creek, Oklahoma (Property ID: 1001-00-004-011-0-001-00) Base ID: 15975, Legal Description: PRYOR ORIG BLK 4 N 50' LOT 11 in an amount not to exceed \$8,500.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.

Motion was made by Chitwood, second by Smith to approve the City of Pryor Creek bidding on property owned by Antolino Villegas, 203 N. Adair, Pryor Creek, Oklahoma (Property ID: 1001-00-004-011-0-001-00) Base ID: 15975, Legal Description: PRYOR ORIG BLK 4 N 50' LOT 11 in an amount not to exceed \$8,500.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.

Thompson informed the Council that Mr. Villegas paid his delinquent taxes, so this property has been removed from the sale.

Chitwood and Smith modified their motion and second to take no action. No vote was taken.

q. Discussion and possible action regarding the City of Pryor Creek bidding on property owned by Mitchell S. Smith, 302 S. Whitaker, Pryor Creek, Oklahoma (Property ID: 1300-00-006-001-0-001-00) Base ID: 18100, Legal Description: LANDRUM ADDITION BLK 6 N 65' LOT 1, in an amount not to exceed \$1,200.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office.

Motion was made by Chitwood, second by Smith to approve the City of Pryor Creek bidding on property owned by Mitchell S. Smith, 302 S. Whitaker, Pryor Creek, Oklahoma (Property ID: 1300-00-006-001-0-001-00) Base ID: 18100, Legal Description: LANDRUM ADDITION BLK 6 N 65' LOT 1, in an amount not to exceed \$1,200.00 at the Sale of Real Estate for Delinquent Tax to be held on June 14th, 2021 at 9:00 a.m. at the Mayes County Courthouse, Treasurer's Office. Voting yes: Tramel, Thompson, Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield. Voting no: none.

7. COMMITTEE REPORTS:

a. Budget and Personnel (Brakefield)

Brakefield reported that the next Budget and Personnel Committee meeting will be on June 8th, at 5:30 pm.

b. Ordinance and Insurance (Shropshire)

Shropshire reported that they have a meeting in the works, but it has not been scheduled.

c. Street (Smith)

Smith had nothing to 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: Thompson, Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 8:53 p.m.

2. APPROVE MINUTES OF MAY 4TH, 2021 MEETING.

Motion was made by Smith, second by Chitwood to approve minutes of May 4th, 2021 meeting. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel, Thompson. 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 Ketcher, second by Chitwood to adjourn. Voting yes: Shropshire, Nance, Smith, Chitwood, Brakefield, Tramel, Thompson, Ketcher. Voting no: none.

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

MINUTES WRITTEN BY DEPUTY CLERK DARLA COATS
