

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, APRIL 19TH, 2022 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, Dennis Nance, Steve Smith, Briana Brakefield, Chris Gonthier, Lori Siever. Members absent: Randy Chitwood.

Department Heads and other City Officials present: City Attorney Kim Ritchie, Police Chief Dennis Nichols, Emergency Management Director Johnny Janzen, Street Superintendent Buddy Glenn, Library Director Cari Rerat and Recreation Center Director Jessica Long.

Others present: Police Captain Kevin Tramel, Police Officer Dustin Van Horn, Jeanette Anderson, Drew Stott, James Bloom, Rickey Hayes, Dean Majors, Samantha Williams, Kemmie Shropshire and Terry Aylward.

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

No report.

b. Emergency Management

Janzen reported that there is usually a lot of flooding this time of year. They have put up new gates at South Elliott and West 500 which will be closed in case of flooding.

c. Fire

No report.

d. Golf

No report.

e. Library

Rerat handed out a statistics sheet.

f. Parks / Cemetery

No report.

g. Police

Nichols had no report. Animal Control Officer Becki Sams-Benham reported that the first Spay/Neuter Clinic went fairly well. Currently, they have 38 animals.

h. Recreation Center

Long reported that their memberships were up in March. They are working on a summer schedule and will open the pool seven days a week.

i. Street

Glenn reported that they are staying busy. They have dipped 400 feet of ditches and have been replacing pipes and whistles. They poured a wheelchair ramp on SE 8th Place and a sidewalk on NE 1st. Rain has caused delays. They have been patching NE 4th and Oklahoma and will try and patch a bump. They will soon start mowing and spraying.

Mayor moved to the Addendum, Item b.

**ADDENDUM
CITY COUNCIL MEETING
TUESDAY, APRIL 19TH, 2022 AT 6:00 P.M.**

b. 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, purchase or appraisal of real 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) and 307(B) (3).

Motion was made by Brakefield, second by Smith to enter Executive Session at 6:20 p.m. Voting yes: Ketcher, Shropshire, Nance, Smith, Brakefield, Gonthier, Siever. Voting no: none.

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

Motion was made by Gonthier, second by Smith to exit Executive Session and resume regular session at 7:05 p.m. Voting yes: Shropshire, Nance, Smith, Brakefield, Gonthier, Siever, Ketcher. Voting no: none.

d. Discussion and possible action to approve entering into assignable purchase agreement for the acquisition of downtown properties generally identified as: 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH.

Motion was made by Shropshire, second by Smith to approve entering into assignable purchase agreement for the acquisition of downtown properties generally identified as: 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH. Voting yes: Nance, Smith, Brakefield, Siever, Ketcher, Shropshire. Voting no: Gonthier.

e. Discussion and possible action for approval of payment of \$20,000 as refundable earnest money deposit on the proposed acquisition of 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH from Real Property Acquisition Account #46-465-5423.

Motion was made by Shropshire, second by Smith to approve payment of \$20,000 as refundable earnest money deposit on the proposed acquisition of 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH from Real Property Acquisition Account #46-465-5423. Voting yes: Smith, Brakefield, Siever, Ketcher, Shropshire, Nance. Voting no: Gonthier.

f. Discussion and possible action for approval of Memorandum of Agreement with AAEECO Development, LLC concerning the proposed acquisition of 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH.

Motion was made by Brakefield, second by Smith to approve Memorandum of Agreement with AAEECO Development, LLC concerning the proposed acquisition of 401 E GRAHAM, 403 & 405 E GRAHAM, 9 & 13 N ROWE ST, 15 N ROWE ST, 14 N COO-Y-YAH, 16 N COO-Y-YAH, 18 & 20 N COO-Y-YAH. Voting yes: Brakefield, Siever, Ketcher, Shropshire, Nance, Smith. Voting no: Gonthier.

Mayor moved back to Item a of the Addendum.

a. Discussion and possible action regarding an Interlocal Agreement between the City of Pryor and Mayes County 911.

Motion was made by Shropshire, second by Smith to approve an Interlocal Agreement between the City of Pryor and Mayes County 911. Voting yes: Gonthier, Siever, Ketcher, Shropshire, Nance, Smith, Brakefield. Voting no: none.

Mayor moved back to the regular Agenda.

4. MAYOR'S REPORT:

a. Mayor's updates.

Mayor reported that the decision at the last Council meeting regarding changing Worker's Compensation brokers was made without proper information. It will be taken back to Ordinance and Insurance Committee for review and information.

b. Discussion and possible action regarding Mayor's nomination of Steve Arric to Seat #1 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2024.

Motion was made by Shropshire, second by Ketcher to approve Mayor's nomination of Steve Arric to Seat #1 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2024. Voting yes: Siever, Ketcher, Shropshire, Nance, Smith, Brakefield, Gonthier. Voting no: none.

c. Discussion and possible action regarding Mayor's nomination of Nick Harris to Seat #2 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2025.

Motion was made by Ketcher, second by Brakefield to approve Mayor's nomination of Nick Harris to Seat #2 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2025. Voting yes: Ketcher, Shropshire, Nance, Smith, Brakefield, Gonthier, Siever. Voting no: none.

d. Discussion and possible action regarding Mayor's nomination of Dean Majors to Seat #3 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2026.

Motion was made by Ketcher, second by Brakefield to approve Mayor's nomination of Dean Majors to Seat #3 of the Hotel / Motel Tax Allocation Board, term ending April 30th, 2026. Voting yes: Shropshire, Nance, Smith, Brakefield, Siever, Ketcher. Voting no: Gonthier.

e. Discussion and possible action regarding Mayor's nomination of Samantha Williams to Seat #4 to the Hotel / Motel Tax Allocation Board, term ending April 30th, 2026.

Motion was made by Ketcher, second by Shropshire to approve Mayor's nomination of Samantha Williams to Seat #4 to the Hotel / Motel Tax Allocation Board, term ending April 30th, 2026. Voting yes: Nance, Smith, Brakefield, Gonthier, Siever, Ketcher, Shropshire. Voting no: none.

f. Discussion and possible action regarding hiring Jessica Reger for the Assistant Director position at the Pryor Creek Recreation Center at Range E, Step 1 (annual wage - \$39,980.00), effective April 30th, 2022.

Motion was made by Ketcher, second by Shropshire to approve hiring Jessica Reger for the Assistant Director position at the Pryor Creek Recreation Center at Range E, Step 1 (annual wage - \$39,980.00), effective April 30th, 2022. Voting yes: Smith, Brakefield, Gonthier, Siever, Ketcher, Shropshire, Nance. Voting no: none.

5. CITY ATTORNEY'S REPORT:

a. First reading of an ordinance amending Title 10, Chapter 7, regarding "Supplemental Use and Building Regulations" by the addition of a new section to be codified as Title 10, Chapter 7, Section 16 regarding regulation of the outdoor storage, parking and placement of recreational vehicles, campers, boats, trailers, heavy commercial trucks, trailered equipment and containers used for storage in residential districts within the municipal limits of the city; and providing for repealer and severability.

Motion was made by Shropshire, second by Brakefield to waive the first reading of an ordinance amending Title 10, Chapter 7, regarding "Supplemental Use and Building Regulations" by the addition of a new section to be codified as Title 10, Chapter 7, Section 16 regarding regulation of the outdoor storage, parking and placement of recreational vehicles, campers, boats, trailers, heavy commercial trucks, trailered equipment and containers used for storage in residential districts within the municipal limits of the city; and providing for repealer and severability.

Drew Stott spoke regarding this ordinance, as well as Jon Ketcher and Chris Gonthier.

Motion was made by Gonthier, second by Ketcher to table. Voting yes: Brakefield, Gonthier, Siever, Ketcher, Shropshire, Nance, Smith. Voting no: none.

b. First reading of an ordinance amending Title 10, Chapter 6, Table 6-1 Use Regulations by the addition under "Other" uses specified therein concerning regulation of the outdoor storage, parking and placement of recreational vehicles, campers, boats, trailers, heavy commercial trucks, trailered equipment and containers used for storage in residential districts; and providing for repealer and severability.

Motion was made by Gonthier, second by Ketcher to table. Voting yes: Gonthier, Siever, Ketcher, Shropshire, Nance, Smith, Brakefield. 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 April 5th, 2022 Council meeting.
- b. Approve minutes of the April 11th, 2022 Special Council Meeting.
- c. Approve payroll purchase orders through April 29th, 2022.

d. Approve claims for purchase orders through April 19th, 2022.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	2120212434 - 2120212358	153,337.24
STREET & DRAINAGE	2120212358 - 2120212349	8,768.50
GOLF COURSE	2120212432 – 911277B	10,302.66
CAPITAL OUTLAY	911230B – 911229B	11,869.76
REAL PROPERTY ACQUIS.	2120212433 - 2120212402	20,600.00
RECREATION CENTER	2120212371 - 2120212370	19,861.42
DONATIONS AND EARMARKED	2120212320 - 2120212430	5,139.03
TOTAL		229,878.61
NO BLANKETS		

e. Approve December 2021 Appropriation requests.

	DECEMBER 2021	
FEE IN LIEU		\$ 2.97
STREET & DRAINAGE		\$ 140,858.35
CEMETERY CARE INTEREST		\$ 9.58
CEMETERY CARE FUND		\$ 568.75
GOLF COURSE CASH FUND		\$ 42,287.67
CAPITAL OUTLAY FUND		\$ 46,648.34
CAPITAL OUTLAY RESERVE		\$ 306.51
REAL PROPERTY ACQUISITION		\$ 22.41
HOTEL/MOTEL TAX		\$ 10,941.31
2019 BOND PROJECT		\$ 44.25
LIBRARY BUILDING FUND		\$ 1.48
EDTA		\$ -
RECREATION CASH FUND		\$ 79,796.58
PPWA BOND PROCEEDS (86)		\$ -
PPWA SINKING FUNDS		\$ 93,315.29
PPWA BOND PROCEEDS (88)		\$ 3,255.86
E-911		\$ 865.39
LIBRARY SPECIAL		\$ 618.02
SEIZURES		\$ 0.01
DONATIONS		\$ 2,081.52
COMMUNITY DEVELOPMENT BLOCK GRANT		\$ -
FUND 47		\$ 337.08
MAIN STREET BOND ACCOUNT-2019		\$ 10,377.78
FLEX SPEND PLAN		\$ -
COVID		\$ 115.51
TOTAL		\$ 432,454.66

f. Acknowledge receipt of deficient purchase orders.

There were no deficient purchase orders.

- g. Discussion and possible action regarding closure of North Coo-Y-Yah Street from Graham Avenue to Brown Place on Wednesday, April 27th, 2022 from 4:00 p.m. until 5:00 p.m. for the dedication of the Tornado Memorial at the Thomas J. Harrison Pryor Public Library.
- h. Discussion and possible action regarding allowing wine and beer to be served and consumed at the Northeast Oklahoma Veterans' Freedom Tours Pull-A-Fire-Truck event on Saturday, April 9th, 2022. This is retroactive, due to a clerical error and requiring action by Council.
- i. Discussion and possible action regarding accepting bid from Access Tree Works in the amount of \$2,975.00 for the abatement of property at 1600 Hawthorne Ct. from bids received, from Real Property Acquisition Reserve – Nuisance Abatement Account #46-465-5450. Other bid received: Wade's Wrecker Service in the amount of \$6,500.00.
- j. Discussion and possible action regarding disposal of city records according to City of Pryor Creek Retention Policy as attached.
- k. Discussion and possible action regarding an expenditure in the amount of \$4,651.38 to Melton's A/C & Appliance for HVAC repair in the weight room at the Pryor Creek Recreation Center and declaring it an emergency, from Recreation Repair and Maintenance Account #84-845-5091.

Motion was made by Ketcher, second by Brakefield to approve items a – k, less item h. Voting yes: Siever, Ketcher, Shropshire, Nance, Smith, Brakefield, Gonthier. Voting no: none.

h. Discussion and possible action regarding allowing wine and beer to be served and consumed at the Northeast Oklahoma Veterans' Freedom Tours Pull-A-Fire-Truck event on Saturday, April 9th, 2022. This is retroactive, due to a clerical error and requiring action by Council.

Motion was made by Brakefield, second by Shropshire to approve allowing wine and beer to be served and consumed at the Northeast Oklahoma Veterans' Freedom Tours Pull-A-Fire-Truck event on Saturday, April

9th, 2022. This is retroactive, due to a clerical error and requiring action by Council. Voting yes: Ketcher, Shropshire, Nance, Smith, Brakefield, Gonthier, Siever. Voting no: none.

7. COMMITTEE REPORTS:

a. Budget and Personnel (Brakefield)

Brakefield reported that their next meeting will be May 10th, 2022 at 5:30 p.m. Mayor stated he will present budget numbers for the next fiscal year.

b. Ordinance and Insurance (Shropshire)

Shropshire reported that they are working on several items and will announce a time.

c. Street (Smith)

Smith reported that they are working on a Street agenda for next week.

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: Shropshire, Nance, Smith, Brakefield, Gonthier, Siever, Ketcher. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 7:45 p.m.

2. APPROVE MINUTES OF APRIL 5TH, 2022 MEETING.

Motion was made by Shropshire, second by Gonthier to approve minutes of April 5th, 2022 meeting. Voting yes: Nance, Smith, Brakefield, Gonthier, Siever, Ketcher, Shropshire. 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 Gonthier to adjourn. Voting yes: Smith, Brakefield, Gonthier, Siever, Ketcher, Shropshire, Nance. 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
