

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, SEPTEMBER 20TH, 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 Chris Gonthier. Roll Call was conducted by City Clerk Eva Smith. Council members present included Jon Ketcher, Choya Shropshire, Dennis Nance, Steve Smith, Randy Chitwood, Evett Barham, Chris Gonthier, Lori Siever. Members absent: none.

Department Heads and other City Officials present: Police Chief Dennis Nichols, Fire Chief BK Young, Park Superintendent Frank Powell, Library Director Cari Rerat and Recreation Center Director Jessica Tiger.

Others present: Police Captain Kevin Tramel, Police Sergeant Dustin Van Horn, Violet Kirkendall, BobbyRay Shatswell, Kristen Shatswell, Terry Lamar, Charles Tramel, Levi Hudson, Jack Hardy, Christie Littlefield, Monty Littlefield, Jennie LaFave, 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

No report.

c. Fire

Young reported that they made it through Born and Raised. He stated they have been tracking down parts for their engines. He reported they should be able to move into the new facility around November 1st. He asked if anyone had questions.

d. Golf

No report.

e. Library

Rerat handed out a statistics sheet. She stated that they should be able to move into the remodeled library around the same time as Police and Fire. She asked if anyone had questions.

f. Parks / Cemetery

Powell reported that they are mowing and doing maintenance. They are also cutting down some trees.

g. Police

Nichols had no report but asked if anyone had questions.

h. Recreation Center

Tiger had no report.

i. Street

No report.

4. MAYOR'S REPORT:

- a. Discussion and possible action regarding approval of the June 30th, 2021 independent Auditor's Report of Financial Statements for the City of Pryor Creek, Oklahoma as presented by Violet Kirkendall of Hood & Associates, PC Certified Public Accountants.**

Motion was made by Shropshire, second by Chitwood to approve the June 30th, 2021 independent Auditor's Report of Financial Statements for the City of Pryor Creek, Oklahoma as presented by Violet Kirkendall of Hood & Associates, PC Certified Public Accountants. Kirkendall made her presentation.

Gonthier made a motion to table. There was no second. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Barham, Siever. Voting no: Gonthier.

b. Discussion and possible action regarding nomination of an Ad Hoc Committee with the mission of recommending to Pryor Creek City Council, the path forward for our Castle Theater with a time target of December 20, 2022. Mayor Lees nominates Terry Lamar, Brent Taylor, Jennie LaFave, Jack Hardy, and Monty Littlefield as committee members.

Motion was made by Ketcher, second by Shropshire to approve nomination of an Ad Hoc Committee with the mission of recommending to Pryor Creek City Council, the path forward for our Castle Theater with a time target of December 20, 2022. Mayor Lees nominates Terry Lamar, Brent Taylor, Jennie LaFave, Jack Hardy, and Monty Littlefield as committee members. Voting yes: Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever, Ketcher. Voting no: none.

5. CITY ATTORNEY'S REPORT:

a. Discussion and possible action for approval of Municipal Court Agreement with Cherokee Nation regarding municipal charges involving tribal defendants.

Motion was made by Ketcher, second by Smith to table approval of Municipal Court Agreement with Cherokee Nation regarding municipal charges involving tribal defendants until Mr. Ritchie is able to present this. Voting yes: Nance, Smith, Chitwood, Barham, Gonthier, Siever, Ketcher, Shropshire. Voting no: none.

Mayor moved to the Addendum.

**ADDENDUM
CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 20TH, 2022 AT 6:00 P.M.**

1. Discussion and possible action regarding appointment of Walter Olson to Recreation Board, Seat #3, term ending 08/31/24.

Motion was made by Ketcher, second by Shropshire to approve appointment of Walter Olson to Recreation Board, Seat #3, term ending 08/31/24. Voting yes: Smith, Chitwood, Barham, Gonthier, Siever, Ketcher, Shropshire, Nance. Voting no: none.

2. Discussion and possible action regarding an expenditure in the amount of \$22,425.25 to Deere & Company for the purchase of a John Deere Z997R diesel mower for the Pryor Creek Cemetery at State Contract price, from Cemetery Capital Outlay Account #44-445-5413. This is a correction of Item 6.p. on the regular Consent Agenda.

Motion was made by Ketcher, second by Smith to approve an expenditure in the amount of \$22,425.25 to Deere & Company for the purchase of a John Deere Z997R diesel mower for the Pryor Creek Cemetery at State Contract price, from Cemetery Capital Outlay Account #44-445-5413. This is a correction of Item 6.p. on the regular Consent Agenda. Voting yes: Chitwood, Barham, Gonthier, Siever, Ketcher, Shropshire, Nance, Smith. Voting no: none.

Mayor moved back to the regular Agenda.

City Attorney, Kim Ritchie, arrived at 6:35 p.m.

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 September 6th, 2022 Council meeting.
- b. Approve payroll purchase orders through September 30th, 2022.
- c. Approve claims for purchase orders through September 20th, 2022.

FUNDS	PURCHASE ORDER NUMBER	TOTALS
GENERAL	2220220718 - 2220220606	216,381.73
STREET & DRAINAGE	2220220607 - 911316B	8,874.92
GOLF COURSE	2220220698 - 911301B	23,527.80
CAPITAL OUTLAY	911293B - 911294B	16,346.81
REAL PROPERTY ACQUISITION	2220220669 - 2220220695	25.85
HOTEL / MOTEL TAX	2220220684 - 2220220685	86,974.16
RECREATION CENTER	2220220611 - 2220220598	10,615.78
PRYOR PUBLIC WORKS AUTHORITY	2220220665	2,400.00
DONATIONS CASH FUND	2220220691	223.32
TOTAL		365,370.37

BLANKETS		
911343B	MATTHEWS FORD OF PRYOR	15,000.00
TOTAL		15,000.00

- d. Acknowledge receipt of deficient purchase orders.
There were no deficient purchase orders.
- e. Discussion and possible action regarding Audit Agreement with Hood & Associates for fiscal year ending June 30th, 2021 in the amount of \$15,500.00.
- f. Discussion and possible action regarding rejection of bids for the 2022 Tennis Facility Parking Improvements project.
- g. Discussion and possible action regarding reappointment of Travis Mileur to Seat #7 of the Planning and Zoning Commission, term ending 9/30/25.
- h. Discussion and possible action regarding reappointment of Joe Barnts to Seat #6 (alternate) of the Planning and Zoning Commission, term ending 9/30/25.
- i. Discussion and possible action regarding increasing Pelivan funding from \$25,000.00 to \$32,000.00 per the request of Grand Gateway Economic Development Association. This action is proposed to overspend line item #02-201-5337.
- j. Discussion and possible action to approve Hotel / Motel Final Expense Report for Pryor Public Schools from 2021-2022.
- k. Discussion and possible action to approve Hotel / Motel Final Expense Report for Pryor Main Street from 2021-2022.
- l. Discussion and possible action to approve Hotel / Motel Final Expense Report for Pryor Area Chamber of Commerce from 2021-2022.
- m. Discussion and possible action regarding Hotel / Motel Tax Allocation for the 2022-2023 fiscal year.
 - a. Pryor Area Chamber of Commerce – 40% - \$49,699.52
 - b. Pryor Public Schools – 20% - 24,849.76
 - c. Pryor Main Street – 10% - \$12,424.88
- n. Discussion and possible action regarding Hotel / Motel Tax Allocation grant application from Lake Area Softball Association in the amount of \$5,000.00.
- o. Discussion and possible action regarding an expenditure in the amount of \$11,961.60 to CBI Wholesale Electric, LLC., for LED lighting at the Whitaker Park Tennis Courts from bids received. Other bids received: Lighting Inc – BA, in the amount of \$6,806.87 for half the number of lights needed; Locke Supply Co., in the amount of \$22,288.00.
- p. Discussion and possible action regarding an expenditure in the amount of \$22,425.25 to P&K Equipment for the purchase of a John Deere Z997R diesel mower for the Pryor Creek Cemetery at State Contract price, from Cemetery Capital Outlay Account #44-445-5413.
- q. Discussion and possible action regarding an expenditure in the amount of \$9,238.00 to Matlock Security Services for a security door system to match the new station security lock system. Other bids received: Monitoring Oklahoma, in the amount of \$15,574.00; Kingdom Alarms of Tulsa, in the amount of \$14,744.00.
- r. Discussion and possible action regarding beginning the hiring process for three (3) new firefighters and one (1) replacement firefighter. Starting dates to be effective when the new building is in operation and upon the retirement of Captain Gibbs.
- s. Discussion and possible action regarding approval of job descriptions for the Thomas J. Harrison Pryor Public Library, which were approved by Library Board on August 25th, 2022.
- t. Discussion and possible action regarding hiring Elise Kasler for the full-time Librarian II - Administrative Librarian position at Range C, Step 1 (annual wage - \$35,360.00) for the Thomas J. Harrison Pryor Public Library effective September 21st, 2022. This position was left vacant by the resignation of Lillian Tucker. Elise currently works part-time at the Library.
- u. Discussion and possible action regarding closing Graham Avenue from Hogan to Adair Street, North to NE 1st Street and back to Hogan for a Homecoming Parade on Thursday evening, September 29th, 2022, from 6:30 p.m. – 8:30 p.m.
- v. Discussion and possible action regarding hiring Courtney Davis to fill vacant Deputy Clerk position, Range D, Step 1 (annual wage - \$36,400.00), effective September 21st, 2022. This position was left vacant upon the resignation of Sharollette Morse.
- w. Discussion and possible action regarding promotion of Kenny Bennett from Pryor Creek Police Patrolman Range J, Step 4 to Corporal Range K, Step 4 (annual wage - \$54,630.00).
- x. Discussion and possible action regarding promotion of Jamal Gunter from Pryor Creek Police Patrolman Range J, Step 3 to Corporal Range K, Step 3 (annual wage - \$49,209.00).

- y. Discussion and possible action regarding promotion of John Gann from Pryor Creek Police Patrolman Range J, Step 3 to Corporal Range K, Step 3 (annual wage - \$49,209.00).
- z. Discussion and possible action regarding promotion of Billy Frazier from Pryor Creek Police Corporal Range K, Step 3 to Sergeant Range L, Step 3 (annual wage - \$50,386.00).
- aa. Discussion and possible action on hiring Nathan “Levi” Hudson as a patrolman at the Pryor Creek Police Department at Range J, Step 2 (annual wage - \$45,303.00). Hudson is CLEET Certified and currently on the Oklahoma Police Pension; effective October 24th, 2022. This will backfill the position left vacant by Matthew Gilbert.
- bb. Discussion and possible action on hiring BobbyRay “Devon” Shatswell as a patrolman at the Pryor Creek Police Department at Range J, Step 2 (annual wage - \$45,303.00). Shatswell is CLEET Certified and currently on the Oklahoma Police Pension; effective October 24th, 2022. This will fill the position created by the addition of the new school resource officer.
- cc. Discussion and possible action on the expenditure of \$15,947.18 to Haddock Technologies for 2 promethean boards, with licenses, cameras, cables, projectors and audio systems with mics for the training room for the Emergency Services Center. Other quotes received: JTF Gov, in the amount of \$14,175.00 for Promethean Boards only; Touch Boards, in the amount of \$15,673.18 for Promethean Boards only. \$15,896.18 was awarded to the Police Department from the Attorney General Grant. The Attorney General’s office has approved the Pryor Creek Police Department to purchase the equipment and the department would be reimbursed. \$15,896.18 to be expended from Police Attorney General Grant Account #96-965-5503 and \$51.00 from Police Supplies – General Account #02-215-5032.
- dd. Discussion and possible action regarding approval of a Memorandum of Understanding with Pryor Main Street, pending approval of Economic Development Trust Authority on September 19th, 2022.
- ee. Discussion and possible action regarding transfer of \$50,000.00 from the General Fund EDTA Account #02-203-5222 to the EDTA Fund Account #98, pending approval of Economic Development Trust Authority on September 19th, 2022.
- ff. Discussion and possible action regarding an expenditure in the amount of \$10,700.00 to Higley Consulting from Inspector Outside Services Account #02-203-5080 for Plan Review for West 530 Apartments. Payment was received by the city from PCO Holdings LLC for the amount due Higley Consulting.
- gg. Discussion and possible action regarding an expenditure in the amount of \$2,870.00 to Melton’s A/C & Appliance for a repair bill for HVAC work at the Pryor Area Arts and Humanities Building, as in the best interest of the City, from General Repair & Maintenance Account #02-201-5091. Competitive bidding was not accomplished due to uncertain coil cost and uncertain lead time. Melton’s was called upon due to the current maintenance agreement.

Motion was made by Smith, second by Nance to approve items a – gg, less items i, m, o, p, r, cc, dd, ee.

Voting yes: Barham, Gonthier, Siever, Ketcher, Shropshire, Nance, Smith, Chitwood. Voting no: none.

i. Discussion and possible action regarding increasing Pelivan funding from \$25,000.00 to \$32,000.00 per the request of Grand Gateway Economic Development Association. This action is proposed to overspend line item #02-201-5337.

Motion was made by Ketcher, second by Shropshire to approve increasing Pelivan funding from \$25,000.00 to \$32,000.00 per the request of Grand Gateway Economic Development Association. This action is proposed to overspend line item #02-201-5337. Voting yes: Siever, Ketcher, Shropshire, Nance, Smith, Chitwood, Barham. Voting no: Gonthier.

m. Discussion and possible action regarding Hotel / Motel Tax Allocation for the 2022-2023 fiscal year.

a. Pryor Area Chamber of Commerce – 40% - \$49,699.52

b. Pryor Public Schools – 20% - 24,849.76

c. Pryor Main Street – 10% - \$12,424.88

Motion was made by Chitwood, second by Barham to approve Hotel / Motel Tax Allocation for the 2022-2023 fiscal year.

a. Pryor Area Chamber of Commerce – 40% - \$49,699.52

b. Pryor Public Schools – 20% - 24,849.76

c. Pryor Main Street – 10% - \$12,424.88

Voting yes: Siever, Ketcher, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier. Voting no: none.

o. Discussion and possible action regarding an expenditure in the amount of \$11,961.60 to CBI Wholesale Electric, LLC., for LED lighting at the Whitaker Park Tennis Courts from bids received.

Other bids received: Lighting Inc – BA, in the amount of \$6,806.87 for half the number of lights needed; Locke Supply Co., in the amount of \$22,288.00.

Motion was made by Shropshire, second by Chitwood to approve an expenditure in the amount of \$11,961.60 to CBI Wholesale Electric, LLC., for LED lighting at the Whitaker Park Tennis Courts from bids received. Other bids received: Lighting Inc – BA, in the amount of \$6,806.87 for half the number of lights needed; Locke Supply Co., in the amount of \$22,288.00 with the amendment of the addition of Parks Capital Outlay Account #44-445-5415. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever. Voting no: none.

p. Discussion and possible action regarding an expenditure in the amount of \$22,425.25 to P&K Equipment for the purchase of a John Deere Z997R diesel mower for the Pryor Creek Cemetery at State Contract price, from Cemetery Capital Outlay Account #44-445-5413.

Motion was made by Chitwood, second by Smith to approve an expenditure in the amount of \$22,425.25 to P&K Equipment for the purchase of a John Deere Z997R diesel mower for the Pryor Creek Cemetery at State Contract price, from Cemetery Capital Outlay Account #44-445-5413. Voting yes: none. Voting no: Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever, Ketcher. Motion failed.

r. Discussion and possible action regarding beginning the hiring process for three (3) new firefighters and one (1) replacement firefighter. Starting dates to be effective when the new building is in operation and upon the retirement of Captain Gibbs.

Motion was made by Ketcher, second by Chitwood to approve beginning the hiring process for three (3) new firefighters and one (1) replacement firefighter. Starting dates to be effective when the new building is in operation and upon the retirement of Captain Gibbs. Voting yes: Nance, Smith, Chitwood, Barham, Siever, Ketcher, Shropshire. Abstaining, counting as a no vote: Gonthier. Voting no: none.

cc. Discussion and possible action on the expenditure of \$15,947.18 to Haddock Technologies for 2 promethean boards, with licenses, cameras, cables, projectors and audio systems with mics for the training room for the Emergency Services Center. Other quotes received: JTF Gov, in the amount of \$14,175.00 for Promethean Boards only; Touch Boards, in the amount of \$15,673.18 for Promethean Boards only. \$15,896.18 was awarded to the Police Department from the Attorney General Grant. The Attorney General's office has approved the Pryor Creek Police Department to purchase the equipment and the department would be reimbursed. \$15,896.18 to be expended from Police Attorney General Grant Account #96-965-5503 and \$51.00 from Police Supplies – General Account #02-215-5032.

Motion was made by Ketcher, second by Smith to approve the expenditure of \$15,947.18 to Haddock Technologies for 2 promethean boards, with licenses, cameras, cables, projectors and audio systems with mics for the training room for the Emergency Services Center. Other quotes received: JTF Gov, in the amount of \$14,175.00 for Promethean Boards only; Touch Boards, in the amount of \$15,673.18 for Promethean Boards only. \$15,896.18 was awarded to the Police Department from the Attorney General Grant. The Attorney General's office has approved the Pryor Creek Police Department to purchase the equipment and the department would be reimbursed. \$15,896.18 to be expended from Police Attorney General Grant Account #96-965-5503 and \$51.00 from Police Supplies – General Account #02-215-5032. Voting yes: Smith, Chitwood, Barham, Siever, Ketcher, Shropshire, Nance. Voting no: Gonthier.

dd. Discussion and possible action regarding approval of a Memorandum of Understanding with Pryor Main Street, pending approval of Economic Development Trust Authority on September 19th, 2022.

Motion was made by Shropshire, second by Smith to approve of a Memorandum of Understanding with Pryor Main Street, pending approval of Economic Development Trust Authority on September 19th, 2022. Voting yes: Chitwood, Barham, Gonthier, Siever, Ketcher, Shropshire, Nance, Smith. Voting no: none.

ee. Discussion and possible action regarding transfer of \$50,000.00 from the General Fund EDTA Account #02-203-5222 to the EDTA Fund Account #98, pending approval of Economic Development Trust Authority on September 19th, 2022.

Motion was made by Chitwood, second by Smith to approve transfer of \$50,000.00 from the General Fund EDTA Account #02-203-5222 to the EDTA Fund Account #98, pending approval of Economic Development Trust Authority on September 19th, 2022. Voting yes: Barham, Gonthier, Siever, Ketcher, Shropshire, Nance, Smith, Chitwood. Voting no: none.

Mayor moved back to City Attorney's Report.

5. CITY ATTORNEY'S REPORT:

a. Discussion and possible action for approval of Municipal Court Agreement with Cherokee Nation regarding municipal charges involving tribal defendants.

Motion was made by Ketcher, second by Chitwood to remove this item from the table. Voting yes: Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever, Ketcher. Voting no: none.

Motion was made by Shropshire, second by Smith to approve Municipal Court Agreement with Cherokee Nation regarding municipal charges involving tribal defendants. Mr. Ritchie spoke to the document. Gonthier spoke regarding the document, as well, and read his lengthy opinion (attached to the minutes). Voting yes: Nance, Smith, Chitwood, Barham, Siever, Shropshire. Abstaining, counting as a no vote: Ketcher. Voting no: Gonthier.

7. COMMITTEE REPORTS:

a. Budget and Personnel (Shropshire)

Shropshire stated that next Budget and Personnel Committee meeting will be October 11th, 2022. The committee has requested that they meet at 6:00 pm next month.

b. Ordinance and Insurance (Shropshire)

Shropshire reported that the Ordinance and Insurance Committee will meet on Thursday, November 3rd, 2022.

c. Street (Smith)

Smith had nothing to report.

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

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 7:30 p.m.

2. APPROVE MINUTES OF SEPTEMBER 6TH, 2022 MEETING.

Motion was made by Gonthier, second by Smith to approve minutes of September 6th, 2022 meeting. Voting yes: Siever, Ketcher, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier. 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 Smith to adjourn. Voting yes: Ketcher, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever. 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
