

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, FEBRUARY 7TH, 2023 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 Evett Barham. Roll Call was conducted by City Clerk Eva Smith. Council members present included Terry Lamar, Choya Shropshire, Dennis Nance, Steve Smith, Randy Chitwood, Evett Barham, Chris Gonthier, Lori Siever. Members absent: none.

Department Heads and other City Officials present: City Attorney Kim Ritchie, Police Chief Dennis Nichols, Fire Chief BK Young, Street Superintendent Buddy Glenn and Library Director Cari Rerat.

Others present: Police Captain Kevin Tramel, Police Sergeant Dustin VanHorn, Steve Powell, Houston Brittain, Bruce Smith, Adam Anderson, Jeanette Anderson, Charles Tramel, Autumn Graybill, Gilbert Graybill, Doug Barham, Tim Lawson, Zac Taylor, Dane Nelson, Terry Aylward and Kimmie 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

No report.

b. Emergency Management

No report.

c. Fire

No report.

d. Golf

Bowman was out of town but provided a written report for Council.

e. Library

Rerat asked that Council pull off item i. from the Consent Agenda, as there was a Scrivener's error that she needed to explain. Rerat reported that the first two forums for the upcoming election have gone well, and the third one will be on Thursday. She also reported that Autumn Courtney is the Youth Services Librarian and is on the committee to choose the Sequoyah book award each year. Since Courtney is on that committee, authors send her books for consideration. These books can be utilized by the library at no cost. In the time Courtney has served, the library has received almost 700 books. The list price for all of these books in total comes to over \$13,000.00 that the library did not have to purchase.

f. Parks / Cemetery

No report.

g. Police

Nichols reported that they continue to transition to the new building and clean out their old building. Regarding the Animal Shelter, Nichols urged citizens to make sure their animals are vaccinated.

h. Recreation Center

Brittain reported that the Recreation Center possibly added 186 new members in January. They are dealing with an HVAC issue as well as a pool heater issue. The January challenge had 64 participants who walked over 16 million steps combined.

i. Street

Glenn reported that they have been clearing the streets and shoveling ice and snow. He reported that one plow truck broke down.

MAYOR'S REPORT:

a. Recognize city employees who have completed 25 years of service: Eva Smith, Don Hess and Buddy Glenn.

Mayor recognized Eva Smith and Buddy Glenn for their 25 years of service, presented them with certificates and thanked them for their commitment to the city.

Mayor moved to the Addendum.

ADDENDUM

CITY COUNCIL MEETING

TUESDAY, FEBRUARY 7TH, 2023 AT 6:00 P.M.

1. Discussion and possible action regarding a recommendation from the Pryor Creek Economic Development Trust Authority, that the City of Pryor Creek, Oklahoma enter in to a longterm lease agreement with American Legion Post 182 which is located in Pryor Creek, Oklahoma for the purpose of economic development, management, and utilization of the baseball field toward the mission of the promotion of sporting activity for area youth. The land as described:

A tract of land being a part of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, Township 21 North, Range 18 East of the Indian Meridian, Mayes County, Oklahoma, said tract of land being more particularly described as follows: Beginning at a 1/2" iron pin at the Northwest corner of said Southwest Quarter of the Northeast Quarter of the Northeast Quarter, thence S 01°34'04" E along the West line of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter a distance of 397.10 feet to a 1/2" iron pin; thence N 85°17'13" E 153.61 feet to a 1/2" iron pin; thence Northeasterly on a non-tangent curve to the left having a radius of 226.06 feet, an arc distance of 252.51 feet, said curve being subtended by a chord of N 63°34'27" E 239.59 feet; thence Northeasterly on a non-tangent curve to the left having a radius of 429.29 feet, an arc distance of 227.43 feet, said curve being subtended by a chord of N 13°44'16" E 224.77 feet to a 1/2" iron pin; thence S 88°48'31" W 86.12 feet to a 3/8" iron pin; thence N 01°14'54" W 70.00 feet (70.09 feet measured) to an existing chiseled "X" and a point on the North line of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter; thence S 88°30'55" W 344.37 feet to the point of beginning. Bearings are referenced to the Oklahoma State Plane Coordinate System and are not astronomical.

This action is pending a written agreement which is agreeable to both parties, City of Pryor Creek, Oklahoma and the Pryor Creek, Oklahoma American Legion, Post 182.

Motion was made by Shropshire, second by Chitwood to approve a recommendation from the Pryor Creek Economic Development Trust Authority, that the City of Pryor Creek, Oklahoma enter in to a longterm lease agreement with American Legion Post 182 which is located in Pryor Creek, Oklahoma for the purpose of economic development, management, and utilization of the baseball field toward the mission of the promotion of sporting activity for area youth. The land as described:

A tract of land being a part of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 13, Township 21 North, Range 18 East of the Indian Meridian, Mayes County, Oklahoma, said tract of land being more particularly described as follows: Beginning at a 1/2" iron pin at the Northwest corner of said Southwest Quarter of the Northeast Quarter of the Northeast Quarter, thence S 01°34'04" E along the West line of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter a distance of 397.10 feet to a 1/2" iron pin; thence N 85°17'13" E 153.61 feet to a 1/2" iron pin; thence Northeasterly on a non-tangent curve to the left having a radius of 226.06 feet, an arc distance of 252.51 feet, said curve being subtended by a chord of N 63°34'27" E 239.59 feet; thence Northeasterly on a non-tangent curve to the left having a radius of 429.29 feet, an arc distance of 227.43 feet, said curve being subtended by a chord of N 13°44'16" E 224.77 feet to a 1/2" iron pin; thence S 88°48'31" W 86.12 feet to a 3/8" iron pin; thence N 01°14'54" W 70.00 feet (70.09 feet measured) to an existing chiseled "X" and a point on the North line of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter; thence S 88°30'55" W 344.37 feet to the point of beginning. Bearings are referenced to the Oklahoma State Plane Coordinate System and are not astronomical.

This action is pending a written agreement which is agreeable to both parties, City of Pryor Creek, Oklahoma and the Pryor Creek, Oklahoma American Legion, Post 182. Voting yes: Lamar, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever. Voting no: none.

Mayor moved back to the Mayor's Report.

4. MAYOR'S REPORT:

b. Report from the Economic Development Trust Authority.

No action. Adam Anderson, EDTA Chairman, spoke regarding the update and announcement at the EDTA meeting on Monday by Jim Bloom.

c. Discussion and possible action regarding Change Order No. 1 from Envision Civil Contractors, LLC for the Whitaker Park Tennis Facility Parking Improvements Project PRY 21-07, regarding the removal of existing curb and three feet into the existing asphalt for the length of the project. This also includes the replacement of the area with a three-foot concrete apron and excavation of proposed four-foot concrete sidewalk at a cost of \$16,832.25 to Envision Civil Contractors and \$8,690.00 to the Street Department from Parks Capital Outlay Account #44-445-5415. It is to be noted that the materials are to be supplied by the city and Envision’s quote is ONLY for labor and equipment to do the work proposed.

Motion was made by Barham, second by Shropshire to approve Change Order No. 1 from Envision Civil Contractors, LLC for the Whitaker Park Tennis Facility Parking Improvements Project PRY 21-07, regarding the removal of existing curb and three feet into the existing asphalt for the length of the project. This also includes the replacement of the area with a three-foot concrete apron and excavation of proposed four-foot concrete sidewalk at a cost of \$16,832.25 to Envision Civil Contractors and \$8,690.00 to the Street Department from Parks Capital Outlay Account #44-445-5415. It is to be noted that the materials are to be supplied by the city and Envision’s quote is ONLY for labor and equipment to do the work proposed. Voting yes: Shropshire, Nance, Smith, Chitwood, Barham, Siever. Voting no: Gonthier and Lamar.

d. Report and update from Ad Hoc Audit committee.

Lamar and Shropshire spoke to their work toward getting information and language for the RFP draft.

e. Discussion and possible action regarding Audit RFP draft language.

No action. Lamar pointed out the three draft language forms in the packet. He asked if anyone saw anything that they felt needed changed. No one had objections or changes.

5. CITY ATTORNEY’S REPORT:

a. Discussion and possible action regarding granting TRC Companies representing American Electric Power (AEP) / Public Service Company of Oklahoma (PSO), Temporary Easement and Right-of-Way Access for their Pryor Junction as described in the attached agreement.

Motion was made by Chitwood, second by Gonthier to approve granting TRC Companies representing American Electric Power (AEP) / Public Service Company of Oklahoma (PSO), Temporary Easement and Right-of-Way Access for their Pryor Junction as described in the attached agreement. Voting yes: Nance, Smith, Chitwood, Barham, Gonthier, Siever, Lamar, Shropshire. Voting no: none.

b. Second reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 4C, by the addition of a new section 12 regarding prohibition of “Occupation of Recreational Type Trailers or Recreational Vehicles as Living Quarters”; and providing for repealer and severability.

Motion was made by Chitwood, second by Gonthier to approve and waive second reading of Ordinance #2023-1 amending Title 5, Chapter 4C, by the addition of a new section 12 regarding prohibition of “Occupation of Recreational Type Trailers or Recreational Vehicles as Living Quarters”; and providing for repealer and severability. Voting yes: Chitwood, Barham, Gonthier, Siever, Lamar, Shropshire, Nance. Voting no: Smith.

c. Second reading, discussion and possible action regarding an ordinance amending Title 5, Chapter 4C, by the addition of a new section 13 regarding the prohibition of obstructions of travel and view by reason of parking or storage of vehicles, trailers, motorhomes, RV’s, storage units or other portable units; and providing for repealer and severability.

Motion was made by Shropshire, second by Chitwood to approve and waive second reading of Ordinance #2023-2 amending Title 5, Chapter 4C, by the addition of a new section 13 regarding the prohibition of obstructions of travel and view by reason of parking or storage of vehicles, trailers, motorhomes, RV’s, storage units or other portable units; and providing for repealer and severability, with the change, “detect and/or avoid” in Section 1.C. Voting yes: Barham, Gonthier, Siever, Lamar, Shropshire, Nance. Voting no: Chitwood and Smith.

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 17th, 2023 Council meeting.
- b. Approve payroll purchase orders through February 17th, 2023.
- c. Approve claims for purchase orders through February 7th, 2023.

<u>FUNDS</u>	<u>PURCHASE ORDER NUMBER</u>	<u>TOTALS</u>
GENERAL	2220221931 - 2220221732	115,178.18
STREET & DRAINAGE	911313B – 2220221788	33,098.26
GOLF COURSE	2220221939 – 2220221820	12,170.22
CAPITAL OUTLAY	2220221762 – 2220221912	23,648.35
REAL PROPERTY ACQUIS.	911298B – 2220221910	1,243.00
RECREATION CENTER	2220221922 - 2220221822	32,761.76

E-911	2220221835	408.58
DONATIONS AND EARMARKED	2220221841 - 2220221942	14,548.30
EDTA	2220221947 - 2220221949	35,000.00
TOTAL		268,056.65
NO BLANKETS		

- d. Acknowledge receipt of deficient purchase orders.
There were no deficient purchase orders.
- e. Discussion and possible action regarding the retirement of James Willyard from the Pryor Creek Police Department, effective March 3rd, 2023.
- f. Discussion and possible action regarding appointment of Jamie Nofsinger to Recreation Board Seat #1, term ending 8/31/24.
- g. Discussion and possible action regarding authorizing J.C. Carroll to serve as Fire Code Reviewer for the City of Pryor Creek.
- h. Discussion and possible action regarding approval to purchase replacement library flooring and installation from Architectural Flooring at a cost of \$14,071.00, as in the best interest of the city, from General Repair and Maintenance Account #02-201-5091. This action is due to the flood damage on December 26th, 2022, for which an insurance claim was made through Oklahoma Mutual Assurance Group (OMAG). OMAG has paid the claim in the amount of \$21,816.61. Other bids received: C&A Roofing & Construction - \$18,200.00; Ram Interiors Flooring & Design - \$14,563.31 for just carpet and \$12,628.28 for carpet and laying of Luxury Vinyl Tile (LVT), but the library would be responsible for ordering and paying for the LVT separately.
- i. Discussion and possible action regarding library surplus of the following items:
- 23 computers
 - 8 laptops
 - 15 desktops
 - 10 monitors
 - Desk Unit with Hutch, no inventory number ("Desk 1" in the photos).
 - Desk Unit without hutch, no inventory number ("Desk 2" in photos).
 - Desk Unit with Hutch, inventory #4588 ("Desk 3" in photos). It is currently in pieces because it had to be disassembled to move out of the office. Assembled, it's an L-shaped desk with a hutch mounted on the long side.

All functioning technology will be given to other departments, staff, and the public. Non-functioning technology will be recycled. Functioning computers will be reformatted with a clean install of Windows 10. All desk units will be given to anyone who wants them and will transport them.

Motion was made by Nance, second by Chitwood to approve items a – i, less items a, e f, g and i. Voting yes: Barham, Gonthier, Siever, Lamar, Shropshire, Nance, Smith, Chitwood. Voting no: none.

a. Approve minutes of the January 17th, 2023 Council meeting.

Motion was made by Chitwood, second by Smith to approve minutes of the January 17th, 2023 Council meeting. Voting yes: Gonthier, Siever, Lamar, Shropshire, Nance, Smith, Barham. Abstaining, counting as a no vote: Chitwood. Voting no: none.

e. Discussion and possible action regarding the retirement of James Willyard from the Pryor Creek Police Department, effective March 3rd, 2023.

Motion was made by Chitwood, second by Smith to approve the retirement of James Willyard from the Pryor Creek Police Department, effective March 3rd, 2023. Chitwood thanked Willyard for his service and offered best wishes. Voting yes: Siever, Lamar, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier. Voting no: none.

f. Discussion and possible action regarding appointment of Jamie Nofsinger to Recreation Board Seat #1, term ending 8/31/24.

Motion was made by Shropshire, second by Smith to take no action regarding appointment of Jamie Nofsinger to Recreation Board Seat #1, term ending 8/31/24, per Mayor. Voting yes: Lamar, Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever. Voting no: none.

g. Discussion and possible action regarding authorizing J.C. Carroll to serve as Fire Code Reviewer for the City of Pryor Creek.

Motion was made by Chitwood, second by Smith to approve authorizing J.C. Carroll to serve as Fire Code Reviewer for the City of Pryor Creek. After discussion, motion was made by Gonthier, second by Lamar to table authorizing J.C. Carroll to serve as Fire Code Reviewer for the City of Pryor Creek, until the contract is available for review. Voting yes: Shropshire, Nance, Smith, Chitwood, Barham, Gonthier, Siever, Lamar. Voting no: none.

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Rerat explained that there are 23 computers total: 8 laptops and 15 desktops. After much discussion, Shropshire and Chitwood amended their motion and second to table this item. Voting yes: Nance, Smith, Chitwood, Barham, Gonthier, Siever, Lamar, Shropshire. Voting no: none.

7. COMMITTEE REPORTS:

a. Budget and Personnel (Shropshire)

Shropshire reported that the next Budget and Personnel Committee meeting will be Tuesday, February 14th, 2023.

b. Ordinance and Insurance (Shropshire)

Shropshire had nothing to report.

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 Nance, second by Smith to adjourn. Voting yes: Smith, Chitwood, Barham, Gonthier, Siever, Lamar, Shropshire, Nance. Voting no: none.

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 8:15 p.m.

2. APPROVE MINUTES OF JANUARY 17TH, 2023 MEETING.

Motion was made by Chitwood, second by Smith to approve minutes of January 17th, 2023 meeting. Voting yes: Barham, Gonthier, Siever, Lamar, Shropshire Nance, Smith. Abstaining, counting as a no vote: Chitwood. 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 Nance, second by Smith to adjourn. Voting yes: Barham, Gonthier, Siever, Lamar, Shropshire, Nance, Smith, Chitwood. 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
