

**MINUTES
SPECIAL CITY COUNCIL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, JULY 8TH, 2025 AT 5:00 P.M.**

The City Council of the City of Pryor Creek, Oklahoma met in special session on the above date and time in the Council Chamber upstairs at City Hall, 12 North Rowe Street in Pryor Creek, Oklahoma. Notice of this meeting 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 emailed to The Paper newspaper and emailed to the Council members.

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

Mayor Zac Doyle called the meeting to order at 5:36 p.m. The Prayer and Pledge of Allegiance were led by Kenneth Brashears. Roll Call was conducted by Mayor's Secretary Jae Standingwater. Council members present included Terry Lamar, Choya Shropshire, Lori Bradshaw, Kenneth Brashears, Charles Tramel, Chris Gonthier and Bruce Smith. Members absent: Tyler Brown.

Department Heads and other City Officials present: Chase McBride.

Others present: Gilbert Graybill, Terry Aylward, Michael Brooner, Bridgette Nichols, Sheryl Peters, Casey Cowan, Sheryl Laue, Reagan Eardman, Kathy Baugus, Drew Stott and Jessi Stringer.

2. PUBLIC HEARING

2a. Enter Public Hearing.

Zoning Change for: Casey's General Stores (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee).

The South 45 feet of Lot 4, all of Lots 5, 6, 7, 8, and 9 and the South 10 feet of Lot 10, all in Block 6 of Reeves Addition to the Town of Pryor Creek, Mayes County, Oklahoma, according to the recorded plat thereof.

Beginning at a point at the Northeast corner of the South half of Lot 4, Block 6, Reeves Addition to the City of Pryor Creek, said point being a found 3/8" iron rebar with cap stamped "GMF LS1107"; thence 500°27'43"E for a distance of 224.46 feet to a point for corner, with a 3/8" iron rebar being S01°21'07"E for a distance of 1.02 feet from the corner; thence S88°44'42"W for a distance of 239.77 feet to a set 1/2" iron rebar with cap stamped "Halff CA707"; thence N15°18'26"E for a distance of 121.66 feet to a set Mag nail with washer stamped "Halff CA707"; thence along a curve to the left, having a radius of 2914.79 feet, a chord bearing of N13°37'34"E, and a chord distance of 171.03 feet to a set 1/2" iron rebar with cap stamped "Halff CA707"; thence N89°32'17"E for a distance of 40.05' to a set 1/2" iron rebar with cap stamped "Halff CA707"; thence S01°35'29" for a distance of 55.20 feet to a set 1/2" iron rebar with cap stamped "Halff CA707"; thence N89°32'17"E for a distance of 123.91 feet to the Point of Beginning.

The applicant is requesting the zone to be changed from Residential Duplex (RD) to Commercial Automotive Recreation (CAR) for the ability to build a convenience store.

Motion was made by Shropshire, second by Brashears to enter Public Hearing. Voting yes: Lamar, Shropshire, Bradshaw, Brashears, Tramel, Gonthier and Smith. Voting no: none.

Drew Stott spoke in favor of the change, but also raised some concern that he was not notified of the change earlier in the process, despite his property being within 300 feet. He requested the City staff research the 300-foot radius search to ensure it was completed properly.

Kathy Baugus spoke in favor of the change, requesting that restrictions be placed on noise and light pollution that would influence nearby residential properties.

2b. Exit Public Hearing.

Motion was made by Brashears, second by Gonthier to exit Public Hearing. Voting yes: Shropshire, Bradshaw, Brashears, Tramel, Gonthier, Smith and Lamar. Voting no: none.

3. DISCUSSION AND POSSIBLE ACTION REGARDING THE ZONING CHANGE FOR: CASEY'S GENERAL STORE (FOR OWNERS: WALLACE & PHILLIS BAKER TRUST, LORI ANN REINHARD, TRUSTEE) (LEGAL AS READ ABOVE).

Motion was made by Gonthier, second by Shropshire to approve the Zoning Change for: Casey's General Store (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee) and waive the reading of the legal description. Voting yes: Bradshaw, Brashears, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

4. PUBLIC HEARING
4a. Enter Public Hearing.

Closing of Easement for: Casey's General Stores (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee) (Legal as read in Item 2).

The applicant is needing to close the easement for the preliminary plat.

Motion was made by Gonthier, second by Brashears to enter Public Hearing. Voting yes: Brashears, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

4b. Exit Public Hearing.

Motion was made by Gonthier, second by Brashears to exit Public Hearing. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Brashears. Voting no: none.

5. DISCUSSION AND POSSIBLE ACTION REGARDING THE CLOSING OF EASEMENT FOR: CASEY'S GENERAL STORE (FOR OWNERS: WALLACE & PHILLIS BAKER TRUST, LORI ANN REINHARD, TRUSTEE) (LEGAL AS READ IN ITEM 2).

Motion was made by Gonthier, second by Brashears to approve the Closing of Easement for: Casey's General Store (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee) and waive the reading of the legal description. Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Brashears and Tramel. Voting no: none.

6. PUBLIC HEARING.
6a. Enter Public Hearing.

Final Plat for Casey's General Stores (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee) (Legal as read in Item 2).

The applicant is requesting the Final Plat to be approved.

Motion was made by Gonthier, second by Shropshire to enter Public Hearing. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Brashears, Tramel and Gonthier. Voting no: none.

6b. Exit Public Hearing.

Motion was made by Gonthier, second by Shropshire to exit Public Hearing. Voting yes: Lamar, Shropshire, Bradshaw, Brashears, Tramel, Gonthier and Smith. Voting no: none.

7. DISCUSSION AND POSSIBLE ACTION REGARDING THE FINAL PLAT FOR CASEY'S GENERAL STORES (FOR OWNERS: WALLACE & PHILLIS BAKER TRUST, LORI ANN REINHARD, TRUSTEE) (LEGAL AS READ IN ITEM 2).

Motion was made by Gonthier, second by Brashears to approve the Final Plat for Casey's General Stores (for Owners: Wallace & Phillis Baker Trust, Lori Ann Reinhard, Trustee) and waive the reading of the legal description. Voting yes: Shropshire, Bradshaw, Brashears, Tramel, Gonthier, Smith and Lamar. Voting no: none.

8. PUBLIC HEARING
8a. Enter Public Hearing.

Zoning Change for: Casey Cowan

The North 660.21 feet of the South 877.21 feet of the East Half of the Southeast Quarter of the Northwest Quarter (E½SE¼NW¼) of Section Seven (7), Township Twenty-one (21) North, Range Nineteen (19) East of the Indian Base and Meridian, Mayes County, State of Oklahoma.

The applicant is requesting the zone to be changed from Residential Mobile Home (RMH) to Commercial Automotive Recreation (CAR) for the ability to build a campground and RV park.

Motion was made by Brashears, second by Gonthier to enter Public Hearing and waive the reading of the legal description. Voting yes: Bradshaw, Brashears, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

Casey Cowan spoke in favor of the change, stating that his new campground and RV park will serve those traveling to Pryor for both work and recreation. He stated that there are plans for several amenities such as water and sewer hookups, a small pool and an office building that will house bathrooms and showers. He also reported that he would be imposing discretionary limits on stay length and no easements will be impacted by the park.

8b. Exit Public Hearing.

Motion was made by Gonthier, second by Brashears to exit Public Hearing. Voting yes: Brashears, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

9. DISCUSSION AND POSSIBLE ACTION REGARDING THE ZONING CHANGE FOR: CASEY COWAN (LEGAL AS READ ABOVE).

Motion was made by Gonthier, second by Brashears to approve Zoning Change for: Casey Cowan and waive the reading of the legal description. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Brashears. Voting no: none.

10. PUBLIC HEARING

10a. Enter Public Hearing.

Zoning Change for: Joe Crabb Real Property. (Applicant: Eight Point Creative, LLC)

The South Twenty-five (25) Feet of the Lot Numbered Seventeen (17), and all of Lot Numbered Eighteen (18) in Block Numbered Twenty-eight (28), in the WHITAKER ADDITION to the Incorporated Town of Pryor Creek, Mayes County, State of Oklahoma, according to the A.L. Gibbs Survey and Plat thereof. (21 N Indianola)

The applicant is requesting the zone to be changed from Commercial General (CG) to Residential Single-35 (RS-35) for the zoning to match the existing use.

Motion was made by Brashears, second by Gonthier to enter Public Hearing and accept a change to the requested zone from Residential Single-35 (RS-35) to Residential Single-70 (RS-70). Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Brashears and Tramel. Voting no: none.

Jessi Stringer with Eight Point Creative presented her client's reasoning for the requested zoning change. She stated that the current zoning is inconsistent with the current use of the property and the surrounding properties.

10b. Exit Public Hearing.

Motion was made by Gonthier, second by Brashears to exit Public Hearing. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Brashears, Tramel and Gonthier. Voting no: none.

11. DISCUSSION AND POSSIBLE ACTION REGARDING THE ZONING CHANGE FOR: JOE CRABB REAL PROPERTY (APPLICANT: EIGHT POINT CREATIVE, LLC) (LEGAL AS READ ABOVE).

Motion was made by Gonthier, second by Brashears to approve the Zoning Change for: Joe Crabb Real Property (Applicant: Eight Point Creative, LLC), waive the reading of the legal description and accept a change to the requested zone from Residential Single-35 (RS-35) to Residential Single-70 (RS-70).

Mayor read aloud a written statement from the City Attorney that although the change would be considered spot zoning, spot zoning is not necessarily illegal unless the decision is unreasonable or designed solely to help a particular person.

Gonthier requested the Attorney's opinion be included in the minutes. Voting yes: Lamar, Shropshire, Bradshaw, Brashears, Tramel, Gonthier and Smith.

12. ADJOURN.

Motion was made by Brashears, second by Gonthier to adjourn. Voting yes: Shropshire, Bradshaw, Brashears, Tramel, Gonthier, Smith and Lamar. Voting no: none.

MINUTES APPROVED BY MAYOR ZAC DOYLE

MINUTES WRITTEN BY MAYOR'S SECRETARY JAE STANDINGWATER



7/11/25, 10:02 AM

City of Pryor Creek Mail - Fwd: Spot Zoning



Jae Standingwater <standingwaterj@pryorcreek.org>

Fwd: Spot Zoning

Zac Doyle <doylez@pryorcreek.org>
To: Jae Standingwater <standingwaterj@pryorcreek.org>

Fri, Jul 11, 2025 at 9:47 AM

----- Forwarded message -----

From: **Chase McBride** <cmcbride@lawyersofoklahoma.com>
Date: Tue, Jul 8, 2025 at 4:36 PM
Subject: Spot Zoning
To: Doyle, Zac <doylez@pryorcreek.org>

Zac,

Someone from P&Z asked for an opinion on spot zoning.

Spot zoning in Oklahoma means changing the zoning rules for one small piece of property in a way that benefits a single owner even if it does not match the broader zoning plan or serve the community as a whole. Cities and towns have plenty of flexibility to make zoning decisions, but those decisions still must relate to legitimate public needs such as safety, health, or overall community welfare.

In *McNair v. City of Oklahoma City* the Oklahoma Supreme Court said spot zoning is not automatically illegal; it becomes a problem only when it is clearly unfair, arbitrary, or lacks a real connection to the public good. Generally, Oklahoma courts will uphold a city's zoning decisions unless it is obvious the decision was unreasonable or designed solely to help a particular person.

For a rezoning to be valid, even one that appears to be spot zoning, it must follow the proper process, align with the overall zoning plan, and be supported by a solid public justification. As long as those steps are followed and the decision clearly benefits the broader community, spot zoning does not necessarily raise legal issues.



Chase McBride, JD/MBA

Attorney at Law, OBA # 32061
McBride & McBride - Lawyers of Oklahoma
106 N Rowe St
Pryor, OK 74361
Ph: 918-825-3038
www.LawyersofOklahoma.com

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