

**MINUTES
CITY COUNCIL MEETING
FOLLOWED BY PRYOR PUBLIC WORKS AUTHORITY MEETING
CITY OF PRYOR CREEK, OKLAHOMA
TUESDAY, JULY 16TH, 2024 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 emailed to The Paper newspaper and emailed to the Council members.

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

Mayor Doyle called the meeting to order at 6:08 p.m. The Prayer and Pledge of Allegiance were led by Lori Bradshaw. Roll Call was conducted by City Clerk Courtney Davis. Council members present included Terry Lamar, Choya Shropshire, Lori Bradshaw, Kenneth Brashears, Tyler Brown, Charles Tramel, Chris Gonthier and Bruce Smith. Members absent: none.

Department Heads and other City Officials present: Chase McBride, Jeremy Cantrell, Mike Dunham and Mike Moore.

Others present: Jeff Kolker, Adam Anderson, Mitchel Philips, Devon Shatswell, Justin Allen, Cody Buff, Gilbert Graybill, Marshall Morrison and Angela Smith.

2. PETITIONS FROM THE AUDIENCE:

(Limited to 5 minutes, must request in advance.)

Cody Buff petitioned Council to allow the organization Fostering Mayes County to host a fundraising event on September 28th, 2024 at Whitaker Park. Mayor stated that the request will be added to the next Council agenda.

3. DISCUSSION AND POSSIBLE ACTION ON CONSENT AGENDA.

(Consent items are to be voted on for approval or denial by one single motion without discussion. Any Council member wishing to discuss an item may request it be removed and placed on the regular agenda. Only those items removed will be read aloud.)

- a. Approve minutes of the July 2nd, 2024 Council meeting.
- b. Approve minutes of the July 8th, 2024 Special Council meeting.
- c. Approve payroll purchase orders through July 19th and August 2nd, 2024.
- d. Approve claims for purchase orders through July 16th, 2024.

FUNDS	PURCHASE ORDER NUMBER	TOTALS
GENERAL	2420240072 - 2420240100	\$427,516.02
STREET & DRAINAGE	2420240100 - 2420240028	\$59,204.20
GOLF COURSE	2420240014 - 2420240076	\$8,938.55
CAPITAL OUTLAY	2320233276 - 2420240077	\$74,328.32
REAL PROPERTY ACQUISITION RES.	2420240093	\$150.00
RECREATION CENTER	2420240013 - 2420240041	\$15,097.20
P.P.W.A. SINKING FUND	2420240087	\$9,000.00
PRYOR PUBLIC WORKS AUTHORITY	2420240070 - 2420240071	\$4,998.00
DONATIONS AND EARMARKED	2420240056 - 2420240082	\$2,011.71
EDTA	2420240114 - 2420240116	\$5,400.00
TOTAL		\$606,644.00

BLANKETS		
911474B	BANK OF COMMERCE	\$9,000.00
911475B	BANK OF COMMERCE	\$22,006.82
911476B	BANK OF COMMERCE	\$130,210.63
911477B	BANK OF COMMERCE	\$43,234.29
911478B	CASELLE, INC	\$42,000.00
911479B	PENALTY ASSESSMENT ACCOUNT	\$24,000.00
911480B	KOLKER & KOLKER	\$26,800.00
911481B	JOHNNY L. JANZEN	\$20,000.04
911482B	VISA - CARD SERVICES	\$1,800.00
911483B	ADMIRAL EXPRESS	\$500.00
911484B	ADMIRAL EXPRESS	\$3,000.00
911485B	U.S. POSTAL SERVICE	\$2,500.00
911486B	PITNEY BOWES GLOBAL	\$1,950.00
911487B	LAKELAND OFFICE SYSTEMS	\$3,800.00
911488B	GALLS	\$10,000.00
911489B	SPECIAL-OPS UNIFORMS, INC	\$5,000.00
911490B	GALLS	\$10,000.00
911491B	GODFREY'S TACTICAL SUPPLY	\$5,000.00
911492B	SPECIAL-OPS UNIFORMS, INC	\$10,000.00
911493B	AT&T MOBILITY	\$15,000.00

911494B	GT DISTRIBUTORS	\$5,000.00
911495B	PRECISION DELTA CORPORATION	\$5,000.00
911496B	MUSKOGEE COMMUNICATION	\$5,000.00
911497B	MATTHEWS FORD OF PRYOR	\$5,000.00
911498B	MIKE'S TIRE & CAR CARE	\$5,000.00
911499B	MUSKOGEE COMMUNICATION	\$5,000.00
911500B	PRYOR CHEVROLET BUICK GMC	\$25,000.00
911501B	R&L TIRES, LLC	\$5,000.00
911502B	VISUAL FORCE, INC	\$5,000.00
911503B	READY UNIT, LLC	\$5,000.00
911504B	AGRILAND FS, INC	\$60,000.00
911505B	DEPARTMENT OF PUBLIC SAFETY	\$8,500.00
911506B	MAYES COUNTY SHERIFF	\$10,000.00
911507B	PRYOR VETERINARY HOSPITAL	\$15,000.00
911508B	2J'S ELECTRIC, INC	\$5,000.00
911509B	GODFREY'S TACTICAL SUPPLY	\$20,000.00
911510B	L&M OFFICE FURNITURE	\$10,000.00
911511B	MUSKOGEE COMMUNICATION	\$10,000.00
911512B	FIBER INTERACTIVE TECHNOLOGIES	\$50,000.00
911513B	PREMIER SIGNS & DESIGN, LLC	\$5,000.00
911514B	READY UNIT, LLC	\$10,000.00
911515B	ALS/PACEM DEFENSE	\$5,000.00
911516B	RCB BANK	\$17,410.00
TOTAL		\$681,711.78

- e. Approve appropriations for March 2024.
- f. Approve appropriations for April 2024.
- g. Approve appropriations for May 2024.
- h. Approve an expenditure in the amount of \$26,800.00 to Kolker & Kolker for accounting services through June 2025 to be paid from General Outside Services - Accounting Account #02-201-5073.
- i. Approve an expenditure in the amount of \$2,500.00 to United Engines for annual maintenance on City Hall's generators to be paid from General Repair and Maintenance Account #02-201-5091.
- j. Approve an expenditure in the amount of \$8,556.47 to Schindler Elevator Corporation for the annual maintenance contract for elevators at Old City Hall, New City Hall and the Recreation Center; \$5,704.31 to be paid from General Repair and Maintenance Account #02-201-5091 and \$2,852.16 to be paid from Recreation Repair and Maintenance Account #84-845-5091.
- k. Approve an expenditure in the amount of \$14,524.08 to Oklahoma Municipal League for Annual Service Fees from General Dues and Subscriptions Account #02-201-5032.
- l. Approve an expenditure in the amount of \$2,585.00 for Caselle Contract Support and Maintenance for July 2024 from Clerk Capital Outlay Account #44-445-5417.
- m. Approve an expenditure in the amount of \$15,262.86 to Timeclock Plus, LLC for Annual License and Maintenance Agreement for the City of Pryor Creek from General Software Account #02-201-5260.
- n. Approve an expenditure in the amount of \$3,930.39 to Bank of Commerce for August 2024 payment of existing Motorola Lease from Police Equipment Capital Outlay Account #44-445-5424.
- o. Approve an expenditure in the amount of \$9,000.00 to Bank of Commerce for August 2024 payment of existing furniture lease/purchase from P.P.W.A. Sinking Fund - Project Furniture Lease Payment Account #87-875-5428.
- p. Approve an expenditure in the amount of \$11,837.33 to Bank of Commerce for August 2024 payment of existing police vehicle lease/purchase from Police Department - Vehicles Capital Outlay Account #44-445-5418.
- q. Approve an expenditure in the amount of \$9,250.00 to Envision Civil Contractors, LLC for PRY-23-02 Salt Creek Branch Phase 2 Final Pay Application #3 from Street Drainage Projects Account #14-145-5092.
- r. Approve an expenditure in the amount of \$44,656.00 to Key Maintenance, Inc. for PRY-23-03 Salt Branch South Tributary Ditch Repair Pay Application #4 from Street Drainage Projects Account #14-145-5092.
- s. Approve Mayor's reappointment of Ron Reiser, Chris Graves and Keith Shelby to the Park Board, terms expiring 7/31/2027.

- t. Approve Mayor's appointment of Barbara Hawkins to the Hotel / Motel Tax Allocation Board, term expiring 4/30/2026.
- u. Approve Mayor's reappointment of Briana Brakefield to the Planning and Zoning Board of Adjustments, term expiring 8/31/2027.
- v. Approve transferring a 2014 Ford F150 (VIN: 3499) from the Parks Department to the Facilities Department.
- w. Approve a \$2.00 per hour pay increase from \$9.00 per hour to \$11.00 per hour for the following temporary positions at the Recreation Center; Child Watch, Floor Staff and PT Front Desk staff to be paid out of the respective line items within the budget.
- x. Approve an expenditure in the amount of \$4,065.00 to Fiber Interactive Technologies for services rendered to the Police Department to be paid from Police Equipment Capital Outlay Account #44-445-5424.
- y. Approve an expenditure in the amount of \$11,039.98 to Axon Enterprise, Inc. for the annual lease purchase invoice for the 2021 Taser 7 Basic Bundle to be paid from Police Equipment Capital Outlay Account #44-445-5424.
- z. Approve an expenditure in the amount of \$2,992.85 to AT&T Mobility for the June 2024 monthly officer cell phone and data invoice to be paid from Police Telephone Account #02-215-5061.
- aa. Approve an expenditure in the amount of \$4,037.00 to LeadsOnline for the PowerPlus Investigation System Service Package to be paid from Police Equipment Capital Outlay Account #44-445-5424.

Motion was made by Gonthier, second by Shropshire to approve the consent agenda less item h, l, s and v. Voting yes: Lamar, Shropshire, Bradshaw, Brashears, Brown, Tramel, Gonthier and Smith. Voting no: none.

Mayor moved to item l.

3l. Approve an expenditure in the amount of \$2,585.00 for Caselle Contract Support and Maintenance for July 2024 from Clerk Capital Outlay Account #44-445-5417.

Motion was made by Tramel, second by Gonthier to approve an expenditure in the amount of \$2,585.00 for Caselle Contract Support and Maintenance for July 2024 from Clerk Capital Outlay Account #44-445-5417. Voting yes: Shropshire, Bradshaw, Brashears, Brown, Tramel, Gonthier, Smith and Lamar. Voting no: none.

3s. Approve Mayor's reappointment of Ron Reiser, Chris Graves and Keith Shelby to the Park Board, terms expiring 7/31/2027.

Motion was made by Shropshire, second by Brashears to approve Mayor's reappointment of Ron Reiser, Chris Graves and Keith Shelby to the Park Board, terms expiring 7/31/2027. Voting yes: Bradshaw, Brashears, Brown, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

3v. Approve transferring a 2014 Ford F150 (VIN: 3499) from the Parks Department to the Facilities Department.

Motion was made by Shropshire, second by Brashears to approve transferring a 2014 Ford F150 (VIN: 3499) from the Parks Department to the Facilities Department. Voting yes: Brashears, Brown, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

Mayor moved to the addendum.

**ADDENDUM
CITY COUNCIL MEETING
TUESDAY, JULY 16TH, 2024 AT 6:00 P.M.**

A1. Discussion and possible action regarding the Collective Bargaining Agreement updates between City of Pryor Creek and the Fraternal Order of Police Lodge Number 116 for the 2024-2025 Fiscal Year.

Motion was made by Shropshire, second by Bradshaw to approve the Collective Bargaining Agreement updates between the City of Pryor Creek and the Fraternal Order of Police Lodge Number 116 for the 2024-2025 Fiscal Year. Motion was amended by Shropshire, second by

Bradshaw to take no action and send the item back to the Negotiations Committee. Voting yes: Brown, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Brashears. Voting no: none.

A2. Discussion and possible action regarding an expenditure in the amount of \$93,420.00 to OMAG for annual renewal of Policy #GLA140001709 - General Liability / Auto from General Insurance - Fleet Account #02-201-5043.

Motion was made by Gonthier, second by Smith to approve an expenditure in the amount of \$93,420.00 to OMAG for annual renewal of Policy #GLA140001709 - General Liability / Auto from General Insurance - Fleet Account #02-201-5043. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw, Brashears and Brown. Voting no: none.

A3. Discussion and possible action regarding an expenditure in the amount \$134,873.00 to OMAG for annual renewal of Policy #PRO140003309 - Property from General Insurance - Property Account #02-201-5045.

Motion was made by Gonthier, second by Shropshire to approve an expenditure in the amount of \$58,776.00 to Infrastructure Solutions Group, LLC for PRY-23-04-01 to be paid from Street Outside Services - Engineering Account #14-145-5075. Voting yes: Gonthier, Smith, Lamar, Shropshire, Bradshaw, Brashears, Brown and Tramel. Voting no: none.

A4. Discussion and possible action to accept a bid from Professional Pest Control in the amount of \$2,499.00 per week for city wide mosquito fogging. No other bids were received. Motion was made by Shropshire, second by Bradshaw to accept an amended bid from Professional Pest Control in the amount of \$2,499.00 biweekly for city wide mosquito fogging. No other bids were received. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Brashears and Gonthier. Voting no: Brown and Tramel.

A5. Discussion with Jeffrey Kolker and the City Council regarding financial matters of the city. This will include, but not be limited to, the current budget and next year's budget. All city budgets may be addressed, but especially the general budget. (*Agenda item submitted by: Smith, Lamar and Brown*)

No action taken. Council discussed financial matters related to the budget with Jeffrey Kolker.

Mayor moved back to consent agenda item h.

3h. Approve an expenditure in the amount of \$26,800.00 to Kolker & Kolker for accounting services through June 2025 to be paid from General Outside Services - Accounting Account #02-201-5073.

Motion was made by Shropshire, second by Brashears to approve an expenditure in the amount of \$26,800.00 to Kolker & Kolker for accounting services through June 2025 to be paid from General Outside Services - Accounting Account #02-201-5073. Voting yes: Shropshire, Bradshaw, Brashears, Brown, Tramel, Gonthier, Smith and Lamar. Voting no: none.

5. CITY ATTORNEY'S REPORT:

5a. Second reading and possible action regarding an ordinance amending Firework Regulations 5-4c-2 to include an application period for firework stand licenses to be issued for the sale of fireworks between December 27th and December 31st each year.

Motion was made by Gonthier, second by Smith to waive the reading and approve Ordinance #2024-7 amending Firework Regulations 5-4c-2 to include an application period for firework stand licenses to be issued for the sale of fireworks between December 27th and December 31st each year. Voting yes: Bradshaw, Brashears, Brown, Tramel, Gonthier, Smith, Lamar and Shropshire. Voting no: none.

5b. Possible Executive Session pursuant to 25 O. S. § 307 (B) (4) for confidential communications and to discuss with the City Attorney, and which may include the such persons, who may be called, to provide information and questioned at the discretion of the City Council, regarding a pending investigation, claim or action to provide and pay for a separate private attorney for Tyler Brown in the pending declaratory judgment action, filed in the District Court of Mayes County, State of Oklahoma, styled "Municipal Utility Board and City of Pryor Creek, Oklahoma, Petitioners, vs. Tyler Brown, et al", Case

Number CV-2024-26, obtaining counsel for Tyler Brown and/or a possible declaratory judgment action to determine the responsibility of the City to provide an attorney and the cost of representation to be paid by the City, pursuant to the advice of legal counsel that public disclosure would seriously impair the ability of the Board of Trustees to process the claim, or conduct a pending investigation, litigation or proceeding in the public interest.

(Agenda item requested by Tyler Brown, Bruce Smith and Charles Tramel.)

Motion was made by Brown, second by Gonthier to enter Executive Session at 8:26 p.m. Voting yes: Brashears, Brown, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. Voting no: none.

5c. Consider resuming regular session. No action taken during Executive Session. *(Agenda item requested by Tyler Brown, Bruce Smith and Charles Tramel.)*

Motion was made by Tramel, second by Gonthier to resume regular session at 8:56 p.m. Voting yes: Brown, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Brashears. Voting no: none.

5d. Possible action based on Executive Session pursuant to 25 O. S. § 307 (B) (4) for confidential communications and to discuss with the City Attorney, and which may include the such persons, who may be called, to provide information and questioned at the discretion of the City Council, regarding a pending investigation, claim or action to provide and pay for a separate private attorney for Tyler Brown in the pending declaratory judgment action, filed in the District Court of Mayes County, State of Oklahoma, styled "Municipal Utility Board and City of Pryor Creek, Oklahoma, Petitioners, vs. Tyler Brown, et al", Case Number CV-2024-26, obtaining counsel for Tyler Brown and/or a possible declaratory judgment action to determine the responsibility of the City to provide an attorney and the cost of representation to be paid by the City, pursuant to the advice of legal counsel that public disclosure would seriously impair the ability of the Board of Trustees to process the claim, or conduct a pending investigation, litigation or proceeding in the public interest. *(Agenda item requested by Tyler Brown, Bruce Smith and Charles Tramel.)*

Motion was made by Shopshire, second by Bradshaw to approve dismissal of Tyler Brown from the declaratory judgment action filed in District Court. Voting yes: Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw, Brashears and Brown. Voting no: none.

5e. Discussion and possible action if Executive Session is not approved by City Council to provide and pay for a separate private attorney for Tyler Brown in the pending declaratory judgment action, filed in the District Court of Mayes County, State of Oklahoma, styled "Municipal Utility Board and City of Pryor Creek, Oklahoma, Petitioners, vs. Tyler Brown, et al", Case Number CV-2024-26, obtaining counsel for Tyler Brown and/or a possible declaratory judgment action to determine the responsibility of the City to provide an attorney and the cost of representation to be paid by the City. *(Agenda item requested by Tyler Brown, Bruce Smith and Charles Tramel.)*

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

5f. Possible Executive Session pursuant to 25 O.S. 307(B) (4) of the Oklahoma Open Meeting Act for the purpose of confidential communications with attorney regarding pending police grievance and arbitration entitled Mayes County Fraternal Order of Police, Lodge No 116 and Dillion Hamil v The City of Pryor Creek.

Motion was made by Gonthier, second by Brashears to enter Executive Session at 9:01 p.m. Voting yes: Smith, Lamar, Shropshire, Bradshaw, Brashears, Brown, Tramel and Gonthier. Voting no: none.

5g. Consider resuming regular session. No action taken during Executive Session.

Motion was made by Gonthier, second by Brashears to resume regular session at 9:10 p.m. Voting yes: Lamar, Shropshire, Bradshaw, Brashears, Brown, Tramel, Gonthier and Smith. Voting no: none.

5h. Possible action based on Executive Session pursuant to 25 O.S. 307(B) (4) of the Oklahoma Open Meeting Act for the purpose of confidential communications with attorney regarding pending police grievance and arbitration entitled Mayes County Fraternal Order of Police, Lodge No 116 and Dillion Hamil v The City of Pryor Creek. Motion was made by Gonthier, second by Brown to accept the settlement contract. Voting yes: Shropshire, Bradshaw, Brashears, Brown and Gonthier. Voting no: Tramel, Smith and Lamar.

6. COMMITTEE REPORTS:

(Items, such as next meeting date, needing to be reported. No open discussions. Any items requiring discussion are to be added to the Mayor's report prior to posting of agenda.)

a. Budget and Personnel

Shropshire reported that the next meeting will be Tuesday, August 13th.

b. Ordinance and Insurance

Gonthier reported the next regular meeting will be Tuesday, July 30th.

c. Street

Lamar reported that the next meeting will be Tuesday, June 23rd.

7. UNFORESEEABLE BUSINESS.

(ANY MATTER NOT REASONABLY FORESEEN PRIOR TO POSTING OF AGENDA.)

There was no unforeseeable business.

8. ADJOURN.

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

PRYOR PUBLIC WORKS AUTHORITY

1. CALL TO ORDER.

Meeting was called to order at 9:13 p.m.

2. APPROVE MINUTES OF THE JULY 2ND, 2024 MEETING.

Motion was made by Gonthier, second by Smith to approve the minutes of the July 2nd, 2024 meeting. Voting yes: Brashears, Brown, Tramel, Gonthier, Smith, Lamar, Shropshire and Bradshaw. 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 Brashears, second by Gonthier to adjourn at 9:14 p.m. Voting yes: Brown, Tramel, Gonthier, Smith, Lamar, Shropshire, Bradshaw and Brashears. Voting no: none.

MINUTES APPROVED BY MAYOR / P.P.W.A. CHAIRMAN ZAC DOYLE



MINUTES WRITTEN BY CITY CLERK COURTNEY DAVIS

