



Agenda
Regular Meeting
Perry Municipal Authority Meeting
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
Tuesday, February 16, 2010
Beginning at 6:15 p.m.

Meeting Called to Order
Roll Call
Declaration of Quorum

Opening Prayer

Notwithstanding that an item may indicate for discussion and/or information only, agenda items are for discussion and whatever further action the Chairman and Trustees deem necessary or advisable to discharge their constitutional and statutory powers of government.

1. Consent Agenda

All items listed under the consent agenda are deemed non-controversial and routine in nature by the governing body. They will be approved by one motion of the governing body. The items on the consent agenda will not be discussed. Any member of the governing body desiring to discuss an item on the consent agenda may request that it be removed from the consent agenda, and placed in its proper order on the regular agenda. It will then be considered at that time.

- A. Receive and approve the minutes of the Regular PMA meeting of February 1, 2010.**
- B. Receive Departmental Reports:**
 1. Water Plant for January 2010.
 2. Wastewater Plant for January 2010.
 3. Water and Wastewater Maintenance for January 2010.
- 2. Consider Items Removed from the Consent Agenda for Discussion.**
- 3. Consider and act on items removed from the Consent Agenda, if any.**
- 4. Comments From Those Assembled.**
- 5. Old Business.** Items listed under “Old Business” are matters that have come before the Board of Trustees previously but have not been resolved to the point of requiring final action. They are reported here for purposes of keeping the Council informed.

PMA Regular Meeting Agenda

February 16, 2010

Page 2

6. **New Business.** As used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting.

7. **Adjourn.**

Posted at Perry City Hall & Council Chambers

February ____, 2010 _____ P.M.

Kyla Golay, Secretary



Agenda
Regular Meeting
Mayor and City Council of the City of Perry
Perry City Council Chambers
729 Cedar Street, Perry, Oklahoma, 73077
Tuesday, February 16, 2010
Immediately following the PMA meeting

Meeting Called to Order
Roll Call
Declaration of Quorum

Notwithstanding That an Item May Indicate for Discussion And/Or Information Only, All Agenda Items Are for Discussion and Whatever Further Action the Mayor and City Council Deem Necessary or Advisable to Discharge Their Constitutional, Home Rule Charter and Statutory Powers of Government.

1. Consent Agenda

All Items Listed under the Consent Agenda Are Deemed to Be Non-controversial and Routine in Nature by the Governing Body. They Will Be Approved by One Motion of the Governing Body. The Items on the Consent Agenda Will Not Be Discussed. Any Member of the Governing Body Desiring to Discuss an Item on the Consent Agenda May Request That It Be Removed from the Consent Agenda, and Placed in its Proper Order on the Regular Agenda. It Will Then Be Considered at That Time.

A. Approval of Regular Council Meeting Minutes for February 1, 2010.

B. Receive Departmental Reports:

1. Street and Park Department for January 2010.
2. Fire Department Activity Report for January 2010.
3. Senior Citizens Report for January 2010.
4. Carnegie Library Statistical & Financial Report, Director and Children's Librarian for January 2010.
5. Perry Chamber of Commerce for January 2010.
6. Main Street of Perry for January 2010.

2. Items Removed from Consent Agenda for Discussion.

3. Consider and act on items removed from the Consent Agenda, if any.

4. Comments from Those Assembled.

5. Receive Annual Court Report from Judge Sherry DeBord.

Attachment: The report is attached.

6. **Receive Financial Report from Chief Financial Officer.**
7. **Consider Discussion of an Amendment No. 1; To the Agreement for Streetscape Design and Construction Phase Services with LandPlan Consultants, Inc.; Take any Action Necessary.**

Background: LandPlan has requested a modification amendment to their contract, deleting their requirement to perform Construction Phase Services which would decrease our agreement by \$24,015.00.

Attachment: Amendment No. 1

Recommendation: The city administration recommends rejection of this amendment.

8. **Receive Presentation of City Manager's Report.**
9. **Consider Approval of Resolution No. 2010- 04 of the Mayor and City Council of the City of Perry, Oklahoma, in Opposition to any Legislative Act that Would Eliminate the Municipal Sales Tax from Being Imposed on Food and Beverage Sales, Including But Not Limited to Senate Bill No. 1328; Directing that a Copy of This Resolution Be Sent to Senator David Myers, Representative Rex Duncan and the Speaker of the Oklahoma House of Representatives and Pro Temp of the Oklahoma State Senate.**

Background: The voters of the City have approved several specific municipal sales taxes, with a portion of the funds dedicated for and used to retire bonded or note indebtedness for major water and street projects in the municipality. Senate Bill No. 1328 proposes to eliminate the municipal sales currently imposed on food and beverage sales when state revenues reach the 110% level. If this bill eliminates such municipal sales tax on grocery sales, 20% of the current sales taxes currently imposed and collected would be lost. If this bill eliminates such municipal sales tax on grocery and food establishments, 37% of the current sales taxes currently imposed would be lost. Such lost of sales taxes would dramatically impair the ability of the City to pay its bonded indebtedness, adversely affecting its credit rating and ability to secure additional credit in the future, as well as impair its ability to furnish police, fire, ambulance and other general government services. Although Senate Bill No. 1328 provides for the reimbursement of the municipality with such lost sales taxes from their own funds, such reimbursement is subject to annual appropriation by the state and such funds may be needed for another state purpose in the future. The City should be fiscally responsible for its own budget, both revenues and expenditures, especially with regard to its financial commitments for important public projects. This resolution opposes any legislative act that would eliminate the municipal sales tax from being imposed on food and beverage sales, including but not limited to Senate Bill No. 1328, and asks that this bill, and any similar legislative effort be summarily rejected.

Attachment: Ordinance No. 2010-04

Recommendation: Approval

10. Consider Approval of Ordinances Pertaining to Traffic Matters:

- A. Consider Approval of Ordinance No. 2010-01 providing that 12th Street between Jackson and Ivanhoe Streets, be changed from a One Way Street Going South to a Two Way Street (“Street”); Savings; Severability; Repealer; and Declaring an Emergency.**
- B. Consider Approval of Ordinance No. 2010-02 Amending the Speed Limit on 15th Street from Fir Avenue South to Cedar Street from 25 mph to 35 mph; Savings; Severability; Repealer; and Declaring an Emergency.**
- C. Consider Approval of Ordinance No. 2010-03 Providing that the Alley located in the 300 Block between 7th & 8th Street, from Cedar Street to Delaware Street (“Alley”), be changed from a Two Way Alley to a One Way Alley Going South; Savings; Severability; Repealer; and Declaring an Emergency.**

Background: The Police Chief will be prepared to address these suggested traffic related actions at the meeting.

Attachments: Ordinance No. 2010-01, Ordinance No. 2010-02 and Ordinance No. 2010-03.

- 11. Old Business.** Items listed under “Old Business” are matters that have come before the Council previously but have not been resolved to the point of requiring final action. They are reported here for purposes of keeping the Council informed.
- 12. New Business:** As used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting.
- 13. Adjourn.**