



**Agenda  
Regular Meeting  
Perry Municipal Authority Meeting  
Perry Council Chambers  
729 Cedar Street, Perry, Oklahoma 73077  
November 2, 2009  
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 October 19, 2009.**
- 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.
- 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

October \_\_\_\_, 2009 \_\_\_\_\_ P.M.

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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**  
**November 2, 2009**  
**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 October 19, 2009.**
- B. **Perry Memorial Hospital Board Packet from October 26, 2009 meeting.**
- C. **Receive Library Director's, Children's and Statistical & Financial Report for October.**

**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. Consider Authorizing the Issuance of an Invitation for Bids for the Municipal Water Treatment Plant Upgrade with bids to be opened on December 3, 2009, at 3:00 p.m.**

**Background:** The application for financing for this project will be considered by the Oklahoma Water Resource Board at its November 2009 meeting. The NODA Board of Directors will consider the City's application for a \$250,000.00 CDBG/REAP grant at its November 2009 meeting. The city administration recommends that the City Council authorize the issuance of the Invitation for Bids, with bids to be opened on December 3, 2009 at 3:00 p.m. An important, but not mandatory, pre-bid meeting has been scheduled for

November 19, 2009, at 1:00 p.m. Receiving the bids and notice as to whether the grant has been received will allow the proper sizing and closing of the OWRB loan in December 2009.

**Attachment:** Invitation for Bids

**Recommendation:** Approval

6. **Discuss Issues concerning the continuation of services provided by Wheatheart Nutrition and Take any Action Deemed appropriate, including but not limited to appropriating sufficient monies to provide stop gap assistance to ensure the continued provision of meals.**

**Background:** State budget cuts have led to the curtailment of approximately 30% of the funds supporting the Wheatheart Nutrition Program. Wheatheart Nutrition currently operates out of a city owned building and serves 50 to 60 meals a day at the city facility and another 40 meals to home bound persons. These meals have been served 5 days a week. Although the program plans to continue 5 day per week meal service to the home bound persons, the persons who receive their meals at the city facility will only receive meals 4 times per week. These meals will be made from a kitchen in Garber or Blackwell. The city administration requests that the City Council consider providing the Friday meal each week to the 50 to 60 persons who eat at the city facility. The Perry Memorial Hospital has offered to prepare the Friday meals for \$4.00 per meal for the balance of the fiscal year. The City Council may wish to designate funds to ensure that these seniors continue to receive their meals during the fiscal year. A full report will be made at the meeting.

**Attachment:** E-mail and documents from NODA

**Recommendation:** Consider implementation of the Friday meal program and appropriation of an amount not in excess of \$10,000.00.

7. **Consider Approval of Commercial Property Coverage including buildings, business personal property, and electronic data processing equipment through Oklahoma Municipal Assurance Group for a total premium of \$31,649.14 to be paid in two installments.**

**Background:** OMAG provides the City's insurance on buildings, personal property and electronic data processing equipment. Approval of this item will renew property insurance through October 31, 2010. Premiums increased from \$29,993.22 last year.

**Attachment:** Letter from OMAG concerning property insurance

**Recommendation:** Approval

8. **Consider Approval of General Liability, Auto Liability, Auto physical damage, and Equipment physical damage insurance through Oklahoma Municipal Assurance Group for a premium of \$90,876.29 minus the Program Year Dividend of \$22,081.16, for a net premium of \$68,795.13 to be paid in two installments.**

**Background:** OMAG provides the City's insurance for general liability, including automobile insurance, errors and omissions, police protection, etc. The City received a program dividend of \$22,081.16, which can be applied to this year's premium or paid in a refund check. If applied, the premium is \$68,795.13, and may be paid in two (2) installments. Premiums last year totaled \$89,584.65.

**Attachment:** Letter from OMAG concerning property insurance

**Recommendation:** Approval

9. **Consider Approval of 1Ordinance No. 2009-18 Amending Article 2 of Chapter 17 of the Perry Municipal Code 2004 (2<sup>nd</sup> Bi-Annual Supplement), Entitled "Billings and General Provisions"; Providing for New Section 17-215 Entitled "Collection Fee"; Providing For Repealer; Savings; Codification; Severability; And Declaring An Emergency.**

**Background:** A new state law permits the municipality to assess and collect a fee in the amount of 35% of any delinquent utility bill, court fine or other unpaid obligation referred to a collection agency. This ordinance will permit assessment and collection of that fee. On a subsequent agenda, the city administration will report on current collection efforts and may make appropriate recommendations.

**Attachment:** Ordinance No. 2009-18

**Recommendation:** Approval with separate application of an emergency.

10. **Consider Approval of 1Ordinance No. 2009-19 Amending Article 2 Of Chapter 5 Of The Perry Municipal Code 2004 (2<sup>nd</sup> Bi-Annual Supplement), Entitled "Building Code And Regulations"; Providing For New Section 5-112 Entitled "Residential Building Contractor; Registration And Insurance Required; State Fee To Be Assessed"; Providing For Repealer; Savings; Codification; Severability; And Declaring An Emergency.**

**Background:** State law requires the City to send the state \$5.00 for every building permit issued. State law also requires the City to require residential building contractors to provide general liability and workers compensation insurance. The state law also permits the City's to require residential building contractors to register and to pay fees to

the municipality in an amount not greater than \$300.00 for an initial annual registration or \$200.00 annual renewal registration. This ordinance provides for these new regulations. This state law is effective November 1, 2009.

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**Attachment:** Ordinance No. 2009-19 and copy of memo from State Construction Industries Board.

**Recommendation:** Approval with separate application of an emergency.

**11. Consider Approval of an Amendment to Chapter VI, Sections 10 & 11 of the City's Personnel Manual pertaining to out of City Business Travel.**

**Background:** These amendments will help protect the public treasury from potential abuse of the City's travel policy by city employees. At the last meeting, the City Council recommended that the attendance requirement should require 100% attendance and that provisions should be added regarding out-of-city lodging similar to the state's regulations. Those regulations were researched and the enclosed policy is presented for your consideration and review.

**Attachment:** Personnel amendment provision

**Recommendation:** Approval

**12. Consider Approval of an Amendment to Chapter IV, Section 12 of the City's Personnel Manual pertaining to Free Ambulance Service.**

**Background:** This policy provides that the ambulance subscription benefit will only be given to full-time and certain retired employees. The benefit will be given to the employee and the persons residing with them. Any employee that is a residential electric customer will not be assessed the subscription fee.

**Attachments:** Policy and previous policies attached

**Recommendation:** Approval with separate application of emergency.

**13. Report from City Manager Concerning the Demolition of the Perry Nursing Home and Retro-active approval of the Contract.**

**Background:** Davis Sanitation was low bidder with a bid of \$16,000.00. One bid was as high as \$74,900.00. The Contract was furnished with the advertisement for bid at your last meeting. Jim Davis approved the contract on behalf of the City. The demolition has begun and the City Manager will report at the meeting on the current status.

**Attachment:** Bids and Contract

**Recommendation:** Retro-active Approval of the Contract.

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14. **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.
15. **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.
16. **Consider Convening into Executive Session for purpose of a confidential communication between the City Attorney and the governing body, concerning the claim against BRB Contractor’s Inc., and the water leak under I-35 and Fir Avenue, since it is determined that disclosure will seriously impair the ability of the governing body to process the claim in the public’s interest (25 O.S. 307B4) and consider conducting performance review of City Manager Jim Davis pursuant to the Employment Contract (25 O.S. 307B1).**
17. **Reconvene into regular session.**
18. **Take any action deemed necessary pursuant to the executive session.**
19. **Adjourn.**

Posted at Perry City Hall & Council Chambers

October \_\_\_\_, 2009 – \_\_\_\_:\_\_\_\_ P.M.

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Kyla Golay, City Clerk