



Agenda
Perry Municipal Authority Meeting
Monday, March 2, 2009
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
7:00 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 to be non-controversial and routine in nature by the Board of Trustees. 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 Chairman and Board of Trustees 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 17, 2009.**
2. **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. **Consider Approval of Resolution No. 2009-06 of the Chairman and Board of Trustees of the Perry Municipal Authority, a Public Trust ("PMA") and the Mayor and City Council of the City of Perry, Oklahoma ("City"), Whereby the PMA agrees to Loan the City \$111,992.00 From Its Electric Reconstruction Fund To Be Used as a Portion of the Local Match for the Proposed Water Plant Improvement; Providing for no Interest; a Repayment of such Amount in Two (2) Equal Principal Amounts with the First Payment Due on May 1, 2010 and the Second Payment on May 1, 2011; Provided Further that this Resolution is specifically Contingent Upon the Appropriation of such Principal Payments by the City in each Successive Fiscal Year; Providing For Concurrence and Agreement By the City.**

Background: This resolution implements the local match funding for the CDBG grant as discussed at the last regular meeting.

Attachment: Resolution No. 2009-06

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6. **Old Business.** Items listed under “Old Business” are matters that have come before the Trustees previously but have not been resolved to the point of requiring final action. They are reported here for purposes of keeping the Trustees informed.
7. **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.
8. **Adjourn.**

Posted at Perry City Hall &
New Municipal Council Chambers at Municipal Court Building

_____, 2009 at ____:____ p.m.

Kyla Golay, City Clerk

RESOLUTION NO. 2009-06

A RESOLUTION OF THE CHAIRMAN AND BOARD OF TRUSTEES OF THE PERRY MUNICIPAL AUTHORITY, A PUBLIC TRUST ("PMA") AND THE MAYOR AND CITY COUNCIL OF THE CITY OF PERRY, OKLAHOMA ("CITY"), WHEREBY THE PMA AGREES TO LOAN THE CITY \$111,992.00 FROM ITS ELECTRIC RECONSTRUCTION FUND TO BE USED AS A PORTION OF THE LOCAL MATCH FOR THE PROPOSED WATER PLANT IMPROVIEMENT; PROVIDING FOR NO INTEREST; A REPAYMENT OF SUCH AMOUNT IN TWO (2) EQUAL PRINCIPAL AMOUNT WITH THE FIRST PAYMENT DUE ON MAY 1, 2010 AND THE SECOND PAYMENT ON MAY 1, 2011; PROVIDED FURTHER THAT THIS RESOLUTION IS SPECIFICALLY CONTINGENT UPON THE APPROPRIATION OF SUCH PRINCIPAL PAYMENTS BY THE CITY IN EACH SUCCESSIVE FISCAL YEAR; PROVIDING FOR CONCURRENCE AND AGREEMENT BY THE CITY

WHEREAS, the City desires to borrow \$111,992.00 from the PMA to be used as a part of its local match to fund certain Water Plant Improvements; and

WHEREAS, the PMA agrees to provide such loan from its Electric Reconstruction Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY AND THE CHAIRMAN AND BOARD OF TRUSTEES OF THE PMA AS FOLLOWS:

1. Upon request from the City, PMA agrees to loan the City \$111,992.00 from its Electric Capital Fund to be used as a portion of the local match for certain Water Plant improvements.
2. PMA agrees that the loan shall have no interest.
3. The City agrees to repay such loan amount in two (2) equal principal payments, with the first payment due on May 1, 2010 and the second payment due on May 1, 2011.
4. PMA agrees that the repayment of such principal amounts is specifically contingent upon the appropriation of sufficient funds by the City, in each successive year, to make such principal payments.



**Agenda
Regular Meeting
Mayor and City Council of the City of Perry
Perry City Council Chambers
729 Cedar Street, Perry, Oklahoma, 73077
Monday, March 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, 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 from February 17, 2009.
- b. Approval of declaring books from the Perry Public Library as surplus and authorizing transfer of surplus books to the Friends of the Library for their annual book sale. (list of books is available in the City Clerk Office.)
- c. Legal Services Report for January/February 2009.
- d. Hospital Board packet from February 23, 2009 meeting.

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. Appoint member to the Perry Housing Authority that have expired terms.

Background: The Perry City Council appoints trustees to the Perry Housing Authority ("PHA"). The terms of Joe Duerr and Norm Stevens have expired as trustees of PHA. Mr. Duerr and Mr. Stevens are being asked whether they would be willing to consider additional terms if the City Council so desires. If appointed, their terms will run through June 30, 2012.

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Recommendation: If they consent, re-appoint Joe Duerr and Norm Stevens as trustees for the PHA with terms expiring June 30, 2012.

- 6. Consider Approval of Resolution No. 2009-06 of the Mayor and City Council of the City of Perry, Oklahoma (“City”), and the Chairman and Board of Trustees of the Perry Municipal Authority, a Public Trust (“PMA”), Whereby the PMA agrees to Loan the City \$111,992.00 From Its Electric Reconstruction Fund To Be Used as a Portion of the Local Match for the Proposed Water Plant Improvement; Providing for no Interest; a Repayment of such Amount in Two (2) Equal Principal Amounts with the First Payment Due on May 1, 2010 and the Second Payment on May 1, 2011; Provided Further that this Resolution is specifically Contingent Upon the Appropriation of such Principal Payments by the City in each Successive Fiscal Year; Providing For Concurrence and Agreement By the City.**

Background: This resolution implements the local match funding for the CDBG grant as discussed at the last regular meeting.

Attachment: Resolution No. 2009-06

Recommendation: Approval

- 7. Discuss community survey for CDBG project.**

Background: Beginning this week, members of the city staff will be surveying random Perry residents asking two important questions in order that the City can be qualified to receive a CDBG grant in an amount up to \$350,000.00. The randomness was selected by the Oklahoma Department of Commerce (the funding agency). The survey will initially be conducted by telephone. If your caller identification indicates that the City of Perry is calling or if the caller identifies himself or herself as a City of Perry employee, please take the call. In order to be qualified to receive the grant, 51% of those answering must indicate that their household incomes are below the following thresholds:

Number of Persons in Household	Income Level
1	\$27,350.00
2	\$31,300.00
3	\$35,200.00
4	\$39,100.00
5	\$42,250.00
6	\$45,350.00
7	\$48,500.00
8	\$51,600.00

The questions are: 1) How many persons are in your household? and 2) Are you above or below the income threshold? If you are below that income level then that result will assist the City in qualifying for the grant. If you are above that income level, then your result will not assist the City in getting the grant. Please participate. The grant will be used to make improvements to the quality of municipal water and hopefully the quality will improve so that quarterly water violation notice letters will no longer need to be sent to Perry residents.

8. **Consider Approval of Ordinance No. 2009-02 Amending Chapter 17, Article 2 of the Perry Municipal Code 2002 (2nd Bi-Annual Supplement), Providing for an Amendment to Section 17-208, Entitled “Notice Of Intention to Terminate Service”; Providing for the Mailing of Delinquency Notices Rather than Affixing Them to the Doors and Providing for a Different Termination Date; Providing for Savings; Severability; Repealer; Penalty; Codification; and Declaring An Emergency .**

Background: Current code provisions require affixing delinquent utility notices to doors of residents, giving the residents an opportunity for a hearing, prior to the termination of utility service. It is generally held that notice is required prior to the termination of utility service. Notice must be calculated to inform the customer of the delinquency or other reason for termination. For many years this notice was provided by affixing notices to customers’ doors. This procedure takes a great deal of manpower. Many communities provide the notice by mail. Under the current procedure, notice is affixed to doors on the third day after the due date. The amended policy provides for an immediate mailing with a possible termination of utility service to occur between four and seven days after the due date. Both policies permit a hearing on the subject of the termination prior to the termination of the utility service. The Chief Financial Officer supports the change.

Attachment: Ordinance No. 2009-02

Recommendation: Approval with separate application of emergency.

9. **Consider Approval of Ordinance No. 2009-03; Amending the Employee Retirement System, Defined Benefit Plan of the City of Perry, Oklahoma, To Incorporate the Final IRC Section 415 Regulations and Provisions of the Pension Funding Equity Act; and Amending the Defined Contribution Plan for the Position of City Manager of the City of Perry, Oklahoma, to Incorporate the Final IRC Regulations; Providing for Effective Date, Providing for Repealer and Severability; and Declaring An Emergency.**

Background: Periodically, the IRS makes changes to their regulations which affect the City’s retirement plan. The Final IRC Section 415 Regulations and Provisions of the Pension Funding Equity Act include changes which require amendments to our Plan. These changes have been reviewed and approved by the OMRF Board of Trustees. Primarily, these changes impact the definition of “compensation” (as used in measuring benefit limits) when a participant has terminated employment. The amendment will not change our plan design or benefit structure.

Attachment: Ordinance No. 2009-03

Recommendation: Approval with separate application of emergency.

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- 10. Discuss and Review Appointment of Authorized Personnel to Access First Bank and Trust accounts; Take Action as deemed advisable.**

Background: At the last meeting, a list of names was approved for authorization on the accounts at First Bank. Councilperson Boschee questioned the meaning of Schedule D accounts. The Chief Financial Officer has prepared a list of accounts and each employee or officer permitted to access that particular account information. The city administration is requesting approval of that list and access authority to replace the last meeting's action.

- 11. Consider convening into executive session to discuss labor negotiations with the firefighter collective bargaining unit pursuant to 25 O.S. 307B2 and the possible purchase and/or appraisal of certain real property to be used for the potential site of an Assisted Living Center pursuant to 25 O.S. 307B3.**

Attachment: An envelope marked confidential is enclosed with your packet.

- 12. 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.

- 13. 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.

- 14. Adjourn.**

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New Municipal Council Chambers at Municipal Court Building

_____, 2009 at ____:____ p.m.

Kyla Golay, City Clerk