



Agenda
Perry Carnegie Library Board Regular Meeting
October 5, 2009
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
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 Board of Directors deem necessary or advisable to discharge their constitutional and statutory powers of government.

1. Consent Agenda

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.

- A. Receive and approve the minutes from the Library Board meeting held July 6, 2009.**
- B. Receive Library Statistical & Financial, Director's, Children's and Assistant Report.**

2. Approval of necessary documentation and approval of Contract for the LSTA grant in the amount of \$750.00.

Background: About ten years ago, public libraries were given funds to move to automated catalogs. At the time, the choices were limited by available funds to three companies: Winnebago, Athena and Follett. In the ensuing years, many automation companies were dissolved or absorbed by other vendors. Such was the case with Winnebago and Athena. Through acquisition, Follett purchased and continues to support these systems. It is felt that with time Follett will eventually quit supporting Winnebago and Athena, since most of their users are schools that are migrating to the Follett software, leaving a small number of public libraries to be supported in these older systems. In order to maintain effective, useful and up to date systems, this grant will allow for libraries to change to another kind of automation system, such as open source, or to migrate to the Follett version currently available. This grant will also allow for Follett users to bring their systems up to the best available version or make a change if they desire.

Recommendation: Take action as deemed appropriate

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3. Consider making Application to place the Perry Carnegie Library on the National Historical Register.

Background: The Perry Carnegie Library is not currently listed on the National Register of Historic Places. Due to the library's unique origin, design and historic nature of the building, the Mayor has asked that the city staff file an application to add the building to the National Register.

Attachment: Listing of Buildings on National Register of Historic Places

Recommendation: Take action as deemed appropriate

4. Consider approval of new policy to allow Library Staff to send home those patrons who are ill and appear to be contagious.

Background: In many instances, during times when the public schools are in session, parents bring their sick children to the library in lieu of taking off work themselves and taking care of their children. In addition, in these times of growing public health consciousness, it may be important to have a policy governing sick patrons in order to protect the health, safety and welfare of all persons using and working in the library. A policy is being developed and may be available at your meeting. The head librarian will be available to make a presentation and address questions.

Attachment: E-mail from Cherie Cowan attached

Recommendation: Take action as deemed appropriate

5. Update from the Head Librarian on current library use and issues.

6. Adjourn.



**Agenda
Regular Meeting
Perry Municipal Authority Meeting
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
October 5, 2009**

Immediately following the Library Board Meeting scheduled to begin at 6:15 p.m.

Meeting Called to Order
Roll Call
Declaration of Quorum

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 September 21, 2009.**
 - B. **August PMA Expenditures.**
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. **Consider Contract Amendment No. 1 to the Agreement for Professional Engineering Services (Perry Municipal Airport) with Garver Engineers, LLC dated September 30, 2008.**

Background: This item was tabled at the regular meeting dated September 21, 2009. This amendment proposes certain amendments to the engineering contract with Garver Engineers, LLC. The City Council desired an explanation of the amendments from Curtis Brown, P.E.

Mr. Brown informed the city administration that the amendment deletes the design and bidding services for the proposed runway overlay. The reason these services were removed is that the city staff desires to delay the construction of the runway overlay until 2012, when

the City will have banked sufficient funds, barring adverse market conditions, to overlay the runway in one project rather than two projects, providing for a savings to the City and minimizing the impact on airport operations.

The second amendment increases the amount of inspection for the crack and seal-coat project for two reasons: 1) the contractor desired full time inspection in order to make field determinations concerning the type and repair technique for the various cracks rather than make the determinations himself; and 2) the observation time was extended when the project time was extended from 45 to 56 calendar days due to weather events and the scheduling activities by subcontractors.

These changes resulted in an additional 126 hours of project representative, project manager and administrative efforts as reflected in the amendments. The local match in this project is 5%. Curtis Brown, P.E., may be in attendance at the meeting.

Attachments: Letter from Curtis Brown, P.E. and Contract

Recommendation: Approve Amendment

6. Consider Approval Of Resolution 2009-02 By the Chairman and Trustees of the Perry Municipal Authority Authorizing the Filing of an Application with the Oklahoma Water Resources Board (“OWRB”) For Financial Assistance Through OWRB State Revolving Fund Program, With the Loan Proceeds Being for the Purpose of Financing Water System Improvements and Related Improvements Serving the City Of Perry, Oklahoma; Approving Professional Services Agreements; and Containing Other Provisions Related Thereto.

Background: At the last regular meeting, the City Council discussed the financing for the proposed water plant improvements. The City Council directed the city administration to proceed with financing.

Rick Smith, President of Municipal Financial Services, will attend the meeting and discuss the financing. A copy of his report is attached. The issues to be discussed will include the amount to be financed, the term of the indebtedness, the expected interest rate and the method of providing for repayment of the indebtedness. The City Council will also discuss the enactment of a DEQ Unfunded Mandate Charge, including a discussion of the amount and the method of calculating the rate change. It is proposed that the any base water charge added will be removed when the loan is paid off.

The resolution attached to this agenda authorizes the filing of the loan application, the approval of a financial advisor services agreement with Municipal Financial Services, Inc., and the approval of an Agreement with bond counsel and issuer counsel.

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A draft copy of the ordinance providing for the DEQ Unfunded Mandate Charge is on the City's agenda.

Attachments: Resolution 2009-02, Financial Advisor Agreement, Agreement for Bond Counsel and Issuer Counsel Services and the Financial Report are attached.

Recommendation: Approve Resolution No. 2009-02.

7. Receive and Accept 2008-2009 Audit Presentation by Derrel White.

Background: Derrel White will be in attendance to present the FY2008-2009 Audit.

Recommendation: If deemed appropriate, accept the FY 2008-2009 Audit.

8. 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.

9. 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.

10. Adjourn.

Posted at Perry City Hall & Council Chambers

October ____, 2009 _____ 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
October 5, 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 September 21, 2009.**
 - B. August Expenditures.**
 - C. Hospital Board Packet from September 28, 2009 meeting.**
 - D. Receive September 2009 Department Reports from:**
 - 1. Legal Services Report from August 13 to September 27, 2009.
 - 2. Perry Fire Department Activity Report
 - 3. Quarterly Code Enforcement Statistics
 - 4. Senior Citizen's Report
 - 5. Grace Hill Cemetery Report
- 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 Final Appointment to the Board of Adjustment.**

Background: At the last regular meeting, the City Council approved the appointment of four members to the Board of Adjustments. The Chamber of Commerce had requested more time to make their nomination. If the Chamber of Commerce has a nomination to submit, the City Council may chose to make the appointment.

6. Consider Ratifying the City Administration's Action and Impose a Moratorium on the Effectiveness of Ordinance No. 2009-09 as amended by Ordinance No. 2009-13, namely, the Ambulance Subscription Ordinance and Fee.

Background: The ambulance subscription fee was scheduled to be placed on the September 2009 billing statement. The city administration, in consultation with the Mayor, determined that it would be appropriate to delay the immediate imposition of the new fee to address the following issues: 1) provide more public information and notice concerning the purpose and use of the fee; 2) address exceptions to the fee (current and retired city employees and their families receive free ambulance service); 3) determine the best method of providing for the fee on the customers' bills; and 4) provide for the application of all utility payments in a manner to ensure that the ambulance subscription fees are paid (or the electric or water service is disconnected). It is anticipated that these issues can be resolved later this fall. An administrative decision was made not to include the charge with the September billing. The city administration is requesting that the City Council ratify the city administration's action of not placing the fee on the September 2009 billing and place a moratorium on the effectiveness of the ordinances until otherwise recommended by the city administration. As the ordinance is presently drafted, each month of delay costs about \$10,000.00.

Recommendation: Ratify the city administration's action and impose a moratorium on the Effectiveness of Ordinances No. 2009-09 and 13 until the referenced issues are resolved.

7. Receive and Accept 2008-2009 Audit Presentation by Derrel White.

Background: Derrel White will be in attendance to present the FY2008-2009 Audit.

Recommendation: If deemed appropriate, accept the FY 2008-2009 Audit.

8. Consider Approval of Ordinance No. 2009-14 Amending Chapter 18 of the Perry Municipal Code 2004 (2nd Bi-annual Supplement), by the Amendment of Subsections A, B, and C to Section 17-413; Providing for an Amendment to Subsection A by the Addition of a DEQ Unfunded Mandates Charge, providing for its Purpose, Use, and Termination; Providing for an Amendment to Subsection B, requiring the Customer to pay for the Cost of Water Meters for ¾ inch and 1 inch water taps; Providing for an Amendment to Subsection C, Providing that Rural Customers desiring ¾ inch to 1 inch taps must pay the cost of the water meters and materials; Providing for an Increase in the Bulk Water Rate; Providing for Savings; Severability; Repealer; Codification; and Declaring an Emergency.

Background: This ordinance, in part, concerns the DEQ Unfunded Mandates Fee. Once the method of providing for the rate is determined, this ordinance should be considered with an appropriate effective date. Additionally, the city administration desires that the City

Council consider amending the water tap fees for both in-City and out-of-City water service to permit the City to recover the cost of the water meter and/or materials for ¾ and 1 inch meters. Finally, the city administration recommends increasing the bulk water rate at the lake and water plant by \$0.10 per 100 gallons. Hank Nida, Water Superintendent, reports that our rate is the lowest in the area and that this recommended increase should not substantially adversely affect the City's sales volume.

Attachment: Ordinance No. 2009-14

Recommendation: Consider passing until the next meeting or take such action as deemed appropriate.

9. Designate October 30, 2009, beginning at 5:30 p.m., as Perry Halloween Night

Information: Merchants around the square will be furnishing candy to little spooks, goblins and other costumed children on Friday, October 30, 2009, beginning at 5:30 p.m. and until the candy runs out. This action will set the date and time for the Perry Halloween Night Celebration.

10. 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.

11. 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.

12. 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.

13. Reconvene into regular session.

14. Take any action deemed necessary pursuant to the executive session.

15. Adjourn.

Posted at Perry City Hall & Council Chambers

October ____, 2009 – ____:____ P.M.

Kyla Golay, City Clerk