



**Agenda**  
**Perry Municipal Authority Meeting**  
**Monday, May 18, 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 May 4, 2009.**
  - b. **Receive Airport Board minutes from January 13, 2009 and March 10, 2009.**
  - c. **Receive Letter of Resignation of Richard Elliott from the Airport Board.**
  - d. **Receive Water and Sewer Departmental Monthly Report for April 2009.**
  - e. **Receive Water Treatment Plant Monthly Report for April 2009.**
  - f. **Receive Wastewater Plant Monthly Report for April 2009.**
  - g. **Receive Electric Department Monthly Report for April 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. **Accept Recommendation of Award for Airport Taxiway Seal and Crack Repair from Airport Engineer; and Authorize City Manager, Jim Davis, to apply for FAA grant funding.**

**Background:** An advertisement was issued March 28<sup>th</sup> requesting bids for a seal coat and crack repair on the South Taxiway. Bid opening occurred on April 30, 2009. One bid was received from Evans and Associates in the amount of \$173,365.00.

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Curtis Brown, P.E., of Garver Engineers, has submitted the bid to FAA for authorization to proceed (authorization is required because only one bid was received). Mr. Brown anticipates that the FAA will approve the bid. The award of the bid must be made contingent upon the award of the grant. The grant request is \$236,565.00. Mr. Brown will contact the City on Monday and provide an update. Even if the bid is not authorized prior to the City Council meeting, the administration recommends authorizing the City Manager to apply for the grant.

**Recommend:** Take appropriate action as may be recommended at the meeting.

- 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 &  
Municipal Court Building

\_\_\_\_\_, 2009 at \_\_\_\_:\_\_\_\_\_ p.m.

Kyla Golay, Secretary



**Regular Meeting Agenda  
Mayor and City Council of the City of Perry  
Perry City Council Chambers  
729 Cedar Street, Perry, Oklahoma, 73077  
Monday, May 18, 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 for May 4, 2009.**
  - b. **Receive Street and Parks Department Report for April 2009.**
  - c. **Receive Fire Department Activity Report for April 2009.**
  - d. **Receive Senior Citizen Report for April 2009.**
  - e. **Receive Chamber of Commerce Report for April 2009.**
  - f. **Receive Police Department Statistics for April 2009.**
  - g. **Receive Main Street Activity Report for April 2009.**
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 the monthly Financial Report from the Chief Financial Officer.**

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**6. Consider Approval of Budget Amendment, providing for certain amendments to the General Fund and other City budgets.**

**Background:** The Chief Financial Officer will report.

**Attachment:** Amended Budget.

**Recommendation:** Approval

**7. Schedule budget meetings for FY 2009-2010.**

**Background:** The following schedule is suggested for budget meetings. Small group meetings will be held between two or three Council members, city staff and the chief financial officer on Wednesday, May 27, 2009. Sessions will be held at 10:00 a.m., noon and 2:00 p.m. Please let the City Clerk know which time would be the best for your schedule. The second budget session would be held at the regular meeting to be held June 1, 2009. The third budget meeting would be held at the regular meeting scheduled for June 15, 2009. If additional meetings are needed they will be held between the 1<sup>st</sup> and the 15<sup>th</sup>. The budget must be adopted by June 23, 2009. Please complete sign-up sheet under Tab 7 in your packet and return to the City Clerk at the meeting.

**Recommendation:** If this meeting schedule is acceptable, please approve this budget meeting schedule.

**8. Consider Approval of a Waiver of Competitive Bidding pursuant to Section 7-114 of the Perry Municipal Code with Integrated Circuits/Jim Ivins for replacement of 911 radio equipment for dispatch; Authorize 50% Down payment if Deemed Appropriate.**

**Background:** Certain radio equipment for the E 911 Communication Center was competitively bid and Integrated Circuits/Jim Ivins was the low bidder. Shortly after the purchase and installation of the radio equipment, a lighting strike damaged or destroyed much of the equipment. Integrated Circuits/Jim Ivins has submitted a proposal to repair and/or replace the damaged and/or destroyed equipment. Property insurance received by the City is sufficient to repair or replace the damaged equipment. The municipal code requires contracts pertaining to the purchase of goods and services in an estimated amount in excess of \$25,000.00 to be subject to competitive bidding. However, Section 7-114 provides that such requirement can be waived whenever some material feature or characteristic of the item or service to be purchased is unique or for any other reason that is deemed necessary in the public interest. This purchase was originally competitively bid. The proposed vendor was the low bidder. Much of what was damaged requires parts to be replaced. Staying with one vendor may be better for service, warranty and continuing maintenance purposes. Pursuant to Section 7-114, the Mayor may deem that these characteristics make this purchase unique and the City Council may agree to waive competitive bidding for these reasons. If waiver is given, the reasons for the waiver should be entered in the city minutes. The vendor has also requested a 50% down payment. The Police Chief will address this request.

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**Recommendation:** If the Mayor so certifies, the City Council may choose to waive the competitive bidding requirement and allow the City to purchase the equipment; the Council should also address the 50% up-front request and include that in its motion.

**9. Consider Approval of Ordinance No. 2009-07 Amending Chapter 3 by the Addition of a new Article 3 Entitled “Miscellaneous” and by the Addition Of A New Section 3-301 of the Perry Municipal Code 2004 (2<sup>nd</sup> Biannual Supplement), Entitled “Permitting or Allowing Gatherings Where Minors Are Consuming Alcoholic Beverages”; Providing For Repealer; Savings Clause; Codification; Severability; and Emergency.**

**Background:** Parties are often held on private property where alcoholic beverages are consumed by minors. Often these properties are under the control of persons who know that the consumption of alcoholic beverages by minors is occurring. Additionally, persons responsible for the gatherings often fail to take reasonable steps to prevent the consumption of alcoholic beverages by minors. The purpose of this ordinance is to control gatherings on private property where alcoholic beverages are consumed by minors. Problems associated with gatherings where alcoholic beverages are consumed by minors are difficult to prevent and deter unless the City Police Department has the legal authority to arrest offenders and direct the host to disperse the gathering. Police activity to abate gatherings on private property where alcohol is consumed by minors may result in a decrease in abuse of alcohol by minors, physical alterations and injuries, neighborhood vandalism, and excessive noise disturbance, thereby improving public safety. This ordinance makes it a crime punishable by a Five Hundred Dollar (\$500.00) fine for any person in control of private property to knowingly host, permit, or allow a party, gathering, or event where minors are present consuming alcoholic beverages.

It is believed that the Council considered the approval of this ordinance in 2007, but no minutes or approved ordinance can be located. Police Chief Brian Thomas will be available to discuss the merits of the ordinance.

**Attachment:** Ordinance No. 2009-07

**Recommendation:** Approval with separate application of the emergency clause

**10. Consider Amendments to the Policies of PIN concerning donations, sponsorship of programming and use of PIN equipment.**

**Background:** Due to community support for locally produced programming, the current PIN policies should be amended to detail the procedure for sponsoring programs. The amendment provides that all donations or sponsorships be made to the City of Perry/PIN TV. The Telecommunications Director will set sponsorship rates based on customary criteria, with the rates being consistent, approved by the City Manager and posted at City Hall. An additional amendment concerning the use of city-owned equipment will now require the completion of an appropriate equipment training course with program submittals consistent with PIN’s mission and purpose.

Attachment: Amendment is attached

Recommendation: Approval

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11. **Consider Approval of Ordinance No. 2009-08 Amending Chapter 8 Of The Perry Municipal Code 2004 (2<sup>nd</sup> Biannual Supplement), By The Amendment Of Section 8-109 Concerning “Open Burning”; Providing For The Regulation Of Open Burnings And Compliance With New State Law In Agricultural Districts; Providing For Savings; Severability; Repealer; Codification; Penalty; And Declaring An Emergency.**

**Background:** State law was recently amended requiring municipalities to permit owners of agriculturally zoned property to burn debris originating on their property following a flood or other natural disaster, after securing a permit and subject to the reasonable regulations. Currently, all open burnings are prohibited in Perry. The Fire Chief assisted in assembling the reasonable regulations that should be required to permit open burning in agriculturally zoned districts and in other locations.

Permits will be required for camp fires, bon fires, ceremonial fires and burning on agriculturally zoned property. Other open burnings are banned or significantly limited. Permits extend for thirty (30) days and cost \$25.00. Mandatory revocations of permits are included based on good cause and violators can be assessed fined of \$200.00 per offense. Chief Emmons will report.

**Attachment:** Ordinance No. 2009-08

**Recommendation:** Approval with separate application of the emergency clause

12. **Discussion of Perry Armory; if appropriate, authorize City Manager to send appropriate letter of intent to the Oklahoma Department of Military.**

**Background:** The BRAC Commission closed numerous armories in Oklahoma and established seven (7) regional armories in Oklahoma. The Perry Armory was one of the armories closed. The State of Oklahoma owns the Perry Armory and desires to transfer ownership to the City. On Monday, an engineer from the Oklahoma Military Department and attorney from the Oklahoma Department of Environmental Quality (“ODEQ”) discussed this possible transfer with the City Manager, City Attorney and Mayor. The procedure for transfer is as follows: The State transfers the property to the City subject to a first transfer to ODEQ for remediation purposes. The ODEQ conducts an environmental assessment on the property, takes bids and thereafter remediates any environmental problems at the facility (typically removal of asbestos and lead paint and tiles). This remediation takes about one (1) year. When the remediation is complete, ODEQ releases its interest in the property and it is owned by the City. The ODEQ also holds a formal transfer ceremony and invites the public and state and local officials. The state representatives were surprised by the good condition of the armory given its 1936 construction. The City is receiving the complete file on the armory from the state to help assess its condition and maintenance and operation expenses. The City Council should discuss its possible uses, including as an economic development site for a manufacturing or other industrial concern. The City Council may desire more studies and figures before making a decision but this item will start the discussion. If the City Council is prepared to accept the Armory, it may choose to authorize Jim Davis to send the enclosed letter.

**Attachment:** Letter

**Recommendation:** Discuss and take action as deemed appropriate

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**13. Receive the City Manager's Report.**

**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.

**A. Update on Strategic Planning progress.**

**B. Collective Bargaining Agreements**

**Note:** Health insurance premiums will increase 20% for the FY2009-2010 year. City staff is investigating ways to contain costs and still provide for the employees and their families' health care needs. Finalizing the contracts will be continued until this study is prepared, presented to the collective bargaining units and presented to the governing body for their consideration and review.

**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. Adjourn.**

Posted at Perry City Hall & Municipal Court Building  
\_\_\_\_\_, 2009 at \_\_\_\_: \_\_\_\_ p.m.

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Kyla Golay, City Clerk