



Agenda
Perry Municipal Authority Meeting
Monday, May 4, 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 April 20, 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. 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.
- 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 &
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 4, 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 April 20, 2009.**
- b. **Receive Perry Memorial Hospital Board Packet from Thursday, April 23, 2009.**
- c. **Receive Legal Activity Report for March 21 – April 21, 2009.**
- d. **Library Statistical & Financial, Director, Children's and Assistant Reports.**

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. Discussion of City Council vacancy in Ward 2 Post 2.

Background: Although elected, James Ambrose has failed to qualify to date as City Council member. The City Charter states that the office for which a newly-elected official fails to qualify becomes vacant thirty (30) days after that term of office begins. The City Charter also provides that a public official continues in office until his successor is elected or appointed and qualified.

City Regular Meeting Agenda

The City Charter also provides that the governing body shall appoint a successor to a vacant position within sixty (60) days of it becoming vacant, or a special election must be called. Any person appointed or elected to such vacancy holds such office only until the April 2011 general municipal election.

Therefore, Larry Daylor is a holdover and may continue until his successor is appointed or elected and qualified. At the expiration of thirty (30) days from and after April 20, 2009 (and without James Ambrose becoming qualified), the Perry City Council has sixty (60) days to make their appointment or call a special municipal election to fill the vacancy. These City Charter provisions track state law and therefore this question was posed by the City Attorney to the General Counsel of the Oklahoma Municipal League. His memorandum asking the question and the response are enclosed. No action is recommended at this time and until the vacancy is declared. The City has received an application from an interested resident and all applications will be provided to the City Council after the vacancy occurs. In addition, Larry Daylor has expressed the desire to be re-appointed.

6. **Consider Approval of Resolution No. 2009-08 Of The Mayor And City Council Of The City Of Perry, Oklahoma, Commending The Public Service Of The Honorable Jack Dorl, Municipal Judge Of The City Of Perry, Oklahoma; Recognizing His Distinguished Service To The Community; Honoring His Accomplishments; Declaring June 1, 2009, As “Judge Jack Dorl Day” In The City Of Perry, Oklahoma; Providing For A Reception To Be Held On Such Same Day At The Municipal Court/City Council Room From 5:30 P.M. Until 7:00 P.M.; Inviting The Perry Community To Attend The Reception; Re-Naming The Municipal Court Room The “Judge Jack Dorl Municipal Court Room” With Appropriate Plaque Memorializing Such Designation; Directing The City Clerk To Publish This Resolution In The Perry Daily Journal And The City’s Web Page.**

Background: Municipal Judge Jack Dorl resigned as municipal judge effective April 30, 2009. Jack Dorl entered public service in 1973, when he was elected as a member of the Perry City Council, and resigned in 1978, when he was appointed Perry’s Municipal Judge. He has been a member of the Board of Directors for the Oklahoma Municipal Judge’s Association from 1985 until the present, and served as its President from 1990 to 1991. He served as the President of the National Judge’s Association from 1995-1996. At the invitation of the National Judge’s Association, he toured China for eleven (11) days as a part of a United States Judicial Delegation. Many other accomplishments and public services of Judge Dorl are reported in the enclosed resolution. This resolution recognizes Judge Jack Dorl’s community service, declares June 1, 2009, as “Judge Jack Dorl Day”, provides for a public reception on that day from 5:30 p.m. until 7:00 p.m., and recommends the renaming of the Perry Municipal Court Room to the “Judge Jack Dorl Municipal Court Room”.

Attachment: Resolution No. 2009-08

Recommendation: Approval

7. Approval of Agreement with Judge Jack Dorl.

Background: In recognition of Jack Dorl's thirty-one (31) years of service as municipal judge, this Agreement provides for the continued monthly payment of compensation, health insurance and pension through October 31, 2009. This agreement is consistent with other agreements approved by the City Council for long-time public servants.

8. Consider Appointment of Alternate Municipal Judge Sherry Wallace DeBord as Municipal Judge of the City of Perry pursuant to the Employment Agreement.

Background: Since a vacancy has occurred in the Office of Municipal Judge, the City Council may consider appointing Sherry Wallace DeBord as Municipal Judge. She has served as Alternate Municipal Judge for about one year. If appointed, her term would expire on April 30, 2011. The terms of her employment would be subject to an Employment Agreement, with annual compensation paid at the same rate as would have been paid to Municipal Judge Jack Dorl, and a health insurance benefit. This new Employment Agreement terminates the current agreement with her as Alternate Municipal Judge.

Attachment: Employment Agreement

Recommendation: If deemed appropriate, appoint Sherry Wallace DeBord as Municipal Judge pursuant to the terms of her Employment Agreement.

9. Consider Appointment of Council member as trustee to the Perry Housing Authority.

Background: The trust indenture of the Perry Housing Authority provides that the Council member appointed holds his position as a trustee for so long as he holds his position as council member. Dalton Melton is no longer a member of the City Council. Therefore, the City Council should appoint a replacement trustee.

Recommendation: Appoint trustee

10. Consider and act on the Cherokee Strip Transit Contract with Northern Oklahoma Development Authority.

Background: The City currently pays \$450 per month to the Northern Oklahoma Development Authority to provide transportation services for the community. Approval of this Contract will renew that agreement for another year.

Recommendation: Review the contract and take such action as the Council deems to be appropriate.

11. Consider Appointment of Three (3) Trustees to the Perry Memorial Hospital Authority.

Background: Joe Duerr, Hospital Administrator, has notified the City by letter of three (3) appointments needed to the Board of Trustees of the Perry Memorial Hospital Authority. His recommendations are included in his letter.

Recommendation: Appoint trustees as deemed appropriate.

12. Consider Authorizing the Mayor to sign a letter of support to the City of Ponca City's Application for a grant from the National Telecommunications and Information Agency to assist in providing high-speed broadband Internet coverage to improve among other things, public safety.

Background: The City of Ponca City is applying for a grant to assist rural cities and the surrounding areas, including the City of Perry, with high-speed Internet coverage. Approval of this item authorizes the Mayor to send Ponca City the enclosed letter expressing our support of the project.

Attachments: Project Plan for North Central Oklahoma Broadband Project and proposed letter.

Recommendation: Authorize the Mayor to send the letter

13. Consider Approval of an Interlocal Agreement providing Dispatching Services with the Otoe-Missouri Tribe.

Background: The purpose of this Interlocal Agreement is for the City's E911 Command Center to act as central dispatch for all emergency and non-emergency telephone calls from residents of the Tribe. The service will be provided 24/7. The Tribe will pay the City \$5000.00 per month for the services. The term of the agreement is five (5) years. The agreement may be earlier terminated if the parties fail to approve a cross-deputization agreement within six (6) months of the agreement's effective date or if Noble County does not provide the Tribe one free bed in their Detention Services Agreement.

Attachment: Draft Interlocal Agreement

Recommendation: The Tribe will consider approval of the Interlocal Agreement on Saturday. The result of their meeting will be reported to you at the meeting and the governing body should take appropriate action.

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.

May 4, 2009

Page 5.

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 to: (1) to discuss labor negotiations with the police collective bargaining unit (pursuant to 25 O.S. 307B2).**
17. **Reconvene into Regular Session.**
18. **Consider Approval of the FY 2009-2010 Agreement with the Fraternal Order of Police, Lodge #137.**

Background: The City's collective bargaining team has met with the Lodge to discuss the next fiscal year's agreement. This agreement provides a three percent (3%) cost of living increase, a five percent (5%) longevity increase and requires the City to purchase certain new uniforms for new recruits. One minor negotiation issue remains to be finalized. A report will be given during Executive Session. As of the date of this agenda, Lodge #137 has not yet formally approved the agreement but a report will be made on their progress at the meeting.

Attachment: Proposed FY2009-2010 Agreement

Recommendation: If Lodge #137 approves the agreement prior to the City Council meeting, consider the agreement and take appropriate action.

19. **Adjourn.**

Posted at Perry City Hall & Municipal Court Building
_____, 2009 at ____:_____ p.m.

Kyla Golay, City Clerk