



Agenda
Regular Meeting
Perry Municipal Authority Meeting
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
Monday, June 21, 2010
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 June 7, 2010.**
 - B. **Expenditures for May 2010.**
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. **Approval of Consent Order Addendum, Case No. 05-002(B) with the Oklahoma Department of Environmental Quality.**

Background: On January 26, 2005, the City entered into a consent order to address the exceedance of the maximum contaminant level for total trihalomethanes. Since that time, the City has timely performed all the tasks and obligations required of it pursuant to the consent order and is in the process of constructing the improvements which should resolve the water quality problems. This addendum references the record in this matter and sets out a list of tasks and compliance dates, including:

PMA Regular Meeting Agenda

June 21, 2010

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Task	Date
• Conduct and submit required samples	Through 4/1/2013
• Notify public of water quality problems	Through 4/1/2013
• Submit an operational corrective action plan	August 1, 2010
• Start Construction	September 1, 2010
• Complete Construction	September 1, 2011
• Attain Compliance w/TTHM, MCL, HAA5 MCL And TOC treatment technique requirements	April 1, 2013

The Addendum also addresses the penalties for noncompliance including a \$35,000.00 maximum penalty. This Addendum has been forwarded to the City Engineer for adherence to the work and time schedules.

Attachment: Consent Order Addendum, Case No. 05-002(B)

Recommendation: Approval

- 6. Proclamations, Commendations, Reports and Inquiries by the Governing Body.** No action may be taken on any report or inquiry made by the governing body during this section of the agenda (unless the item is specifically listed hereinbelow and then action may be taken) and is only for the purpose of identifying issues that may be subject to a future agenda item.
- 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 & Council Chambers

June ____, 2010 _____ 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
Monday, June 21, 2010, to be held 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 June 7, 2010.**
- B. Approval of Meeting Minutes from the June 7, 2010 Public Hearing.**
- C. Expenditures for May 2010.**
- D. Receive Departmental Reports:**
 - 1. Parks Department Report for April & May 2010.
 - 2. Chamber of Commerce Report for May 2010.
 - 3. Airport Board minutes from May 11, 2010.

- 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. Update on Perry Phase 2 Streetscape Amendment**

Background: LandPlan agreed to perform this work within the terms of the existing contract. LandPlan will be paid \$6,725.00 for the work but this reduces the amount owed by the City to LandPlan under existing contracts and provides for no additional payment above that already contractually owed.. In short, Dr. Reely was successful in convincing LandPlan to modify their billing and the City will benefit through this process. No action is required. Mr. Davis has already authorized the work. No action is required.

Attachment: Memorandum

6. Receive Financial Report from Chief Financial Officer.

Attachment: A copy of the financial reports are attached.

7. Consider Approval of Budget Amendment, providing for certain amendments to the General Fund budget.

Background: The Chief Financial Officer will report.

Attachment: Amended Budget.

Recommendation: Approval

8. Consider Certain Amendment to the Utility Rate Charges, including:

A. Consider Approval of Ordinance No. 2010-09 Of The Mayor And City Council Of The City Of Perry, Oklahoma, Amending Chapter 1 Of The Perry Municipal Code 2004 (2nd Bi-Annual Supplement), By The Amendment Of Subsection 1 Of Section 17-201, Providing For A 1% Increase In The Electric Rates Charged In The City Of Perry, Oklahoma; Providing For Savings; Severability; Repealer; Codification; Declaring An Emergency.

B. Consider Approval of Ordinance No. 2010-10 Amending Chapter 18 Of The Perry Municipal Code 2004 (2nd Biannual Supplement), By The Amendment Of Subsection A To Section 17-510; Providing For An Increase In Rates Charged For Municipal Sewer Service; Providing For Repealer; Providing For Savings; Severability; Repealer; Codification; And Declaring An Emergency.

C. Consider Approval of Ordinance No. 2010-11 Amending Chapter 18 Of The Perry Municipal Code 2004 (2nd Biannual Supplement), By The Amendment Of Section 17-607E Providing For New Solid Waste Collection And Disposal Rates; Providing For Repealer; Providing For Savings; Severability; Repealer; Codification; And Declaring An Emergency.

D. Consider Approval of Ordinance No. 2010-12 Amending Chapter 18 Of The Perry Municipal Code 2004 (2nd Biannual Supplement), By The Amendment Of Subsection A To Section 17-413; Providing For An Increase In Rates Charged For Municipal Water Service; Providing For An Increase In The Rates Charged For Bulk Water; Providing For Repealer; Providing For Savings; Severability; Repealer; Codification; And Declaring An Emergency.

Background: The FY2010-2011 Budget provides for a 1% increase in the electric, sewer, solid waste collection and disposal and water rates. These ordinances provide for such rate increase. In addition, the bulk water charges are increased \$0.10 per 100 gallons. The city administration believes the market will bear this increase. The rates will become effective on the utility bills to be sent out in late July for July usage.

Attachments: Ordinances Nos. 2010-09, 2010-10, 2010-11 and 2010-12.

Recommendation: Approval of each ordinance with separate application of emergency.

9. Consider Approval of Resolution No. 2010-08 Of The Mayor And City Council Of The City Of Perry, Oklahoma (“City”), Readopting The City’s Worksite Benefit Plan, Authorize The Execution Of The Health Reimbursement Agreement (IRC 105) And Setting An Effective Date; Designate Amount To Be Included In The Budget For Administrative Costs And Benefits For The Worksite Benefit Plan.

Background: This resolution reauthorizes the City’s Health Reimbursement Agreement and proposes an annual budget of \$65,000.00. The program has been very well received by the employees and has provided much relief to employees and their dependents who have major surgeries and/or expensive tests. The terms of the plan have not been amended and still reflect the conservative policy implemented by the City Council last year. The group health insurance policy will be considered later this year and prior to its September 1, 2010, renewal date.

Attachment: Resolution No. 2010-08

Recommendation: Approval

10. Consider Approval of Collective Bargaining Agreement with Local 4242 International Association of Firefighters for the FY2010-2011.

Background: The City and Local Bargaining Units have successfully negotiated the FY2010-2011 Collective Bargaining Agreement. Amendments include:

- Collection of fire dues for members without cost
- Additional hour of call out pay if called out between 5:00 p.m. and 10:00 p.m. on day off
- Mandatory training classes will be held during the week and not weekends if possible
- 1% cost of living raise
- No change in member or their family’s health insurance contribution

Attachment: A copy of the Agreement is on file in the office of the City Clerk.

Recommendation: A report will be made at the meeting and approval is expected.

11. Consider Approval of Collective Bargaining Agreement with Fraternal Order of Police Lodge #137 for the FY2010-2011.

Background: The City and Local Bargaining Units have successfully negotiated the FY2010-2011 Collective Bargaining Agreement. Amendments include:

- Renewal of the \$2500.00 Chuck clause
- Elimination of Intoxilizer D5000 Training requirement
- No change in member or their family’s health insurance contribution
- Ammunition policy (manner in which it handed out and used) is amended
- 1% cost of living raise

Attachment: A copy of the Agreement is on file in the office of the City Clerk.

Recommendation: A report will be made at the meeting and approval is expected.

12. **Consider Approval of an Amendment To The City Of Perry Personnel Manual, Chapter IV Entitled Fringe Benefits, Section 3 Entitled “Sick Leave” By An Amendment To Subsection A Providing For Expanded Definitions And Subsection D Providing For Notification Of Such Absence.**

Background: The sick leave policy is expanded to be consistent with custom and usage. If the amendment is approved, city employees can use sick leave required to care for a member of the employee’s immediate family who is ill or incapacitated. The Human Resource Director may address this policy at the meeting.

Attachment: Amendment to Personnel Manual

Recommendation: Approval

13. **Consider Approval of an Amendment to the City of Perry Personnel Manual, Chapter II entitled Financial Matters, Section 1 entitled “Pay Policies” by an amendment to subsection E.3 providing for an exception to the requirement that an employee on call may not be on any other leave.**

Background: The Personnel Manual forbids being on call while on vacation. Because of the small number of electric employees, it is deemed necessary to waive this restriction and permit the employee’s department head to make the decision in individual cases.

Attachment: Amendment to Personnel Manual

Recommendation: Approval

14. **Consider Approval of Certain City Contracts:**

- A. **Consider Approval of Tourism Development Contract with the Perry Chamber of Commerce.**

Background: The city administration recommends renewal of this annual contract with the Chamber to provide tourism development services for the City during FY2010-2011. The compensation is paid by receipts from the Hotel/Motel Tax. An amendment consistent with the City Council’s direction at the last meeting is added to the Contract.

Attachment: Contract

Recommendation: Approval

- B. **Consider Approval of Service Contract with Wheatheart, Inc.**

Background: The city administration recommends renewal of this annual contract with Wheatheart Nutrition Project, Inc. No amendments have been made to this agreement. It provides for the lease of a city owned building at no cost, a \$375.00 utility credit and general liability insurance. Wheatheart has not yet approved this contract and therefore any approval should be conditional upon their approval.

Attachment: Contract

Recommendation: Approval conditional upon Wheatheart's approval

15. Consider Issuing Request for Proposals for Custodial Services for the Perry Carnegie Library, City Hall, Perry Police Department and the Municipal Court Building.

Background: The City Administration desires to advertise and receive Request for Proposals for Custodial Services for the Perry Carnegie Library, City Hall and the Municipal Court Building. The Proposals are due on June 30, 2010, at 4:00 p.m. It is anticipated that a contract for services could be submitted for your review and approval, together with a canvas of the bids, at your first regular meeting in July.

Attachment: Request for Proposals

Recommendation: Approve Request for Proposals and Direct Advertisement

16. Proclamations, Commendations, Reports and Inquiries by the Governing Body. No action may be taken on any report or inquiry made by the governing body during this section of the agenda (unless the item is specifically listed hereinbelow and then action may be taken) and is only for the purpose of identifying issues that may be subject to a future agenda item.

17. 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.

18. Consider Convening into executive session to labor negotiations with the City's collective bargaining units pursuant to 25 O.S. 307(B)(2).

Background: Convening into executive session will only be necessary if there is some unresolved matter identified by either collective bargaining unit.

19. Reconvene into regular session.

20. Take any action deemed required pursuant to the executive session.

21. Adjourn.

Posted at Perry City Hall & Council Chambers

June ____, 2010 – ____:____ P.M.

Kyla Golay, City Clerk