



**Public Hearing Minutes  
Monday, January 25, 2010  
Perry City Council Chambers**

Meeting was called to Order at 6:15 p.m. by Mayor Charles Hall.

Roll Call: Those present: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall.

Those Absent: None

Hall Declaration a Quorum

- 1. Conduct the public hearing on the \$123,700.00.00 Community Development Block Grant (CDBG) requesting citizen input on the City making application to the Oklahoma Department of commerce for a Community Development Block Grant to improve the city's water system.** Public notice has been made in accordance with state and federal law informing the public of this public hearing and of the City's plan to file an application for a \$123,700.00 Community Development Block Grant to be used to improve the city's water system. If the grant is received, it will be used to construct and install a new chlorination system and new filter media to better comply with federal and state water standards. The grant must be used to benefit 58% of the low and moderate residents of Perry. The purpose of the hearing is to receive public input on this grant application and proposed project. No comments were made by those in attendance.
  
- 2. Councilman Johnson motioned to Adjourn at 6:03 p.m., Marshall seconded the motion;**  
AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.  
Opposed: None

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

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Mayor Charles Hall

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Kyla Golay, City Clerk



**PMA Regular Meeting Minutes  
Monday, January 25, 2010  
Perry City Council Chambers**

Meeting was called to Order at 6:10 p.m. by Mayor Charles Hall.

Roll Call: Those present: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall.  
Those Absent: None

Hall Declaration a Quorum

Opening Prayer was provided by Gloria Brown, Editor of the Perry Daily Journal.

1. Councilman Wade motioned approval of the **Consent Agenda**, Sadler seconded the motion:  
AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.  
Opposed: None
2. **Consider Items Removed from the Consent Agenda for Discussion.**
3. **Consider and act on items removed from the Consent Agenda, if any.** None.
4. **Comments From Those Assembled.** No comments were made.
5. **Consider Receive Canvas of Bids for Water Plant Improvements.** The bids for the project were received on January 20, 2010. 7 bids were received for the Basin enclosure and 3 bids were received for the sludge collection and valve automation. Reely stated that splitting the bids into separate projects reduced the project by \$90,000. Dr. Reely recommends awarding the basin enclosure bid to Rick Scott Construction of Ponca City, Oklahoma, for \$289,700.00 and awarding the sludge collection and valve automation systems bid to Downey of Oklahoma City for \$222,632.00. Action was taken under City business.
6. **Consider and Take Action With Respect to a Resolution No. 2010-01 Approving and Authorizing a Drinking Water SRF Loan From The Oklahoma Water Resources Board in the Total Aggregate Principal Amount of not to Exceed \$640,000.00; Approving the Issuance of a Promissory Note in the Total Aggregate Principal Amount of not to Exceed \$640,000.00, Secured By a Pledge of Revenues and Authorizing Its Execution; Approving and Authorizing the Execution of a Loan Agreement for Drinking Water SRF Loan; Designating a Local Trustee and Approving and Authorizing the Execution of a Trust Agreement; Approving and Authorizing the Execution of a Mortgage With Power of Sale and Security Agreement; Approving and Authorizing the Execution of a Subordinate Lien Sales Tax Agreement; Ratifying and Confirming a Lease Agreement, as Amended, Whereby the City of Perry Leased Its Water, Sanitary Sewer, and Electric Systems To the Perry Municipal Authority; Approving Various Covenants; Approving and**

**Authorizing Payment of Fees and Expenses; and Containing Other Provisions Relating Thereto.** Approval of this resolution authorizes the incurring of an indebtedness of not more than \$640,000.00 for the construction of the basin enclosure, sludge collection and valve automation systems project. Such resolution authorizes the execution of the loan documents, approves a mortgage and security agreement and provides for the approval of other agreements and actions necessary to secure the loan from the Oklahoma Water Resource Board. Representatives from Municipal Finance Services and bond counsel were present to assist with explaining this resolution, the size and structure of the financing. Rick Smith stated that this is a 100% loan on a 10 year payback. The possibility of Stimulus money was discussed and if received could be applied to the loan as a loan forgiveness for around 30%. The loan works on a drawdown process and interest is only charged on the amount we have requested. Principal payments begin after completion of the project. The interest rate is fixed and is set 10 days prior to closing. The target date for closing is February 16<sup>th</sup>. Beginning with the February billing cycle, the new DEQ Unfunded mandated fee will be charged to our customers at a rate of \$1.05 more on the minimum rate and an additional .00161 on usage above 200 cf. The income from this additional rate should cover the \$73,000 annual payment. A new account will be established at First Bank to be used strictly for OWRB transactions. Mr. Smith spoke shortly about our remaining utility related debt payments including the 1998 CWSRF bite and the 2006 Note. The numbers reflected on page 3 of his report does not include the Street tax. Johnson motioned approval of Resolution 2010-01, Sadler seconded the motion;

AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.

Opposed: None

- 7.. **Old Business.** No Old Business was discussed.
8. **New Business.** No New Business was discussed.
9. **Adjourn.** Streller motioned to Adjourn the PMA meeting at 6:42 p.m., Wade seconded the motion;  
AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.  
Opposed: None

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Charles Hall

\_\_\_\_\_  
Kyla Golay, City Clerk



**Regular Meeting Minutes  
Monday, January 25, 2010  
Perry City Council Chambers**

Meeting was called to Order at 6:42 p.m. by Mayor Charles Hall.

**Roll Call:**

Those present: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall.  
Those Absent: None

Hall Declaration a Quorum.

1. Streller motioned approval of the **Consent Agenda**, Marshall seconded the motion;  
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall.  
Opposed: None  
Motion carried
2. **Items Removed from Consent Agenda for Discussion.** None.
3. **Consider and act on items removed from the Consent Agenda, if any.** None.
4. **Comments from Those Assembled.** Karen Wilcox took the opportunity to announce Mayor Hall's birthday.
5. **Receive presentation from Barbara Tarter and Keith Franklin of Land Plan Consultants Inc., on the current status of the Downtown Sidewalk Project.** Ms. Tarter and Mr. Franklin will be present at the meeting to discuss the current status of the Downtown Project. \$727,555.00 is available for the project estimated to cost \$951,863.25. However, much of these project costs can be performed by city crews at a cost which is hopefully lower than the estimate. Mr. Franklin presented the steps that have been taken for our sidewalk project. In 2004 a draft was submitted to ODOT, in June 2005 the project was awarded for \$377,000. Selection of a consultant took place in October 2006. The Consultant reviewed the submitted request and found errors in the cost estimate which delayed the process. Getting easements from all affected property owners also was a long process and took time out of the timeline. Phase 2 documents to do the remaining 2 sides of the square were then filed. The estimated Construction cost is \$916,708.68 with a budget of \$727,555.00. Mr. Franklin feels comfortable that bids will come in lower than originally expected due to economic times. ODOT will not allow us to negotiate with the Contractor and the bids must be within budget before they will approve. The bid will include alternates that will help bring the project within budget to streamline the approval stage. The City has already set aside the matching funds. Greenwell expressed his concern with the timing of the project hitting during the Cherokee Strip Celebration. Coordinators are going to be assigned from the City, Main Street, Electric and Water Departments, LandPlan and the Contractor.

Johnson suggested the City hire a coordinator for this project and City Manager Davis and Mayor Hall agreed that if it appears our current employees are overwhelmed, that possibility will be considered. It may be possible to open bids around the First of July 2010 with a 90 day work schedule.

6. **Consider Discussion and Action on Items of Business pertaining to the CDBG Grant Request, including:** Approval of these items is necessary in order to make application for the CDBG Grant: A. Discuss and Approve Citizen Participation Plan. B. Discuss and consider approval of Resolution No. 2010-01, Affirming its Commitment to take all actions within its power to Facilitate the Receipt of the assistance of community development funds if the City of Perry is awarded a Community Development Block Grant and to administer said grant in accordance with government agencies. C. Discuss and consider approval of Resolution No. 2010-02 committing \$300,000.00 as local match for the project. At the early meeting a public hearing was held regarding this CDBG grant application. The agenda included a typo stating \$300,000 was a local match and this amount should be \$13,600. Wade motioned approval of the Citizen Participation, Greenwell seconded the motion; AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall. Opposed: None

Greenwell motioned approval of Resolution 2010-01, Marshall seconded the motion; AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall. Opposed: None

Sadler motioned approval of Resolution 2010-02, Johnson seconded the motion; AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Duke, Johnson and Hall. Opposed: None

7. **Consider And Take Action With Respect To Resolution No. 2010-03 Approving Action Taken By The Perry Municipal Authority Authorizing Issuance, Sale And Delivery Of A Promissory Note Of The Authority To The Oklahoma Water Resources Board; Approving And Authorizing The Execution Of A Subordinate Lien Sales Tax Agreement; Ratifying And Confirming A Lease Agreement, As Amended, Whereby The City Of Perry Leased Its Water, Sanitary Sewer, And Electric Systems To The Perry Municipal Authority; And Containing Other Provisions Related Thereto.** Approval of this resolution will authorize the indebtedness by the PMA, by its beneficiary, the City of Perry. Johnson motioned approval of Resolution 2010-03, Duke seconded the motion; AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall. Opposed: None  
Motion carried

8. **Consider Approval of Bids for Water Plant Improvements and Award Bids.** The bids for the project were received on January 20, 2010. Dr. Reely recommends awarding the basin enclosure bid to Rick Scott Construction of Ponca City, Oklahoma, for \$289,700.00 and awarding the sludge collection and valve automation systems bid to Downey of Oklahoma City for \$222,632.00. Johnson motioned to approve the awards based on Mr. Reely's recommendation, Greenwell seconded the motion;

AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.

Opposed: None

Motion carried

9. **Declare 1992 Ford F-350 Brush Truck with Marco Skid Unit as surplus property, no longer fit for a public purpose.** This truck was purchased by the Perry Rural Fire Association and used for rural firefighting purposes. It has been titled in the City's name for insurance purposes. The Association would like to sell the vehicle and utilize the monies received from its sale for rural firefighting purposes. Johnson motioned to surplus the 1992 Ford F-350 Brush Truck, Sadler seconded the motion;

AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.

Opposed: None

Motion carried

10. **Report from Police Chief Brian Thomas regarding the implementation of a portion of the Strategic Plan by the Police Department.** Brian along with the assistance of Councilman Gordon Johnson has been working toward their goals set during the Strategic Planning sessions. They have created 4 safety objectives. The plans include trying to retain 90% of trained officers on the force, daily visits and special presentations at the schools, purchasing new equipment and a maintenance program for their fleet.

11. **Old Business.** No Old Business was discussed.

12. **New Business:** Warner stated that the Oklahoma Today magazine is concentrated on Main Street programs. Also the State Board of Realtors is working with Extreme Home Makeover on a food drive and items can be dropped off at her office or the Main Street office.

13. **Consider Convening into Executive Session to consider the following matters:**

A. **To Confer on a matter pertaining to economic development (Assisted Living Center) as disclosure of the matter may interfere with the development of the project and disclosure may violate the confidentiality of the proposal and the study prepared evaluating the proposal (25 O.S. § 307B.10).**

B. **To Discuss the purchase of certain real property located in Fairway Addition to the City of Perry (25 O.S. §307B.3).**

A copy of a confidential feasibility study and contract for purchase of real property were provided to Council members only. Darrel Mackie of Mackie Industries was present to discuss this project. The Council was asked at the conclusion of the executive session (and after convening into regular session) to fund and implement the 2nd phase of the feasibility study and direct appropriate funding. The Mayor extended an invitation to Darrel Mackie, Sam Gresham and Russ Meacham. Streller motioned to convene into Executive Session at 7:44 p.m., Johnson seconded the motion;

AYE: Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.

Opposed: None

- 14. Reconvene into regular session.** Johnson motioned to return to Regular Session at 8:42 p.m., Sadler seconded the motion;  
**AYE:** Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.  
**Opposed:** None
- 15. Take any action deemed necessary pursuant to the executive session, including the funding and implementation of the 2nd phase of the feasibility study.** Sadler motioned to move forward to fund and implement the 2<sup>nd</sup> Phase of the feasibility study, Johnson seconded the motion;  
**AYE:** Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.  
**Opposed:** None
- 16. Adjourn.** Greenwell motioned to adjourn the City meeting at 8:43 p.m., Johnson seconded the motion;  
**AYE:** Warner, Wade, Greenwell, Marshall, Streller, Sadler, Duke, Johnson and Hall.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor Charles Hall

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Kyla Golay, City Clerk