



**Perry Municipal Authority Meeting Minutes
Monday, May 4, 2009
Perry Council Chambers**

Meeting was called to Order by Mayor Hall at 7:00 p.m.

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

Mayor Hall **Declaration a Quorum**

Opening Prayer was provided by Greg Stone of Kaw Street Chapel.

1. Councilman Daylor motioned approval of the **Consent Agenda**, Marshall seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
2. No Items were **Removed from the Consent Agenda for Discussion.**
3. **Consider and act on items removed from the Consent Agenda, if any.** No action necessary.
4. **Comments From Those Assembled.** The New Executive Director of Main Street, Staci Miner, was introduced by Councilwoman Warner. Miner gave a brief overview of her plans and upcoming events for the Main Street office.
5. **Old Business.** No Old Business was brought before the Council.
6. **New Business.** No Old Business was brought before the Council.
7. Greenwell motioned to **Adjourn**, Daylor seconded the motion,
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall
Opposed: None
Motion carried

APPROVED THIS _____ DAY OF _____, 2009.

Mayor Charles Hall

Kyla Golay, City Clerk



**Regular Meeting Minutes
Monday, May 4, 2009
Perry City Council Chambers**

Meeting was called to Order at 7:07 p.m. by Mayor Hall

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

Mayor Hall Declaration a Quorum

1. Councilman Daylor made motion to approve the **Consent Agenda**, Marshall seconded the motion:
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
2. **Items Removed from Consent Agenda for Discussion.** No items were removed.
3. **Consider and act on items removed from the Consent Agenda, if any.** None.
4. **Comments from Those Assembled.** None.
5. **Discussion of City Council vacancy in Ward 2 Post 2.** 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. 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. No action was recommended 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 and Council has received a letter from Shelby Duke who also expressed an interest in serving. Following the May 20th Council meeting, a nomination and appointment will have to take place.

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.** 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 were reported in the enclosed resolution. A 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”. Streller motioned approval of Resolution 2009-08, in Honor of Jack Dorl, Daylor seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall
Opposed: None
7. **Approval of Agreement with Judge Jack Dorl.** In recognition of Jack Dorl’s thirty-one (31) years of service as municipal judge, the 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. Johnson motioned approval of the Settlement Agreement, Daylor seconded the motion:
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall
Opposed: None
8. **Consider Appointment of Alternate Municipal Judge Sherry Wallace DeBord as Municipal Judge of the City of Perry pursuant to the Employment Agreement.** 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. Wade motioned approval of the Employment Contract with Sherry DeBord, Greenwell seconded the motion;
Warner asked about the effective date of the agreement. According to the agreement, the effective date is May 1, 2009.
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried

- 9. Consider Appointment of Council member as trustee to the Perry Housing Authority.** 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. Streller asked for an explanation on the purpose of the Housing Authority. Hall gave a brief overview and stated that it had been inactive for some time. Its purpose is to help with the funding and the holding of property in lieu of tax payments for such things as an assisted living center and as a non-profit, it can funnel funds from loan agencies. Iva Sadler and Bill Streller both expressed interest, as did Betty Warner. Warner felt there may be a conflict of interest because of her business; however Bryce Kennedy stated there is not unless you feel your decisions would be influenced because of her job. Marshall motioned for the Appointment of Iva Streller to the Housing Authority, Daylor seconded the motion;
Sadler declined the nomination, stating that Streller has a strong interest in serving.
Marshall then motioned for the Appointment of Bill Streller, Sadler seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
- 10. Consider and act on the Cherokee Strip Transit Contract with Northern Oklahoma Development Authority.** The City currently pays \$450 per month to the Northern Oklahoma Development Authority to provide transportation services for the community. Hall stated that he felt this is the best \$450 spent. Wade motioned approval of the CST contract, Greenwell seconded the motion; Streller asked about the cost for our citizens to use this service. The cost is around \$1.50.
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
- 11. Consider Appointment of Three (3) Trustees to the Perry Memorial Hospital Authority.** 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 were included in his letter. The Chief of Staff is rotated annually.

Greenwell motioned approval of the Appointment of Jim Knecht to Chief of Staff, Daylor seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried

Hall motioned approval of Harley Scholz to the position of Trustee #8, Sadler seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried

Greenwell motioned approval of Joe Greenlee to the position of Trustee #7, Sadler seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried

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.** 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. Mayor Hall expressed the fact that it will be beneficial for our Public Safety staff. Johnson motioned to authorize the Mayor to sign the letter of support, Daylor seconded the motion:
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
13. **Consider Approval of an Interlocal Agreement providing Dispatching Services with the Otoe-Missouri Tribe.** 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. Mayor Hall reminded everyone of the Historical meeting held at Kumback Lunch with the Tribal Council. The Tribal Council will be meeting on Wednesday, May 6th to discuss the agreement once the City approves. The latest draft of the agreement includes a 90 day notification clause for termination. The Cross-deputization agreement is still being negotiated and will come before the City Council for close examination when prepared. This agreement allows the Tribe to have jurisdiction in our limits and our officers would have the same authority on Tribal land. Streller asked for confirmation that the City has a plan for backup law enforcement if the on-duty officers are called to Tribal property. Streller motioned approval of the Public Safety Services Agreement with the Otoe-Missouria Tribe, Sadler seconded the motion;
AYE: Warner, Wade, Marshall, Greenwell, Streller, Sadler, Daylor, Johnson and Hall.
Opposed: None
Motion carried
14. **Old Business. A. Update of Strategic Planning.** Hall gave an update on the Strategic Planning process, stating he was disappointed at the turnout on April 21st. Hall stressed the open invitation to the meeting being held on Tuesday, May 5th at 5:30. The Plan has been narrowed to 8 specific areas. Greenwell encouraged people to attend and stated that the three hours were fun and went by quickly. Jim Franklin was a guest in the audience and voiced his opinion that everyone needs to attend. Also discussed under Old Business was the option of allowing Golf Carts on City Streets. City Manager Davis stated that golf carts are not allowed on State Highways, regardless of local laws. Police Chief Brian Thomas stated that they are allowed on streets located North of Locust. Jack Roads asked that Disabled American Veterans be allowed this privilege. Councilman Daylor then asked for an update on the Perry Kids Baseball situation. Hall stated that lots of discussion is taking place but nothing has been resolved. The original by-laws of Perry Kids cannot be recovered so they will have to be redrafted. The teams that were involved in this controversy are no longer associated with Perry Kids.
15. **New Business:** City Manager Davis reminded everyone that Saturday, May 9th is City Wide Clean-up day and crews will be available at the Street Department to help unload items. Daylor asked about the

upkeep of the Armory grounds and was told that when weather permits, the City will take care of the grounds. Hall extended a plea from the Code Enforcement Officer to please mow and maintain your lawn as soon as the weather will allow. Shelby Duke, an interested individual in the council vacancy was then introduced by Mayor Hall.

16. Consider convening into Executive Session to: (1) to discuss labor negotiations with the police collective bargaining units (pursuant to 25 O.S. 307B2).

Daylor motion to convene into Executive Session at 8:05 p.m., Greenwell seconded the motion;

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

Opposed: None

17. Reconvene into Regular Session. Marshall motioned to reconvene into Regular Session at 8:19 p.m., Daylor seconded the motion:

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

Opposed: None

Compliance statement: The council convened into Executive Session at 8:05 p.m. with the Entire Council, and Attorney Kennedy to discuss the labor negotiations with the police collective bargaining units. The Council returned to open session at 8:19 p.m. No Votes were taken in Executive Session.

18. Consider Approval of the FY 2009-2010 Agreement with the Fraternal Order of Police, Lodge #137.

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. Marshall motioned approval of the 2009-2010 Agreement, Johnson seconded the motion; Daylor asked if the Lodge has approved this agreement as written and was informed by Legal Council that they had.

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

Opposed: None

Motion carried

19. Adjourn. Greenwell motioned to adjourn at 8:21p.m., Johnson seconded the motion;

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

Opposed: None

Motion carried

APPROVED THIS _____ DAY OF _____, 2009.

Mayor Charles Hall

Kyla Golay, City Clerk