



**Agenda**  
**Perry Municipal Authority Meeting**  
**Tuesday, February 17, 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 February 2, 2009.**
- b. **Departmental Reports for January 2009 from:**
  1. **Electric Department**
  2. **Water Plant**
  3. **Wastewater Plant**
  4. **Water & Sewer Maintenance**
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 &  
New Municipal Council Chambers at Municipal Court Building

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

Kyla Golay, City Clerk



**Agenda**  
**Regular Meeting**  
**Mayor and City Council of the City of Perry**  
**Perry City Council Chambers**  
**729 Cedar Street, Perry, Oklahoma, 73077**  
**Tuesday, February 17, 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 January 20, 2009.**
  - b. **Perry Memorial Hospital Board Packet from February 3, 2009, meeting.**
  - c. **Street and Park Department report for January 2009.**
  - d. **Senior Citizen Report.**
  - e. **Grace Hill Cemetery Monthly proceedings.**
  - f. **Fire Department activity report.**
  - g. **Chamber of Commerce monthly report.**
  - h. **Main Street of Perry activity report.**
  - i. **Telecommunications Director Report.**
  - j. **City Manager's Report for January 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.**

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5. **Receive Perry Memorial Hospital Authority Quarterly report by Chief Administrator, Joe Duerr.**
6. **Financial Report from Chief Financial Officer, Russ Meacham.**
7. **Presentation by Jimmy Davis of Davis Sanitation, concerning solid waste collection and disposal services, including a report on the recycling program; consider direction or other action by city council.**

**Background:** Questions have arisen concerning the administration of the recycling program. Jimmy Davis of Davis Sanitation will be present to answer questions. After a discussion of the matter, the City Council may choose to direct action if deemed necessary.

8. **Discussion by Jim Davis, City Manager, concerning the City's current financial condition.**

**Background:** The global and national economies and markets are suffering a major downturn. Leaders at every level of government are moving to address financial issues. Last week, Mr. Davis and the Mayor met with the Chief Financial Officer to discuss the safeguards built into the current city budget, which safeguards will permit the City to withstand, at least in the short term, these volatile conditions. Mr. Davis will address these safeguards, with additional comments to be made by financial staff.

9. **Consider Approval of Ordinance No. 2009-01 Amending Chapter 13 Of The Perry Municipal Code 2004 (2<sup>nd</sup> Biannual Supplement), By The Amendment Of Section 13-402 Concerning Ambulance Rates; Providing For Certain Increases To The Ambulance Rates And The Elimination Of Resident And Non-Resident Distinctions For Billing Purposes; Providing For Repealer; Providing For Savings; Severability; Codification; And Declaring An Emergency.**

**Background:** As the city administration has noted many times in recent years, the Perry Fire Department is actually an ambulance service that sometimes also fights fires. In keeping with good business practices, the rates charged for the ambulance services should be commensurate with the cost of providing that service. For FY 09, the City budgeted a loss of \$390,000.00 for ambulance services. FY 08 and FY 07 have losses of \$355,000.00 and \$350,000.00, respectively.

Jimmy Johnson, the owner and President of ACCUFILE, INC., our ambulance billing company, was contacted by the city administration and asked to review our current ambulance rates. The last rate adjustment occurred on September 1, 2004. Since that time, ambulance costs have increased and the rates paid by insurance companies for ambulance services have also increased. Mr. Johnson reviewed our rates, collection history, the persons or entities actually paying the bills and other relevant factors from July 1, 2007 through June 30, 2008. He proposes that the governing body should set the ambulance rates at an amount not less than that customarily paid by insurance companies; with this rate structure, the City

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will receive the payment of its bill in those cases when insurance is present. He also noted that the distinction between resident and non-resident rates, which currently exists, makes no sense when billing insurance companies. Insurance companies expect to pay the fair market value rate for ambulance services and the City only cheats itself when it charges less than that amount. He predicts that if the rates are increased to provide a \$400.00 rate for non-emergency services, \$675.00 for emergency services and \$12.00 per loaded mile, such rates could generate as much as \$222,000.00 per year, which is an \$86,500.00 increase from the current annual receipts of \$135,500.00.

Persons without either private and/or public insurance (Medicare and Medicaid) rarely pay their bills. For calendar year 2008, the City wrote off more than 12% of the uncollected fees due to contractual discounts/inability to pay. There are methods to provide supplemental payments. One way is through the creation of a 522 district which can charge up to a 3% mill on property taxes to all persons owning property within the 522 district. Districts can follow school board districts, consist of the entire county or provide for other service areas through interlocal agreements. Another method is a mandatory subscription method. Tonkawa, Clinton, Weatherford and many other communities have a mandatory subscription program charged by the utility bill. Oklahoma City also provided for such a plan with certain opt out provisions. The program covers the unpaid bill after the application of private and/or public insurance. The service extends to everyone living in the household. The cost is \$5.00 per month. If this mandatory subscription method was adopted it would raise approximately \$120,000.00 per year. Adoption of this method would also reduce much of the post/ACCUFILE collection efforts. Another method is voluntary subscription which is the same as the mandatory version, except it's not mandatory.

You have been presented a copy of the amended ordinance. If there is interest in the mandatory subscription procedure, appropriate ordinances can be drafted. If the City determines that all monies raised through these amendments, in addition to those already appropriated, remained in public safety, consider the advances in vehicles, equipment and training that could be realized in better providing for the public health, safety and welfare of the community.

Finally, when the ambulance rates were raised in 2003, the governing body directed that the increase in the mileage rate be placed in a special account and held for the purchase of ambulances and equipment. It appears as though this was done for a time but was subsequently not followed. If the governing body wants an accounting of this money and replacement into an account for this purpose, it is estimated the amount in the account would be approximately \$10,800.00 (\$73,800.00 in mileage billings). Incidentally, \$63,000.00 was spent on capital additions since 2005. Jimmy Johnson may be on hand to discuss this matter.

Attachments: Ordinance No. 2009-01

Recommendation: Consider and take appropriate action

**10. Consider Discussion and Action on Items of Business pertaining to the CDBG Grant Request, including:**

- a. Conduct Public Hearing on CDBG request.
- b. Discuss and Approve Citizen Participation Plan.
- c. Discuss and consider approval of Resolution No. 2009-03, Authorizing the Making of an Application to the Oklahoma Department of Commerce for a Community Development Block Grant to improve the city's water system.
- d. Discuss and consider approval of Resolution No. 2009-04 committing \$239,992.00 from the general fund or other sources as local leverage for the project.
- e. Approve a Professional Engineering Services Agreement with Monsoon Ventures, Inc, d/b/a Monsoon Consultants (Dr. Blaine Reely).
- f. Approve a Contract for Administrative Services for CDBG Grant Administration with Northern Oklahoma Development Authority.

**Background:** At the last meeting, Dr. Reely presented the cost for making certain Water Plant Improvements. The Council opted to provide for the permanent sedimentation basin enclosures rather than the floating covers. The project's estimated cost is as follows:

Description	Estimated Cost
Flocculation / Sedimentation Basin Enclosure	\$225,000.00
Treatment Effluent Chlorination System	\$55,000.00
Filter Media Replacement / Rehabilitation	\$146,000.00
Automated Operator for 12-in influent valve	\$20,000.00
Sedimentation Basin Chain & Flight Sludge Collectors	\$50,000.00
Total for Construction	\$496,000.00
Administration (NODA)	\$28,000.00
Engineering	\$40,672.00
Inspection	\$14,880.00
DEQ Review Fees, Soils Investigation, Misc.	\$7,440.00

Total Estimate Project Costs \$586,992.00

If the grant received is \$350,000.00, the City's local match will be \$236,992.00. NODA reports that since the amount of local match is so large, they believe the City should apply for the stated maximum grant. The Chief Financial Officer reports that \$125,000.00 is already budgeted for the project in this year's budget. A loan of \$111,992.00 from PMA's Electric Reconstruction Fund is recommended with a two (2) year payback. If the City Council desires to proceed with this project in this matter, the items listed A through E should be approved by separate motions. A formal interfund

resolution providing for the loan and payback will need to be approved at the next meeting by both PMA and the City.

**11. Consider Approval of Resolution No. 2009-05 Concerning the Negative Effect that Any Legislative Proposal Seeking a Municipal Sales Tax Exemption for Food and Beverage Sales would have on Municipal Revenues; Informing Certain State Representatives and other Entities of that Effect.**

**Background:** Certain bills being considered this year by the Oklahoma Legislature provide that food and beverage sales would be exempt from state sales tax. A current version of that bill has been approved by committee (Senate Bill 318) and provides for a graduated reduction of the state sales tax over a four (4) year period. That bill further provides that city and county sales taxes will be unaffected. Many municipal officials realize that if this bill becomes law, the next step by taxpayer groups will be to repeal the municipal sales tax exception. In addition, it may be legally impermissible to have a specific class of taxation exempted for the state but permitted for counties and cities. A determination of the effect of eliminating the food and beverage sales tax could have on the City depends on what food and beverage sales will be exempted. If food store sales are exempted, the local sales tax would be reduced about 20%. If eating places are exempted, the local sales tax would be reduced another 16%. This effect would be disastrous and would mean that the City and its public authority's would have a near impossible task in paying its bills. This resolution notifies our legislators of our concern and the negative effect that this proposal, if amended, could have on the City.

**12. Update authorized personnel on City Bank accounts.**

**Background:** Due to changes in personnel, recommendations will be made considering authorized personnel on City Bank accounts.

**13. 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.

**14. 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.

**15. Adjourn.**