



**Agenda Regular Meeting  
Perry Municipal Authority Meeting  
February 6, 2012  
Perry Council Chambers  
729 Cedar Street, Perry, Oklahoma 73077  
6:15 P.M.**

**Meeting Called to Order  
Roll Call  
Declaration of Quorum  
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 January 23, 2012.**
- 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. 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.
- 6. Consider Approval of Certain Amendments to Section 8 Entitled “The City Of Perry, Oklahoma, Drug and Alcohol Free Workplace Policy” of Chapter VI “Miscellaneous” of the Perry Personnel Manual.**

**Background:** Amendments to the Personnel Manual must be approved by the Board of Trustees of the PMA. State law regarding drug and alcohol testing has been amended. Drug and Alcohol testing may only be implemented in accordance with state law. Therefore, it is important that PMA’s policies on Drug and Alcohol Testing are consistent

**PMA Regular Meeting Agenda**  
**February 6, 2012**  
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with state law.

Attached is both a copy of the state law amendments and amendments to the PMA's policy. The new policy will not go into effect until the policy is provided to all PMA employees and the lapse of a ten (10) day period.

**Attachments:** State law Changes and PMA Personnel Manual Amendments

**Recommendation:** Discuss and if deemed appropriate approve

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

February \_\_, 2012 \_\_\_\_:\_\_\_\_ P.M.

\_\_\_\_\_  
Dixie Johnson, City Clerk



**Agenda**  
**Regular Meeting**  
**Mayor and City Council of the City of Perry**  
**February 6, 2012**  
**Perry Council Chambers**  
**729 Cedar Street, Perry, Oklahoma 73077**  
**Immediately following the PMA meeting which begins at 6:15 P.M.**

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 January 23, 2012.**
- B. Receive Departmental Reports:**
  - 1. Senior Citizen's Report for January 2012
  - 2. Grace Hill Cemetery Report for January 2012
  - 3. Legal Activity Report from December 16, 2011, through January 9, 2012
  - 4. Police Department Report for January 2012
  - 5. Street Department Report for January 2012
  - 6. Fire Department Report for January 2012

**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. 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.

6. City Manager Remarks.
7. **Consider Approval of Ordinance No. 2012-07 Amending Article 8 of the Perry Municipal Code 2004 (3<sup>rd</sup> Annual Supplement) By the Approval of a New Article 7 Entitled “Remediation of Contaminated Property after the Discovery of Methamphetamines or Other Noxious, Hazardous or Toxic Substances”; Providing for Section 8-701 Entitled “Purpose And Intent”; Providing for Section 8-702 Entitled “Reports of Methamphetamine or Other Noxious, Hazardous and Toxic Substance Activity”; Providing for Section 8-703 Entitled “Prohibition of Occupancy”; Provided for Section 8-704 Entitled “Public Notice of Contamination”; Providing for Section 8-705 Entitled “Assessment And Remediation”; Providing for Section 8-706 Entitled “Acceptable Levels of Contamination”; Providing for Section 8-707 Entitled “Cleanup and Safety Standards”; Providing for Section 8-708 Entitled “Final Report”; Providing for Section 8-709 Entitled “Penalty”; Repealer; Savings Clause; Codification; Severability; and Declaring an Emergency.**

**Background:** The City Council is being asked to adopt Ordinance No. 2012-07 providing specific measures for the remediation of contamination upon properties caused by the manufacture or processing of methamphetamine or other noxious, dangerous or hazardous substances. Several area communities have adopted similar ordinances or have them under consideration.

The ordinance would require property owners to notify the Perry Police Department should they discover that methamphetamine or other hazardous substances have been manufactured or processed upon their property. (If the police discover the process, the notification is implied).

Upon such discovery, property owners would be required to use the services of a certified environmental restoration firm to test the property for contamination levels. Those levels are spelled out in the ordinance. Human occupancy of the property could not resume until the testing is completed and a Final Report is presented to the City certifying that the property is not contaminated.

If contamination is found, a cleanup must ensue in compliance with federal and state regulations. A second Final Report must be submitted explaining the cleanup methods used and certifying that remediation has been completed. All testing must be done at the property owner’s expense. A provision in the ordinance also allows the City to seek civil recovery of costs associated with enforcement and administration of the ordinance.

Following the discovery of a methamphetamine process, etc., the house would be placarded with a sign by the City advising contamination may exist and that unauthorized persons must keep out. The sign could only be removed by the City upon acceptance of all final reports.

The process outlined in the new ordinance is similar to procedures used for dwellings unfit for human habitation and dilapidated buildings. However, it provides a far greater degree of specificity as to how remediation efforts are to take place to assure they are done properly by trained professionals. Although similar ordinances in other cities

primarily focus on methamphetamine production, this ordinance is written to cover other noxious, hazardous and toxic substances currently being produced illegally.

In addition to buildings and lands, the ordinance would apply to contaminated mobile homes moved into the city limits. Some cities have instituted testing requirements on all previously occupied mobile homes moved into the city. However, staff determined this could place an onerous burden on mobile home owners and would therefore stress the need for the owner to investigate for any history of contamination prior to occupancy.

This ordinance would be regulated by police and the City's code enforcement officer or building official.

The administrative staff recommends approval of the ordinance and the separate emergency clause.

Attachments: Ordinance No. 2012-07, Notice and Potential Press Release

**8. Select Size of Building Desired and Thereafter Award Bid for Perry Municipal Aircraft Building to Lowest Responsible Bidder.**

**Background:** In late fall of 2011, the City Council authorized the solicitation of bids for the construction of a new aircraft hangar at the Perry Municipal Airport, due to the intended corporate use by Charles Machine Works, Inc., of the City's largest aircraft hangar paid for by an anonymous donor. Once again, an anonymous donor has given the City \$50,000.00 toward the construction of such new hangar. The City Council requested that bids be solicited for various sized hangars; wood hangars were deleted from consideration due to size limitations and their shorter life spans.

Two bidders responded included Miller-Tippens (M-T), who submitted the highest bids for each sized hangar and Hembree & Hodgson Construction, LLC (H&H), who submitted the lowest bids. There was a base bid and 4 alternatives. The bids were as follows:

	Base	A-1	A-2	A-3	A-4
	60X80X16	80X100X20	80X120X20	80X140X20	60X18 folding doors
H&H	\$159,019.00	\$224,869.00	\$244,761.00	\$270,370.00	\$6,045.00
M-T	\$227,796.00	\$300,637.00	\$327,525.00	\$357,578.00	No Bid

The City Council may desire to determine what size hangar is appropriate. The City Manager and the Chief Financial Officer recommend approval of the base bid. In any event the City Council should award the bid on the size desired to Hembree & Hodgson Construction, LLC, as the lowest responsible bidder. The airport manager will also report.

**Attachments:** Bid Canvas and Bids

**Recommendation:** Take action as deemed appropriate.

**9. Discussion of on-street parking in City of Perry.**

**Background:** At the January 23, 2012 City Council meeting, the council held discussion regarding parking in the Hughes-Sorrell Addition and the staff recommendation to restrict parking to one side of the streets in the addition due to public safety concerns related to the width of the streets . Several residents of the addition were present and spoke to the issue. Based on the comments and directive of the council, staff has been reviewing the global issue of street width and parking throughout Perry. Staff has been measuring street widths on a random basis and evaluating other issues such as length and width of driveways, and the presence of alleys and other off-street parking in various neighborhoods.

In addition, contacts were made with civil engineers with expertise in street and road design/construction to ascertain the minimum design standards for streets. Based on these contacts, it was determined that the optimum design for the width of streets would be 2 – 12’ traffic lanes and 2-8’ parking lanes or 40’. If vehicular traffic in the area was not significant, 2-11’ traffic lanes and 2-7’ parking lanes, or 36’, could be acceptable. The removal of 1 parking lane would reduce the optimum street width to 32’ or 29’ respectively.

The street width in the Hughes-Sorrell Addition is just under 26’. Other sampled additions/streets in Perry have reflected streets with widths ranging from 26’ to 40’. In order to formulate a more comprehensive plan for on-street parking throughout Perry, staff will need additional time to measure more streets, more thoroughly evaluate the issues of alleys, driveway length and other off-street parking availability, and research how other cities have responded to the same issue so that a comprehensive plan can be formulated and presented to the citizens and the council. Based on discussions with staff, it is recommended that this issue remain tabled with a report/recommendation from staff to be placed on the second council meeting in March.

**10. Consider Approval of Certain Amendments to Section 8 Entitled “The City of Perry, Oklahoma, Drug and Alcohol Free Workplace Policy” of Chapter VI “Miscellaneous” of the Perry Personnel Manual.**

**Background:** Amendments to the City’s Personnel Manual must be approved by the City Council. State law regarding drug and alcohol testing has been amended. Drug and Alcohol testing may only be implemented in accordance with state law. Therefore, it is important that the City’s policies on Drug and Alcohol Testing are consistent with state law.

Attached is both a copy of the state law amendments and amendments to the City’s policy. Copies of these policies have been provided to police and fire collective bargaining representatives and they have approved them. The new policy will not go into effect until the policy is provided to all City employees and the lapse of a ten (10) day period.

**Attachments:** State law Changes and City Personnel Manual Amendments

**Recommendation:** Discuss and if deemed appropriate approve

- 11. Consider Approval of Agreement Noble County Oklahoma State University Cooperative Extension Service For The Provision Of The Noble County Invitational Outdoor Shoot on March 31, 2012.**

**Background:** For the past several years, the City has permitted the OSU Extension Office to conduct archery events at Camp Tandako. A contract has been prepared providing for the lease, with appropriate waivers, supervision and insurance.

**Attachments:** Contract, Waiver, Insurance and related documents

**Recommendation:** Approval

- 12. Discussion Regarding March 6, 2012, Special County Election on Creation of EMS District, Millage Levy and ¼ of 1 cent Sale Tax Propositions.**

**Background:** This item is for City Council members, the City Manager, EMS employees and the public generally to address the upcoming election and the need for these tax revenues in order to continue ambulance service in the Perry Ambulance Service District.

- 13. Accept the completion of the Sanitary Sewer Replacement Project. Approve the Change Order of the Sanitary Sewer Replacement Project and final payment of \$56,190.00.**

**Background:** The sanitary sewer project has been completed, inspected, and approved by the city engineer. There is a change order in the amount of \$3,455.00.

**Attachments:** Change Order No. 001, Contractor's Application for Payment No. 1-Final, Claim for Invoice Affidavit, Contractor's Application

**Recommendation:** Accept, approve change order and authorize final payment.

- 14. New Business.**

- 15. Adjourn.**

Posted at Perry City Hall & Council Chambers

February \_\_\_\_, 2012 \_\_\_\_:\_\_\_ P.M.

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Dixie Johnson, City Clerk