City Council of the City of Perry
City Agenda – Regular Meeting
September 15, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum
Invocation

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to **amendment,** including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same **amendment** language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item. The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its City Manager, staff, attorney or to the recommending board, commission, or committee. All Agenda Items Are for Discussion and Whatever Further Action the City Council Deem Necessary or Advisable to Discharge 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. **Receive and Approve Minutes of Regular City Council Meeting of September 2, 2025.**

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 Pertaining to Items on the City Agenda or Citizens presenting their concerns or comments.** (Note: Only items listed on the agenda can be discussed between the commentor and the governing body members. If there is any agenda item that any person wishes to address, such person shall raise their hand to be recognized by the Mayor or other Presiding Officer. Such a person should stand before the podium and address their remarks to a specific agenda item. A maximum three (3) minute address by such person may be provided. For commentors on items not on the agenda, such persons shall be provided with a maximum of three (3) minutes, but no discussion should occur between such commentor and the governing body. If discussion is desired, the item should be directed to be placed on the next regular or special agenda. The Mayor or Presiding Officer may provide additional time. This procedure is to ensure that no violation of the Oklahoma Open Meeting Act occurs.

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 herein below and then action may be taken) and is only for the purpose of identifying issues that may be subject to a future agenda item. Each report should be for the purpose of informing the other members and the public of the activity of the members or ad hoc, recommendation only committee and in the event discussion is desired, the item should be placed on the next regular or special agenda. This procedure is to ensure that no violation of the Oklahoma Open Meeting Act occurs.

    a. Council Reports Ward 1,2,3, and 4 Councilpersons have an opportunity to report any new developments or work performed since the last meeting.

6. **City Manager Remarks on current projects and activities.**

7. **Chief Financial Officer Report on August 2025 Financial Report.**

    Attachment: August 2025 Financial Report enclosed.

8. **RECEIVE PERRY PLANNING COMMISSION'S RECOMMENDATION ON THE APPLICATION FOR SITE PLAN REVIEW FILED BY MASHRUR DEWAN ON BEHALF OF PENOB POINT LLC, CONCERNING THE REAL PROPERTY LOCATED AT 2903 HIGHWAY 77W, PERRY, OKLAHOMA 73077; TAKE ACTION AS DEEMED APPROPRIATE.**

    Background: An application for site plan review has been filed by Mashrur Dewan on behalf of PENOB POINT LLC (the "Applicant"). This application requests a site plan review for a proposed new commercial project at 2903 Highway 77W, Perry, Oklahoma 73077 (the "subject Tract").

    The subject tract is currently zoned C-2 General Commercial District. For many decades, American Inn, several predecessor hotels and a bowling alley were located on this site. The property was purchased by PENOB POINT LLC, and the existing buildings were razed. The applicant proposes placing a business engaged in the business of retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline) in combination with convenience store or food mart items (North American Industry Classification System (NAICS) 447110-Gasoline Stations with Convenience Stores and to include a quick service restaurant. The proposed project consists of redeveloping the property, providing for the convenience store, quick service restaurant and providing parking for vehicles and semi-trucks. The building will be a one-story facility, 10,077 square feet in size. A site plan for the proposed new development is provided.

    Proper and timely notice was posted on the property with the date, time, and location of this public hearing. The purpose of the public hearing is to hear concerns from the public and city staff and for the Perry Planning Commission to make a recommendation to the Perry City Council. Building plans have been sent and are under review by Matt Biswell.

    Attachments: Application, Notice and site plan.

    Recommendation: Received Perry Planning Commission's recommendation; take action on the proposed site plan.

9. Consider Approval of Agreement with the Noble County Young Men's Christian Association, Inc.

Background: The City Council closed by ordinance the alley for the YMCA where their new addition will be constructed. The YMCA filed an Application in the District Court of Noble County, Oklahoma (CV-2025-21), requesting the Court permanently vacate that alley. The alley has water and sewer lines that must be moved. The YMCA has agreed to cap the existing lines located in the alley and at its sole cost and expense relocate the water and sewer mains within an available right-of-way. In consideration of that contractual promise the Agreement provides the City will disclaim all interest in and to the alley.

Attachment: Agreement

Recommendation:

10. Consider Items pertaining to FAP Financing for needed Water Improvements through the Oklahoma Water Resource Board:

A. Presentation by Chris Wolff on FAP Financing:

Background: For many months the City Council has been focused on the nature and type of needed water improvements and methods of financing their construction. After much deliberation and discussion about the necessary monthly cash flow to support the debt the following projects and their estimates are presented:

- Water Treatment Plant Rehabilitation @ $1,200,000.00
- Decommissioning Water Mains @ $1,500,000.00
- Residuals Handling Improvements at the WTP @ $1,100,000.00

The City Manager, Chief Financial Officer and Chris Wolff have worked to structure the financing. All professionals will report. A copy of a financial analysis is attached.

Attachment: Financial Analysis by Chris Wolff

Recommendation: Receive presentation and discuss financing

B. CONSIDER AND TAKE ACTION WITH RESPECT TO RESOLUTION NO. 2025-13 OF THE CITY OF PERRY, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE PERRY MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING A LEASE AGREEMENT, AS AMENDED, BY AND BETWEEN THE CITY AND THE AUTHORITY PERTAINING TO CERTAIN WATER, SANITARY SEWER, AND ELECTRIC SYSTEMS; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE AUTHORITY AND THE CITY PERTAINING TO A PLEDGE OF CERTAIN SALES TAX REVENUES; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

Background: If the City Council desires to proceed with the financing, they should approve the resolution as the incurrence of debt by the PMA requires the approval of the City.

C. **Consider Approval of Professional Services Agreement with Cimarron Valley Engineering, LLC for FAP Water Treatment Plant Improvements.**

Background: By approval of this Agreement, the engineer can get started on the plans and specifications for the Water Treatment Plant Rehabilitation, and the City can reimburse itself from the loan proceeds. The Agreement provides for a $96,000.00 engineering fee and $14,000.00 for survey services. The Agreement provides for the Engineer to provide professional engineering services for the rehabilitation of the City's Water Treatment Plant which shall include design, survey, bidding assistance, and construction phase services associated with improvements to sedimentation basin actuators, filter media replacement, enclosure for chlorine cylinders, climb barriers and signage, chlorine gas system improvements, variable frequency drives, sedimentation basin rehabilitation, electrical improvements, instrumentation and controls, and chemical feed system upgrades. The Engineer's services shall also include project management, coordination with regulatory agencies, and preparation of all required plans, specifications, and contract documents necessary to deliver the project.

Attachment: Agreement and detailed estimates for all the required materials and labor

Recommendation: Discus and if considered appropriate, approve Agreement

11. **Consider Approval of Ordinance No. 2025-20 Of The City Of Perry, Oklahoma, Amending Chapter 1 Of The Perry Municipal Code 2022 By The Amendment Of Section 1-111 Entitled "Schedule Of Fees And Charges Created; Schedule Of Bonds And Fines, Costs, Fees And Assessments; Providing For An Adjustment In The Bond And Fine Schedule; Providing For Repealer; Savings; Codification; Severability; Effective Date; And Declaring An Emergency.**

Background: Due to the action of the City Council in 2012, many of the major traffic offenses carry a fine of only $9.00. This action stated that the maximum amount that would be paid if the defendant had no other offenses for the prior three years would be $99.00. That amount would be inclusive of $30.00 court costs, $25.00 technology fee, $30.00 for state assessments sent to the state, leaving a $9.00 fine Since many of the charges in municipal court are deferred it would be fairly standard to have your driving record show no offenses in Perry. Due to this action the City of Perry's fines noted with a "**" are 1000% less than nearly all the other fines assessed by other the other cities and the state for the same offense. This provision is deleted from the new ordinance and should be approved even if no other increase is provided. Other fines have been increased to comparable fines leveled by many other cities and should be studied to determine if such fines are appropriate in Perry. Many of the fines have remained unchanged. The amount of fines have not been addressed in the past thirteen years.

Attachment: Ordinance No. 2025-20

Recommendation: Approval

12. **Consider Approval of Emergency Clause for Ordinance No. 2025-20.**

Note: Adoption of the emergency clause will require seven affirmative votes.

13. **Consider convening into executive session for the purposes of: 1) conferring on a matters pertaining to the economic development of the City of Perry involving the Perry Industrial Park and Project Duke including the amendment of the proposal to entice a distribution center to locate within the Perry Industrial Park if public disclosure of the matter discussed would interfere with the development and implementation of the proposal or if public disclosure would violate the confidentiality of the new business, pursuant to Title 25, Section 307C.11 of the Oklahoma Statues, as amended, and 2) conferring on a matters pertaining to the economic development of the City of Perry involving the former Seth Wadley Ford Dealership (currently owned by the City) including the creation of a proposal to entice a business to locate to Downtown Perry if public disclosure of the matter discussed would interfere with the development of proposal or if public disclosure would violate the confidentiality of the new business, pursuant to Title 25, Section 307C.11 of the Oklahoma Statues, as amended.**

14. **Reconvene into regular session.**

15. **Consider the following Actions related to the Executive Session Matter:**

    A. **Consider Approval of the Non-Development Agreement with Dakota Exploration, LLC, an Oklahoma limited liability company, City of Perry, an Oklahoma municipal corporation, regarding the real property to be sold to BHD Land Development, LLC an Arizona limited liability company, which transaction has been referred to as Project Duke.**

    B. **Consider Approval of Real Estate Agreement with Dakota Exploration, LLC, an Oklahoma limited liability company, for transfer of a lot in the Perry Industrial Park.**

    C. **Give direction to City Staff regarding proposal to entice a new business to locate at former downtown location of Seth Wadley Ford properties.**

16. **New Business (matters not known about or which could not reasonably be foreseen prior to the time of posting. (Title 25, Section 311A.9 of Oklahoma Statutes as amended).**

17. **Adjourn**

Posted at Perry City Hall & Council Chambers. September 12, 2025 ______A.M.

____
Christy Conrad, City Clerk

Board of Trustees of the Perry Municipal Authority

Agenda – Regular Meeting

September 15, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to **amendment,** including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same **amendment** language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its Trust Manager, staff, attorney or to the recommending board, commission, or committee. All Agenda Items Are for Discussion and Whatever Further Action the Authority Deems Necessary or Advisable to Discharge Their 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. **Receive and Approve the Minutes of the Regular PMA Meeting of September 2, 2025.**

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 Pertaining to Items on the PMA Agenda or Citizens presenting their concerns or comments.** (Note: Only items listed on the agenda can be discussed between the commentor and the governing body members. If there is any agenda item that any person wishes to address, such person shall raise their hand to be recognized by the Presiding Officer. Such a person should stand before the podium and address their remarks to a specific agenda item. A maximum three (3) minute address by such person may be provided. For commentors on items not on the agenda, such persons shall be provided with a maximum of three (3) minutes, but no discussion should occur between such commentor and the governing body.

If discussion is desired, the item should be directed to be placed on the next regular or special agenda. The Presiding Officer may provide additional time. This procedure is to ensure that no violation of the Oklahoma Open Meeting Act occurs.

5. **CONSIDER AND TAKE ACTION WITH RESPECT TO RESOLUTION No. 2025-04 OF THE PERRY MUNICIPAL AUTHORITY (THE "BORROWER") AUTHORIZING A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $4,110,000.00; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED $4,110,000.00, SECURED BY A PLEDGE OF REVENUES AND AUTHORIZING ITS EXECUTION; DESIGNATING A LOCAL TRUSTEE; APPROVING AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT; APPROVING AND AUTHORIZING THE EXECUTION OF A SECURITY AGREEMENT; RATIFYING AND CONFIRMING A LEASE, AS AMENDED, BY AND BETWEEN THE CITY OF PERRY, OKLAHOMA (THE "CITY") AND THE BORROWER PERTAINING TO CERTAIN WATER, SANITARY SEWER, AND ELECTRIC SYSTEMS; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT BY AND BETWEEN THE CITY AND THE BORROWER PERTAINING TO A YEAR-TO-YEAR PLEDGE OF CERTAIN SALES TAX REVENUE; APPROVING AND AUTHORIZING A NOTE PURCHASE AGREEMENT; APPROVING VARIOUS COVENANTS; APPROVING AND AUTHORIZING APPLICATION TO THE OKLAHOMA WATER RESOURCES BOARD; APPROVING AND AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS; APPROVING AND AUTHORIZING PAYMENT OF FEES AND EXPENSES; AND CONTAINING OTHER PROVISIONS RELATING THERETO.**

   Background: By the approval of this resolution, the PMA authorizes entering into the financing and approval of costs for the water projects as discussed on the City Agenda.

   Attachment: Resolution No. 2025-04

   Recommendation: Approval

6. **CONSIDER AND TAKE ACTION WITH RESPECT TO RESOLUTION NO. 2025-05 DECLARING THE INTENT OF THE PERRY MUNICIPAL AUTHORITY (THE "AUTHORITY") TO EXPEND CERTAIN FUNDS IN CONNECTION WITH CERTAIN WATER SYSTEM IMPROVEMENTS WITH SAID EXPENDITURES TO BE REIMBURSED FROM THE PROCEEDS OF DEBT TO BE INCURRED BY THE AUTHORITY; AND CONTAINING OTHER PROVISIONS RELATING THERETO.**

   Background: If the PMA incurs costs prior to the time of the closing of the transaction, with the passage of this resolution, those costs can be reimbursed from the loan proceeds. This resolution is not necessary for engineering expenditures but could be used if the City or PMA determines that it will expended monies on the water treatment plant or killing out water lines prior to the closing of the transaction.

   Attachment: Resolution No. 2025-05

   Recommendation: Approval

7. **New Business (matters not known about or which could not reasonably be foreseen prior to the time of posting. (Title 25, Section 311A.9 of Oklahoma Statutes as amended.**

8. **Adjourn**

Posted at Perry City Hall & Council Chambers. September 12, 2025 _______ A.M.

____
Christy Conrad, Secretary

Board of Trustees of the Perry Facilities Authority
Agenda – Regular Meeting
September 15, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

All items on this agenda, including but not limited to any agenda item concerning the adoption of any ordinance, resolution, contract, agreement, or any other item of business, are subject to **amendment,** including additions and/or deletions. This rule will apply to every individual agenda item without exception, and without providing this same **amendment** language with respect to each individual agenda item. Such amendments should be rationally related to the topic of the agenda item, or the governing body will be advised to continue the item.

The governing body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the governing body may refer the matter to its Trust Manager, staff, attorney or to the recommending board, commission, or committee. All Agenda Items Are for Discussion and Whatever Further Action the Authority Deems Necessary or Advisable to Discharge Their 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. **Receive and Approve the Minutes of the Regular PMA Meeting of September 2, 2025.**

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 Pertaining to Items on the PFA Agenda or Citizens presenting their concerns or comments.** (Note: Only items listed on the agenda can be discussed between the commentor and the governing body members. If there is any agenda item that any person wishes to address, such person shall raise their hand to be recognized by the Presiding Officer. Such a person should stand before the podium and address their remarks to a specific agenda item. A maximum three (3) minute address by such person may be provided. For commentors on items not on the agenda, such persons shall be provided with a maximum of three (3) minutes, but no discussion should occur between such commentor and the governing body. If discussion is desired, the item should be directed to be placed on the next regular or special agenda. The Presiding Officer may provide additional time. This procedure is to ensure that no violation of the Oklahoma Open Meeting Act occurs.

5. **New Business (matters not known about or which could not reasonably be foreseen prior to the time of posting. (Title 25, Section 311A.9 of Oklahoma Statutes as amended).**

6. **Adjourn**

Posted at Perry City Hall & Council Chambers. September 12, 2025 _______ A.M.

____
Christy Conrad, Secretary