Perry Carnegie Library Board

Agenda – Regular Meeting

January 20, 2026 @ 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 the Head Librarian, City Manager, staff, attorney or to Perry City Council.

Agenda items are for discussion and whatever further action the Library Board deems necessary or advisable todischarge 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 Board. The items on the consent agenda will not be discussed. Any member of the Board 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. Approve minutes of the Perry Carnegie Library Board Meeting of October 20, 2025.**
- **B. Acknowledge Librarian's October 2025, November 2025 and December 2025 Reports for the Perry Carnegie Library and Statistics Reports for October through December 2025.**

Attachments: October 2025, November 2025 and December 2025 Reports for the Perry Carnegie Library and Statistics Reports for October through December 2025. The reports include both reports from the Children's Librarian and the Library Director.

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. Presentation of Oral Quarterly Report on Perry Carnegie Library Usage and Statistics, to include the Children's Libarian and Library Director presented by Pam Rigg, Head Librarian.

6. Approve the following Policy Amendments for the Perry Carnegie Library.

- **A. Circulation Policy, including lost/Damaged Items, Overdue Notices/Collections/Returns, E-books and Interlibrary Loan**
- **B. Library Cards, Residents, Paid, Temporary Internet and Renewal/Replacement Cards.**

Background: Pam Rigg will explain certain amendments desired to the library's various policies.

Attachment: Circulation Policy and Library Card Policy.

Recommendation: Discuss and act as deemed appropriate.

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 & www.cityofperryok.com.

January 16, 2026 _______A.M.

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Christy Conrad, Secretary

City Council of the City of Perry
City Agenda – Regular Meeting
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Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
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Declaration of Quorum

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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 City Council Meeting of January 5, 2026.**
   B. **Declare certain city materials as surplus property and no longer useful for a public purpose and authorize disposal pursuant to City Purchasing Manual.**

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 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 given should be for the purpose of informing the other members and the public of the activity of the member 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 December 2025 Financial Report.**

   Attachment: December 2025 Financial Report enclosed.

8. **Presentation of FY2024-2025 Audit from Jana Walker; Acknowledgement of Audit and Direct Proper Filing..**

   Background: The FY2024-2025 Audit has been completed and will be presented by Jana Walker at the meeting.

   Attachment: FY2024-2025 Audit

   Recommendation: Receive Presentation & Acknowledge and Direct Filing of FY2024-2025.

9. **Land Use, Zoning and Planning Items:**

   A. RECEIVE RECOMMENDATION FROM THE PERRY PLANNING COMMISSION CONCERNING THE APPLICATION FOR USE BY REVIEW FILED BY AARON BURT ON BEHALF OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO PERMIT A CHURCH USE IN THE C-3 COMMERCIAL BUSINESS DISTRICT LOCATED ON LOT FIVE (5), IN BLOCK TWENTY-FIVE (25), IN THE ORIGINAL TOWNSITE OF PERRY AND WITH A STREET ADDRESS OF 319 NORTH 7TH STREET, PERRY, OKLAHOMA, 73077 ("SUBJECT TRACT").

Background: Aaron Burt on behalf of the Church of Jesus Christ of Latter-day Saints with an address of 1605 Fairfield Drive, Stillwater, Oklahoma 74074 ("Applicant") desires a church use on the subject tract. The Applicant proposes to utilize the building located at 319 North 7th Street for worship services, religious gatherings and related activities. The primary weekly meeting would occur on Sunday for approximately two hours, with additional small-group activities during the weekday evenings, such as youth programs or other faith-based meetings. The use is not subject to a site plan review as it is a new occupancy of an existing structure in the C-3 Commercial ("Central") Business District pursuant to Section 12-286.M of the Perry Municipal Code 2022.

Residential uses are permitted in commercial districts. Churches are permitted in Residential Districts subject to a use by review procedure and therefore a use by review process is appropriate. Issues such an adequate parking and related matters should be discussed. No formal protests have been filed. Proper and timely notice was published and mailed to owners of real property within 300' of the exterior property of the subject tract.

A resident and building owner spoke to the issue complaining that the location of the church could limit future businesses desiring to sell alcohol.

Title 37A, Section 2-139 of the Oklahoma Statutes as amendment, provides that certain businesses such as bars and taverns which have as their main purpose the sale of alcoholic beverages for consumption on premises, and package stores, may not be located within three hundred (300) feet of any public or private school or church property primarily and regularly used for worship services and religious activities. The distance indicated in this section shall be measured from the nearest property line of such public or private school or church to the nearest perimeter wall of the premises of any alcoholic business. Exceptions exist for businesses that have been in continual operation from certain dates. This prohibition applies to future uses and does not prevent new businesses whose primary business is selling food with incidental alcohol sales. The Church intends to remain in this location as a church for perhaps two years and until they can build their own free-standing church.

This discussion sparked other review of the City's ordinances related to churches. Under federal law, a municipal ordinance that *singles out churches for special land-use treatment (e.g., requiring a use-by-review where similar secular assembly uses would not be subject to that review)* can be held to violate the Religious Land Use and Institutionalized Persons Act (RLUIPA), and possibly the First Amendment's Free Exercise Clause as interpreted through federal case law.

Under RLUIPA, a land use regulation *may not* be applied in a way that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution that is similarly situated with respect to the regulatory criteria.

Since the ordinance requires a church to obtain a "use by review" in a commercial zone *but* allows other uses with similar impacts (e.g., theaters, meeting halls, community centers, cultural or assembly uses) to locate as of right (without such discretionary review), that differential treatment could trigger RLUIPA's equal terms provision. Courts and the U.S. Department of Justice have repeatedly found that zoning classifications that treat churches less favorably than comparable secular assembly uses violate RLUIPA. Even apart from

RLUIPA, zoning actions that are not neutral and generally applicable and that burden religious exercise can be subject to strict scrutiny under the Free Exercise Clause. *Churches are not exempt from zoning law*, but they cannot be singled out or treated worse than comparable secular parties without a compelling justification.

The Planning Commission voted unanimously in favor of the use by review application contingent upon getting additional legal review of the relevant statute and an annual review of the use. An annual review is not authorized by the ordinance. The legal review is set out hereinabove. The City may wish to review this ordinance in another proceeding to remove the potential of its violating the RLUIPA.
Attachments: Application, notice and map.

Recommendation: Receive recommendation and additional public comment and move to the next agenda item.

B. CONSIDER APPROVAL OF ORDINANCE NO. 2026-01 APPROVING A USE BY REVIEW FOR LOT FIVE (5) , IN BLOCK TWENTY-FIVE (25), IN THE ORIGINAL TOWNSITE OF PERRY, SITUATED IN THE CITY OF PERRY, COUNTY OF NOBLE, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND LOCATED AT 319 NORTH 7TH STREET, PERRY, OKLAHOMA, 73077 (HEREINAFTER THE "PROPERTY"); REPEALER; SAVINGS; SEVERABILITY; AND DECLARING AN EMERGENCY.

Background: If the City Council desires to follow the unanimous recommendation after the legal considerations, but without the annual review, they should approve this ordinance.

Attachment: Ordinance No. 2026-01

Recommendation: Approval

C. Consider Approval of the Emergency Clause for Ordinance No. 2026-01.

Note: At least seven (7) affirmative votes are required to pass the emergency clause.

10. Consider Drainage Ordinance Matters.

A. CONSIDER APPROVAL OF ORDINANCE NO. 2026-02 REGARDING DRAINAGE.
B. CONSIDER APPROVAL OF THE EMERGENCY CLAUSE FOR ORDINANCE NO. 2026-02.

Note: At least seven (7) affirmative votes are required to pass the emergency clause.

11. Items pertaining to the Upper Black Bear Creek Rehabilitation Project, Dam No. 62:

A. Consider Approval of Agreement with the Oklahoma Conservation Commission and the Noble County Conservation District for the reimbursement of fees, costs and expenses required for the relocation of utilities for Rural Water, Sewer, Gas and Solid Waste Management District No. 3, Logan County, Oklahoma, an Oklahoma Rural Water District.

B. Consider Approval of a Utility Relocation Agreement for the relocation of a 2" water lines with Rural Water, Sewer, Gas and Solid Waste Management District No. 3, Logan County, Oklahoma, an Oklahoma Rural Water District, conditional upon the approval of the reimbursement agreement which is the subject of agenda item 10.A Authorize the City Manager to make any necessary amendments and make approval contingent upon approval by Logan.

C. Authorize the City Manager to negotiate and execute a reimbursement agreement with Heritage Petroleum providing for the reimbursement of the approved project costs to relocate the natural gas line pursuant to the proposal of Calvin Mays Oilfield Services, Inc., contingent upon reimbursement by Oklahoma Conservation Commission and the Noble County Conservation District, with such authorization contingent upon approval by Heritage Production.

D. Authorize the City Manager to negotiate and execute an agreement with Charter Oak Production to plug a well impacted by the Upper Black Bear Creek Rehabilitation Project, Dam No. 62, Charter Oak Production, contingent upon reimbursement by Oklahoma Conservation Commission and the Noble County Conservation District with such authorization contingent upon approval by Charter Oak.

Background: These projects have been previously discussed and are required to move forward with the dam project. The Oklahoma Conservation Commission and the Noble County Conservation District have tentatively agreed to pay the expenses of these utility relocations and well plugging. A draft reimbursement agreement with the Oklahoma Conservation Commission and the Noble County Conservation District has been received on the Logan Agreement and approval is anticipated by these entities next week. An acceptable estimate has been received from Calvin Mays Oilfield Services, Inc., with the work to be performed by way of a contract between Calvin Mays Oilfield Services, Inc. and Heritage Production, and with the City's Agreement to reimburse these costs, conditional upon the Oklahoma Conservation Commission and the Noble County Conservation District's agreement to reimburse the City. Finally, the City is awaiting an estimate to plug the impacted well, which plugging has been agreed to by Charter Oak. By way of this action, the city administration is asking that the City Manager be authorized to finalize all these agreements with the entities, subject to reimbursement by the Oklahoma Conservation Commission and the Noble County Conservation District .

Attachments: The proposed OCC/NCCD Agreement and Logan Agreement

Recommendation: Authorize the City Manager to finalize and execute all agreements, subject to the reimbursement agreements from Oklahoma Conservation Commission and the Noble County Conservation District and conditional on each entities' approval.

12. Authorize Nate Read, City Manager to execute and approve consulting services agreement with Will Sheets for the Water Main Kill-outs and Water Service Reconnection Project.

Background: For each construction project, a separate contract is entered into with Will Sheets to provide inspection services. It is anticipated because of the size of this project the payments to the consultant could be more than the authority provided to the City Manager

pursuant to the Purchasing Manual and therefor ethe City Council must authorize the agreement. It is anticipated that this project will be 150 days in length. The work to be performed with include the provision of construction inspection services for water main kill-outs and water service reconnections. Services include verification of shutdown and isolation procedures, observation of cutting, capping, and plugging of existing mains, confirmation of proper materials and fittings, inspection of service reconnections, and verification of tracer wire, bedding, backfill, and surface restoration in accordance with the plans and specifications. Inspection services also include coordination with the City and Contractor during tie-in operations, documentation of field activities, and confirmation that work is completed in compliance with applicable standards and regulatory requirements. The compensation will be paid from the FAP financing recently incurred.
Attachment: Agreement

Recommendation: Authorize Nate Read to approve and execute the Agreement

13. **Consider Convening into Executive Session to Confer on Matters Pertaining to the Economic Development of the City of Perry to Discuss and for the purpose of discussing the purchase of lots in the Hughes Sorrell Addition to be used as residential building sites (pursuant To 25 O.S.307.B.3 of the Oklahoma Statutes as amended)**

14. **Reconvene into regular session.**

15. **Approve Real Estate Purchase and Development Agreement with Heritage Homes.**

16. **New Business** (matters not known about or which could not reasonably be foreseen prior to the time of posting. (25 O.S. 311A.10).

17. **Adjourn**

Posted at Perry City Hall & Council Chambers.

January 16, 2025, ________ A.M.

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Christy Conrad, City Clerk

Board of Trustees of the Perry Municipal Authority
Agenda – Regular Meeting
January 20, 2026 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

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1. Consent Agenda

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A. Receive and Approve the Minutes of the Regular PMA Meeting of January 5, 2026.

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. **New Business** (matters not known about or which could not reasonably be foreseen prior to the time of posting. (25 O.S. 311A.10).

6. **Adjourn**

Posted at Perry City Hall & Council Chambers. January 16, 2026 _______ A.M.

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Christy Conrad, Secretary

Board of Trustees of the Perry Facilities Authority

Agenda – Regular Meeting

January 20, 2026 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

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A. Receive and Approve the Minutes of the Regular PMA Meeting of January 5, 2026.

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.

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5. **New Business** (matters not known about or which could not reasonably be foreseen prior to the time of posting. (25 O.S. 311A.10).

6. **Adjourn**

Posted at Perry City Hall & Council Chambers. January 16, 2026 _______ A.M.

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Christy Conrad, Secretary