



## **City Council of the City of Perry**

### **City Agenda – Regular Meeting**

**September 2, 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 the Minutes of the Regular City Council Meeting of August 18, 2025.**
- B. Consider Approval of Cimarron Valley Engineering, LLC's, Invoice in the amount of \$ 36,152.75 for engineering and other services for August 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 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 Report and/or Updates**

**7. Chief Financial Officer Remarks and monthly invoice.**

**Attachment:** Invoice for August 2025 is attached and remarks will be made at the meeting.

**8. Presentation of City Attorney Report and monthly invoice.**

**Attachment:** Invoice for August 2025 is attached and City Attorney Report to be presented at the meeting.

**9. Consider Items Pertaining to Zoning, Planning and Land Use:**

- A. Receive Recommendation from the Historic Preservation Commission regarding the boundaries of the proposed HP Historic Preservation District; approve boundary description of the proposed HP Historic Preservation District to be used in the notice informing the public of the date, time, and place of the public hearing before the Perry Planning Commission.**

**Background:** A Town Hall meeting was held on May 12, 2025, at 5:30 p.m., to discuss the district boundaries of the proposed HP Historic Preservation District. Both published and written notices were provided prior to the meeting. The City received written protests concerning the size of the district and the inclusion of properties located along Fir Street and certain residential properties. Continued concerns about the district embracing parts of the City which lay outside the square arose at the meeting and certain speakers raised issues concerning the historical purpose for the inclusion of their properties.

It was determined at the meeting that the city administration, together with the Historical Preservation Commission would review the district boundaries, consider alternatives, and propose a revised district boundary and map.

The Historical Preservation Commission met twice and discussed alternatives. At their meeting held on August 11, 2025, the Historical Preservation Commission recommended the following district involving those properties within the following boundary lines and as shown on the attached map:

The specific overlay district proposed to be the HP Historical Preservation Zoning District is described as all property lying within the following boundary line:

Beginning at the Northeast corner of the Intersection of 8<sup>th</sup> Street and Birch Street, thence East along the northern boundary line of Birch Street to the east boundary line of the Burlington Northern Santa Fe Railroad right-of-way, thence Northeast along the east boundary line of the Burlington Northern Santa Fe Railroad right-of-way, to a point which is in alignment with the northern boundary line of the alleyway located between Delaware Street and Elm Street, thence West along the said northern boundary line of the alleyway located between Delaware Street and Elm Street, to a point on the West boundary line of the Northwest alley running between 5<sup>th</sup> Street and 6<sup>th</sup> Street, thence North to the northeast corner of Lot 20, Block 6, Original Townsite of Perry, thence West running along the northern boundary line of said lot to the Northwest Corner of said Lot, thence Southwesterly to a point on the Northeast corner of Lot 37, Block 7, Original Townsite of Perry, thence west along the Southern boundary line of the alley lying between Elm Street and Fir Street to a point on the east boundary line of 7<sup>th</sup> Street, thence South along the eastern boundary line of 7<sup>th</sup> Street to a point on the Southeast corner of the Intersection of 7<sup>th</sup> Street and Elm Street, thence West along the southern boundary line of Elm Street to a point on the Southeast corner of the Intersection of 8<sup>th</sup> Street and Elm Street, thence South to the point of beginning.

If the proposed district is approved, the city administration will proceed to provide both mailed and published notice of the date, time, and location of the public hearing before the Perry Planning Commission to consider these district boundaries.

**Attachment:** Map

**Recommendation:** Receive recommendation of the HP Historical Preservation Commission and consider approving district boundaries.

- B. RECEIVE RECOMMENDATION FROM THE PERRY PLANNING COMMISSION ON AN APPLICATION FOR SITE PLAN REVIEW FILED BY CRAIG HIGLEY/HIGLEY CONSTRUCTION ON BEHALF OF 2 GO EXPRESS CONCERNING THE REAL PROPERTY LOCATED AT 2812 WEST FIR STREET, PERRY, OKLAHOMA; TAKE ACTION ON SITE PLAN.**

**Background:** An application for site plan review has been filed by Craig Higley/Higley Construction on behalf of 2 GO EXPRESS (the "Applicant"). This application requests a site plan review for the real property located at 2812 West Fir Street, Perry, Oklahoma (the "subject Tract"). The property is the site of the former Stuckey's.

The subject tract is currently zoned C-3 Commercial Business District. The business currently is engaged in 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). The proposed project consists of demolishing and removing the existing structure and replacing it with a new convenience store. Parking for vehicles and semi-trucks will be expanded. The location will continue to provide EV stations. The convenience store will be one story with a maximum height of 30'1" and a total square feet footage of 10,453.

A site plan and depiction of the proposed new convenience store is provided. Also included are site plan review notes, which address how the development issues will be addressed, including: Access, drainage, landscaping, lighting, parking, and screening.

Proper and timely notice was posted on the property with the date, time, and location of this public hearing. A public hearing before the Perry Planning Commission was held on August 28, 2025. The Planning Commission recommended approval of the site plan as presented.

**Attachments:** Application, Notice, Site Plan Review Letter, site plan and proposed depiction of the new convenience store.

**Recommendation:** Receive affirmative recommendation from Perry Planning Commission; take action on site plan review application.

**C. CONDUCT A PUBLIC HEARING ON THE APPLICATION OF BRADLEY AND DANETTE MARSHALL (COLLECTIVELY THE "APPLICANT") FOR A SPECIFIC USE PERMIT TO PERMIT THE PLACEMENT OF AN ACCESSORY DWELLING UNIT (PREFABRICATED BUILDING TO BE USED AS AN OCCUPIED DWELLING), SEPARATE FROM THE PRIMARY STRUCTURE, ON THE REAL PROPERTY LOCATED AT 1710 NORTH 15<sup>TH</sup> STREET, PERRY, OKLAHOMA ("SUBJECT PROPERTY"); TAKE ACTION ON SPECIFIC USE PERMIT PROVIDING REASONABLE CONDITIONS OF APPROPRIATE.**

**Background:** The Applicant filed an application for a specific use permit to allow an Accessory Dwelling, consisting of a prefabricated building to be placed on the subject property pursuant to the newly adopted Specific Use Permit Ordinance codified as Chapter 12, Article 2, Division 6 of the Perry Municipal Code 2022.

The real property is currently zoned A-G Agricultural District. The Applicant desires to place a prefabricated building on the property to be used as an occupied dwelling in the location as shown on the attached map. The Specific Use Permit provisions permit the placement of an Accessory Dwelling Unit, separate from the primary structure, with the room dimensions of such Accessory Dwelling Unit subject to the requirements of the Oklahoma Uniform Building Code Commission, but only after notice, a public hearing before the Planning Commission and approval by the Perry City Council.

Notice was published in the newspaper at least fifteen (15) days prior to this public hearing and mailed notices sent to property owners located within three hundred feet (300') feet of the perimeter of the combined subject tract.

Reasonable conditions can be required under the terms of the specific use permit, but if imposed, such conditions shall:

- Be designed to take into consideration natural environment, the health, safety, and welfare of the residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole;
- Be related to the valid exercise of the police power, and to the proposed use or activity;
- Be necessary to meet the intent and purpose of the zoning requirements;
- Be related to the standards established in the ordinance for the land use or activity under consideration; and
- Be necessary to ensure compliance with those standards.

A public hearing before the Perry Planning Commission was held on August 28, 2025. The Planning Commission recommended approval of the site plan as presented without any reasonable conditions recommended.

**Attachments:** Application, Notice, Map, and other relevant information

**Recommendation:** After reviewing the attachments, permitting public input and receiving the affirmative recommendation of the Perry Planning Commission, the City Council should consider approval of the Specific Use Permit and providing any reasonable conditions as may be appropriate.

**10. Consider Approval of Independent Consulting Agreement with McGuire Consulting Services, LLC for the provision of Economic Development and Grant Writing Services.**

**Background:** With the successful completion of last year's grant writing role the City has applied for and received a grant to continue a grant writing role for Melanie McGuire. Additionally, due to conversations with Main Street and Chamber the role was recommended to be expanded to include providing economic development services. This new role also allows Melanie, under the City Manager's direction, to identify grants that not only save the City money on current budgetary needs but also identify and apply for grants that make sense within the broader future economic development of Perry.

**Attachment:** Agreement

**Recommendation:** Approval.

**11. Consider Approval of Contract Amendment No.1 with Lone Hickory Cattle Company on the 25<sup>th</sup> Street Water and Sewer Improvements Project adjusting quantities by \$111,755.00 for final price of \$818,445.00.**

**Background:** A check with the developer and review of his plans led to a determination that the water improvement quantities needed to be adjusted. An amendment to the contract providing for a \$111,755.00 deduction is warranted and recommended for approval.

**Attachments:** Amendment No. 1 and Adjusted Quantities

**Recommendation:** Approval

12. **New Business** (matters not known about or which could not reasonably be foreseen prior to the time of posting. (25 O.S. 311A.9).
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 Seth Wadley Autoplex including the creation of a proposal to entice a business to locate within the Perry Commercial Park 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 Statutes, 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 Statutes, as amended.**
14. **Reconvene into regular session.**
15. **Direct City Staff with regard to the items on executive session.**
16. **Adjourn**

Posted at Perry City Hall & Council Chambers.

August 29, 2025, 4:30 P.M.

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Christy Conrad, City Clerk



## **Board of Trustees of the Perry Municipal Authority**

### **Agenda – Regular Meeting**

**September 2, 2025 @ 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 August 18, 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.

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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 Approval of Lease Agreement with the owner of 2 Go Express Travel Center for an Extension of EV Electric Charging Station Service.**

**Background:** The PMA received a grant to install an electric charging station at 2 Go Express on Fir Street and has been selling electricity to customers for their electric vehicles since that time. The PMA leased that location for a five-year term which lease expires on August 31, 2025. This agreement extends the lease for an additional five-year term. 2 Go Express Travel Center is subject to the site plan review item on the City's agenda.

**Attachment:** Draft Lease Agreement; signed agreement to be furnished at the meeting

**Recommendation:** Approval

**6. Adjourn**

Posted at Perry City Hall & Council Chambers.

August 29, 2025 \_\_\_\_\_ P.M.

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Christy Conrad, Secretary



## **Board of Trustees of the Perry Facilities Authority**

### **Agenda – Regular Meeting**

**September 2, 2025 @ 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 August 18, 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 commentator 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 commentators 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 commentator 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.

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**5. Adjourn**

Posted at Perry City Hall & Council Chambers.

August 29, 2025 \_\_\_\_\_ P.M.

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Christy Conrad, Secretary