



Agenda
Regular Meeting Perry Carnegie Library Board
April 15, 2024
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
6:15 P.M.

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 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 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 Reports for January 16, 2024.**
- B. **Acknowledge Librarian's January through March 2024 Reports for the Perry Carnegie Library and Statistics Report for January through March 2024.**

- 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.**

Perry Carnegie Library Board Regular Meeting Agenda

April 15, 2024

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5. **Presentation of Oral Quarterly Report on Library Usage and Statistics on Perry Carnegie Library by Pam Rigg, Head Librarian.**
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 & Council Chambers & www.cityofperryok.com.

Christy Conrad, Secretary

April 11, 2024 _____ P.M.



Agenda
Regular Meeting
City Council of the City of Perry
April 15, 2024
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
Immediately Following the Perry Carnegie Library Board which begins at 6:15 P.M.

Meeting Called to Order
Roll Call
Declaration of Quorum

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All Agenda Items Are for Discussion and Whatever Further Action the 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. Receive and Approve the Minutes of the Regular City Council Meeting of April 1, 2024.**
- B. Acknowledge Receipt of the Minutes from the PFA Holdings, Inc., Regular Meeting of April 1, 2024.**

2. Items Removed from Consent Agenda for Discussion.

3. Consider and Act on Items Removed from the Consent Agenda.

4. **Citizens Desiring to be Heard:** The public is welcome to address the governing body to provide information on community events or accomplishments or speak on any matter placed on the **AGENDA or NON-AGENDA** according to the following guidelines: Any citizen wishing to address the governing body must sign up prior to the beginning of the meeting (sign-up sheet is located on the table to the left of the office entrance) entitled **CITIZEN COMMENTS** and designate which **event** or **agenda item** they wish to discuss.
- Time is limited to **THREE (3) minutes**.
 - All comments should be addressed to the governing body, not to the attendees or the public at large.
 - The governing body may listen but cannot engage in any discussion or act under this item.

On all other agenda items, any member of the public wishing to be heard shall raise their hand, and if recognized by the Chairman or Presiding Officer, shall limit their address to three (3) minutes. The Mayor or Presiding Officer may provide additional time.

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.**
- a. Proclamations
 - b. Commendations
 - c. Council Reports
 - Ward 1,2,3, and 4 Councilpersons have an opportunity to report any new developments or work performed since the last meeting.
 - d. Committee Reports
 - Committee members can make Committees Reports to update the City Council regarding developments in their delegated responsibilities.
 - e. Presentation by Maddy Flores regarding the Cherokee Strip Museum
 - f. Presentation by Jared Cunningham with Seth Wadley on status of Ford Facility Construction and Charles Hall Boulevard

6. **Chief Financial Officer Report.**

Attachment: Financial Report enclosed.

7. **Consider appointment of Qualified Person to Ward 2, Post 1 City Council seat vacated by the resignation of Curtis White on March 4, 2024.**

Background: Curtis White submitted his resignation on March 4, 2024. The City Council has 60 days from March 4, 2024, to appoint a successor to his vacated seat or in the event of a failure to timely appoint, call a special election to fill such seat.

If the position is not filled by May 3, 2024, at the next regular meeting of May 6, 2024, a special election resolution must be passed submitting the candidacy to a filing period and subsequent vote of the public.

Attachment: Resignation

Recommendation: Make appointment and elect qualified person to Ward 2, Post 1 City Council seat vacated by the resignation of Curtis White.

8. Presentation of Status of Projects and other Public Matters by the City Manager; Direct Action as may be appropriate.

Background: A new monthly item will be listed on the city agenda wherein the City Manager can update the City Council on projects and other public matters.

Emergency Water System Repairs:

- Project involves repairs of winter storm damages.
- Requesting reimbursement through Rural Development Emergency Grant
- Rural Development Emergency Grant Application emailed to city yesterday.
- On April 19, 2024, Julie Savig from Rural Development will be at Perry.

32nd St. Sewer Main Extension:

- City received grant from ODOC which should cover engineering and construction costs.
- Project to extend sanitary sewer system to South Commercial/Industrial Park on south side of US 77 (west side of I-35)
- Locates have been called in.
- Survey completed.
- Plans and specification will be submitted to ODEQ for permit in April.
- Upon issuance of permit, procurement procedures will be commenced.
- Checking procedure on method of reimbursement of cost

CWSRF Sewer System Improvements

- Application submitted for funding engineering grant.
- Scoring to be completed by OWRB mid-April -if updated will make report.
- No action until funding is secured.
- This project involves approximately 4 miles of sewer main construction.

DWSRF Water Projects

- Two (2) active public construction contracts
 - Wynn to finish generators (included several miles of main, which is complete)
 - Lone Hickory Cattle Co. 10-inch water main crossings of railroad track/Line I
- Wynn is currently installing generators.
- Lone Hickory will commence week of April 29
- These projects are fully funded.
- Steven Hoffman with ODEQ indicates that additional principal forgiveness funds will be available in September or October for eligible entities with projects shovel ready (consider projects to decommission old mains)

Water Treatment Plant Residuals

- Solids stored in lagoons at water treatment plant must be removed and disposed of
- Myers has an active contract.
- Enforcement has issued a Notice of Violation to city.
- Funding source must be determined; estimated cost is \$300,000.00; number may be low as it was over \$200,000 5-years ago (awaiting quote from contractor)
- Cimarron Valley Engineering will perform a cost-benefit assessment to determine if a more cost-effective means of handling residuals from WTP can be implemented.

Kaw Lake Project

City of Stillwater is planning to transfer raw water from Kaw Lake to McMurtry Lake

- Assist with repairs to transmission pipeline.
- Peak day
- Stillwater's consultant recently provided report, that indicates minimal impacts to water quality.
- McMurtry water quality is considerably better quality than Kaw.
- Kaw is water impounded from the Arkansas River
- Connection to Kaw will provide additional drought resiliency.
- City utilized 875.16-acre feet of the 1,681-acre feet allocation (52%)

Water Treatment Plant Roof

- Roof purlins have corroded away.
- Myers has active contract.
- Roof purlins need to be replaced- remove roof panels, install new purlins, add ridge vent, and replace panels.
- \$250,000.00 has been budgeted for this project.
- Myers was onsite on April 10 with structural engineer sub-consultant.

Perry Lake

- NRCS is managing technical aspects.
- Currently awaiting 404 permit to be approved- submitted in March 2024
- Public comment period is underway and will end on April 28, 2024
- Property acquisition complete, with Vann eminent domain case set in September.
- Spillway rehabilitation
- Raising normal pool/Raising dam height

E-911 Agreement with the County

- Received a response to the latest draft E-911 Agreement from ADA Chris Landes which is being reviewed and may be available for consideration at the next meeting.

Sidewalk Projects

- Phase 3 Sidewalk Project must be submitted for NEPS review (perhaps 6-month process) before submitted for ODOT procurement.
- Locust Street Sidewalk Project – awaiting meeting with ODOT.
 - Possibility of extending the school zone in the area.
- Above projects fully funded with federal grants and local matches.

- **OPPORTUNITY:** The Transportation Alternatives Grant Cycle is open with a deadline for preliminary submittal of application of April 30, 2024.
- The match for communities less than 5000 is 90/10 and the federal funding limit is \$700,000.00. ODOT pays 100% for the design. Trails are eligible projects.

Decommissioning of old mains

- 28,000 L.F. of old mains parallel to new mains have been identified and in need of repair.
- Majority of leaks in system that disrupt service are attributable to old mains.
- Cost estimate was presented to council of \$2,000,000.
- Project can be done incrementally.

Water Treatment Plant

- Existing filters are approaching 20-25 years in age and will need rehabilitated.
- Existing filters are not in conformance with DEQ rules.
- Existing filter gallery is dangerous to access.
- No redundancy in backwash pump
- Difficulty in removing pumps for service.
- Recommendations:
 - Rehab filters and piping.
 - Reconstruct high service pump station and backwash air-scouring system!
 - Conduct engineering study and report!
 - Develop options for improvements!
 - Project cost estimates
 - Address construction sequencing and operational aspects.
 - Funding considerations
 - DEQ approval
 - Design and permitting.
 - Secure funding
 - Project solicitation
 - Construction
- Estimated Budget \$6,000,000

Other Water Improvements Discussed Projects.

- **Economic Development Projects** may be considered in executive session.
- **SMCA Operations and Construction Update Report** will be presented at next regular meeting.

Recommendation: After presentation and discussion, direct action as may be appropriate

9. **Consider Approval of the purchase of certain switch gear and other equipment and supplies from S & C Electric Company in the total amount of \$188,923.32 for use in the electric distribution system for the Ditchwitch Electric Corridor Project; Receipt of certification by the City Manager that such purchase is sole source and/or in the public interest pursuant to Section 7-114; Purchase is contingent upon agreement for reimbursement; Appropriation for the purchase is from the Electric Capital Account.**

Background: The purchase of certain switch gear and other equipment and supplies as set out in the attachments are required to be purchased as a part of the electric system upgrade necessary to serve the ditch Witch Electric Corridor Project. The cost of the equipment is \$188,923.32. Brian Wheatley, Electric Superintendent, states this switch gear and other equipment is available only from this supplier and needs to be acquired as it is consistent with gear and equipment currently used by the company. There is no state requirement requiring competitive bidding for this purchase. City policy permits procurement without competitive bidding when “some material feature or characteristic of the item or service sought to be purchased is unique, (ii) the item or service is available from only one source or (iii) for any reason should same be deemed necessary in the public interest, and the City Manager or designee certifies in writing such specific facts or reasons for the waiver.” A purchase order or contract for purchase will be issued upon acknowledgement that the costs will be reimbursed to the City. The wait time for receipt of the gear and equipment is seventy (70) weeks and therefore the order should be made as soon as possible. The funds necessary for the purchase will come from the Electric Capital Account.

A full and complete statement of the reasons for approving such waiver of competitive bidding shall be entered in the minutes of the City Council.

Attachments: Invoices and other documents

Recommendation: Receive certification from City Manager; Authorize purchase contingent upon reimbursement with monies to be appropriated from the Electric Capital Account.

10. **Discuss the Role and Duties of the City Manager.**

Background: In accordance with the City Charter, the City Manager is the chief executive officer of the municipal government responsible only to the Council. He is directly responsible to the Council for the proper administration of the City Government, the City Manager shall have the following powers and duties:

- To ensure that all laws and ordinances governing the City are enforced;
- To appoint and remove all directors or heads of departments and all subordinate officers and employees in such departments.
- To manage and supervise all departments of the City Government, and to exercise all other executive functions, except as this Charter may otherwise provide;
- To supervise and manage and have general charge over the construction, operation, maintenance and repair of City-owned public works, utilities, streets, sidewalks, bridges, grounds, and buildings within or without the corporate limits of the City, except as otherwise herein provided;
- To make timely and informative reports to the Council, including a monthly report, and attend all meetings of the Council unless excused therefrom, taking part in discussions, but without voting privileges;
- To recommend to the Council the adoption of such measures as he may deem necessary or expedient;

- To keep the Council fully advised as to the financial conditions and future needs of the City, making appropriate recommendations;
- To ensure that all franchise rights and provisions are justly enforced;
- To prepare and submit to the Council an annual budget as required by this Charter;
- To prepare, or cause to be prepared, an agenda of business for each Council meeting, including his recommendations;
- To respond to written and oral requests of Councilmembers pertaining to the City's business;
- To perform such other duties as may be prescribed by law or ordinance; and
- To be responsible for ensuring compliance with the Purchasing Ordinance.

A general discussion of the role and duties of the City Manager is slated for discussion.

11. **Approve the following Invoice from Myers Engineering, Consulting Engineers, Inc.: Engineering Services for Roof Replacement over Treatment Trains (Purlins and Panels) in the amount of \$8,500.00.**

Background: Pay Myers Engineering, Consulting Engineers, Inc, in the total amount of \$8,500.00 for engineering services on the referenced project.

Attachments: Invoice and affidavit

Recommendation: Approve

12. **Approve the following Invoices by Cimarron Valley Engineering, LLC, for Engineering and other Services in the total amount of \$20,363.75.**

Background: Pay Cimarron Valley Engineering, LLC, in the total amount of \$20,363.75. for engineering services on the referenced projects. Services include \$17,195.00 for work on 32nd Street Sewer Project and \$3,168.75 for on-call services.

Attachments: Invoices and affidavits

Recommendation: Approve

13. **Consider Approval of Change Order No. 1 with Lone Hickory Cattle, LLC extending the contract time to June 1, 2024.**

Background: Approval of this change order is necessary as additional time was required to obtain the BNSF rail crossing agreements. The time for completion will now be on or before June 1, 2024.

Attachment: Change Order

Recommendation: Approval

14. **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 the Oklahoma Statutes as amended).**

- 15. Consider Convening into Executive Session for the purpose of conferring on a matters pertaining to the economic development of the City of Perry: including 1) the transfer of property, financing, or the creation of a proposal to entice a business to locate within their jurisdiction, if public disclosure of the matter discussed would interfere with the development of proposal (tourism related arena to be located near the Interstate 35 corridor), and which would promote economic and tourism development of the City (pursuant To Title 25 Section 307.C.11 of the Oklahoma Statutes, as amended), and 2) the transfer of creation of a proposal to entice a business to develop certain real property in the City, if public disclosure of the matter discussed would interfere with the development of proposal (real estate development in the Cottage Addition), and which would promote economic development of the City (pursuant To Title 25 Section 307.C.11 of the Oklahoma Statutes, as amended).**
- 16. Reconvene into Regular Session.**
- 17. Take any action with respect to the executive session including the approval of an Economic Development Agreement with Richard Crow or a Crow LLC or Crow Company to provide for the construction, operation and maintenance of a tourism-related arena to be located in the Perry Industrial Park and the approval of an Economic Development Agreement with CGA Construction, LLC, to provide for residential development in the Cottage Addition.**
- 18. Adjourn.**

Posted at Perry City Hall & Council Chambers.

April 12, 2024 _____ P.M.

Christy Conrad, City Clerk



**Agenda
Regular Meeting
Perry Municipal Authority Meeting
April 15, 2024**

**Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077**

Immediately following the Perry City Council meeting which begins @ 6:15 P.M.

**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 April 1, 2024.

2. Adjourn.

Posted at Perry City Hall & Council Chambers.

April 12, 2024 _____ P.M.

Christy Conrad, Secretary



**Agenda
Regular Meeting
Perry Facilities Authority
April 15, 2024**

**Perry Council Chambers, 729 Cedar Street, Perry, Oklahoma 73077
Immediately following the Perry Municipal Authority meeting which follows the Perry
City Council meeting which begins @ 6:15 P.M.**

**Meeting Called to Order
Roll Call
Declaration of Quorum**

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A. Receive and approve the minutes of the Regular PFA meeting of April 1, 2024.

2. Adjourn.

Posted at Perry City Hall & Council Chambers.

April 12, 2024 _____ P.M.

Christy Conrad, Secretary