



City Council of the City of Perry

Agenda – Regular Meeting

November 18, 2024 @ 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 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 November 4, 2024.**
- B. Receive and Approve Minutes of the Town Hall Special Meeting held on November 11, 2024.**
- C. Authorize Release of Golf Cart Path Easements for Fairway Addition properties.**
- D. Authorize City Manager to Co-Apply with Main Street of Perry for the 2024-2025 Oklahoma Certified Main Street Incentive Program.**
- E. Acknowledge Librarian's October 2024 Report for the Perry Carnegie Library and Statistics Report for October 2024.**

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 should 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 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 October 2024 Financial Report.**

Attachment: October 2024 Financial Report enclosed.

8. **Consider Approval of Resolution No, 2024-13 of the City Council for the City of Perry, Oklahoma, Authorizing and Establishing the City of Perry Christmas Lighting/Electric Rebate Program; Providing for the Public Purpose; Providing for the Amount and Limitation on the Rebate as Provided in Exhibit “A”.**

Background: This agenda item continues the Christmas Lighting/Electric Rebate Program in the City of Perry for the Christmas season. Any person who has a residential or commercial electric utility account with the City of Perry may file an application to participate in the Program for outdoor displays. Applications must be filed by December 13, 2024. The Program is limited to the first 150 residential and fifty commercial customers who apply and are approved. Any approved applicant shall have their Christmas lighting display in place no later than December 13, 2024, and shall display their lights through January 1, 2025. Any person whose application is approved and displays their Christmas lighting, as provided herein above, shall be entitled to a credit on their electric bill, or on the electric bill of their designated recipient, issued by the City on or after February 1st in the amount of \$25.00.

Attachment: Resolution No. 2024-13

Recommendation: Approval

9. **Consider Approval of Ordinance No. 2024-26 Amending the Employee Retirement System, Defined Benefit Plan, for the City of Perry, Oklahoma, with approval of the Joinder Agreement and the Master Defined Benefit Plan.**

Background: Employees other than police and fire, participate in the Oklahoma Municipal Retirement Fund, Defined Benefit Plan for their retirement. Due to certain required changes in Internal Revenue Service requirements and regulation, Ordinance No. 2024-26 should be approved to adopt the new amendments to the Joinder Agreement and the Master Defined Benefit Plan.

Attachments: Ordinance No. 2024-26, Joinder Agreement & Master Defined Benefit Plan.

Recommendation: Approval

10. **Consider approval of Emergency Clause for Ordinance No. 2024-26.**

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

11. **Presentation by Mayor Lawrence Wortham of the Perry Strategic Plan.**

Background: The City Council has worked for many months, with the assistance of Catherine O’Conner of CoAlign Group, on formulating Perry’s Strategic Plan. Tonight, the Mayor will present its essential components to the public and discuss plans for its implementation.

Attachment: Perry Strategic Plan

Recommendation: Receive presentation.

12. **Consider Approval of Consulting Engagement Agreement with CoAlign Group, LLC/Catherine O’Conner.**

Background: Ms. O’Conner has been assisting the City in the creation of its Strategic Plan and this Agreement provides for her assistance in putting any finish touches on the Plan and ongoing consultation related to monitoring goals and implementation. The Agreement also provides for the creation of marketing materials and communication of the plan to others. The cost is an initial \$8000.00, plus \$5000.00 per month. The Agreement may be terminated upon thirty days’ notice. **THE COST WILL BE REIMBURSED BY A MALZAHN GRANT. (IS THIS TRUE IF SO INCLUDE – IF NOT, DETERMINE SOURCE OF FUNDS).**

Attachment: Consulting Engagement Agreement

Recommendation: Discuss and if deemed appropriate, approve.

13. **Consider Approval of Resolution No. 2024-13 to the Oklahoma Tax Commission Expressing the Intent of the City of Perry, Oklahoma (Hereinafter The “City”), to Allow the Oklahoma Tax Commission to Serve as the Collection Agent for the Collection of Municipally Imposed Lodging Tax (“Hotel Tax”); Attaching a Proposed Amended Hotel Tax Ordinance to Such Resolution Suitable For Oklahoma Tax Commission’s Tax Collection Purposes.**

Background: Hotel tax is currently collected by city employees with the use of the Chief Financial Officer when remittances are not forthcoming. Title 68, Section 2702.1 of the Oklahoma Statutes, as amended, permits the Oklahoma Tax Commission to serve as the collection agent. They collect the hotel tax at the same time as they collect the city, county, and state sales taxes. Like the sales tax agreement the City currently has with the Oklahoma Tax Commission an additional agreement would need to be approved with a 0.5% fee assessed for such collection efforts. When the registered voters of the City of Perry first approved the Hotel Tax Ordinance, they authorized the City Council by ordinance duly enacted to make such administrative and technical changes or additions in the method and manner of administration and enforcing the Hotel Tax Ordinance, as provided by Section 7-622. The required amendments to permit the Oklahoma Tax Commission to collect Perry's hotel tax are shown on the ordinance, attached to Resolution No. 2024-13, and will need to be approved when the Oklahoma Tax Commission agrees to be the collection agent. The submission of this resolution is required as a first step to provide for this different collection procedure.

Attachments: Resolution No. 2024-13 and draft ordinance with amendments to the hotel ordinance

Recommendation: Discuss and if deemed appropriate, approve.

14. **Consider Approval of Ordinance No. 2024-27 of the City Council of the City of Perry, Oklahoma, Amending Chapter 1, Article 1, Division 1 of the Perry Municipal Code 2022, by the Addition of a New Section 7-108B Entitled "Stabilization Reserve Fund Adopted" and by the Addition of a New Section 7-108C Entitled "Capital Reserve Fund"; Providing for Repealer; Savings; Codification; Severability; and Declaring an Emergency.**

Background: When Bill Tackett and David Weatherford spoke to the City, they discussed the adoption of establishing a reserve fund. Whether a municipality had provided for a reserve fund was discussed as a part of determining whether the community is financially stable. A sample ordinance providing for a stabilization reserve fund and a capital reserve fund is provided. No percentages are provided in the ordinance and the purpose of this item is to discuss whether such an ordinance should be adopted and at what level of funding.

Attachment: Ordinance No. 2024-27

Recommendation: Discuss and direct action

15. **Consider Approval of Payment of \$12,541.50 as the October 2024 Monthly Invoice from Cimarron Valley Engineering, LLC.**

Background: Specific invoices for work and services include: Residual Lagoons - \$450.00; Perry Lake - \$4,276.50; Lead and Copper Service Lines - \$450.00; Sooner Corner Development - \$112.50; Crow Development - \$337.50; WTP Roof Repair - \$2,627.50; 25th Street Water and Sewer - \$787.50; DWSRF Water Improvements - \$1,125.00; 32nd Street Sewer Project - \$2,375.00

Attachments: Invoices

Recommendation: Approval

16. **Discuss and if deemed appropriate, give direction concerning the necessary repairs necessary to be made to the Mechanic's Shop (former Wise Chevrolet) or the provision of a building to be used by the Street Department.**

Background: The building used as the Street Department Office can no longer be used and the City should provide a building for the Street Department. A modular building could be placed on City property near the current Street Department Building or the Mechanic's Shop could be used if a new roof was installed and certain interior fixes could be made in the office space. The City has recently received insurance proceeds for roofs damaged in recent hailstorms which are available. As the claim check was based on the depreciated value of the roofs, the cost to fix all the roofs damaged would require substantial appropriation from the reserve. The initial thought is that a portion of these funds could be used for the Mechanic's Shop repair, with the roof and interior cost estimated at least to be \$80,000.00. In the alternative, this money could also be used to purchase a modular building to place near the existing Street Department location on city property. All issues relating to this subject are open for discussion and direction on how to proceed is requested of the City Council by the administration.

Recommendation: Discuss and give direction, if deemed appropriate

17. **New Business** (matters not known about or which could not reasonably be foreseen prior to the time of posting. (25 O.S. 311A.9).
18. **Adjourn**

Posted at Perry City Hall & Council Chambers.

November 15, 2024 ____ P.M.

Christy Conrad, City Clerk



Board of Trustees of the Perry Municipal Authority

Agenda – Regular Meeting

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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 PMA meeting of November 4, 2024.

- 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.

Perry Regular Municipal Authority Meeting Agenda

November 18, 2024

Page 2

- 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 the Oklahoma Statutes as amended).
- 6. Adjourn**

Posted at Perry City Hall & Council Chambers.

November 15, 2024 _____ P.M.

Christy Conrad, Secretary



Board of Trustees of the Perry Facilities Authority

Agenda – Regular Meeting

November 18, 2024 @ 6:15 P.M.

Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

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A. Receive and approve the minutes of the PFA meeting of November 4, 2024.

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.

Perry Facilities Authority Meeting Agenda
November 18, 2024
Page 2

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 the Oklahoma Statutes as amended).
6. **Adjourn**

Posted at Perry City Hall & Council Chambers.

November 15, 2024 _____ P.M.

Christy Conrad, Secretary