Agenda
Special Meeting
City Council of the City of Perry
May 13, 2024
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
6:15 P.M.

Meeting Called to Order
Roll Call
Declaration of Quorum
Invocation

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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 Special Agenda. It Will Then Be Considered at That Time.

A. **Receive and approve the minutes of the Regular City Council meeting of April 15, 2024.**
B. **Receive and approve the minutes of the Special City Council meeting of April 22, 2024.**
C. **Approve Updated Agreement for Substance Abuse Workplace Testing with LGTC**

D. **Consider Declaring Surplus Large Mixer, Food processor (Robo Coupe), small wares – utensils, lids, cutting boards, sheet pans and rack, and direct sale to Stillwater Medical Care Authority for $750.00, if approved by the PMA and PFA Holdings, Inc.**
E. **Consider declaring certain Perry Carnegie Library books as surplus and no longer necessary for a municipal purpose.**

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.**
(Note: Only items listed on the agenda can be discussed. 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 shall address their remarks to a specific agenda item. A maximum three (3) minute address by such person may be made. 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
        - Presentation of SMCA CEO Operations and Hospital Renovation Status Report.
        - Committee members can make Committees Reports to update the City Council regarding developments in their delegated responsibilities.

6. **City Manager Report & Updates**

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

    Attachment: Invoice attached

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

    Attachment: Invoice attached and City Attorney Report to be presented at the meeting.

9. **Consider Approval of the FY 2024-2025 Municipal Solid Waste Collection and Disposal Contract with Davis Sanitation, Inc., including two (2) one (1) year options, for a net rate increase of 2% over the contract price for FY2023-2024; Receipt of certification by the City Manager that such purchase in the public interest pursuant to Section 7-114.**

Background: The City currently has no additional written options to renew the Municipal Solid Waste Collection and Disposal Contract with Davis Sanitation, Inc. Jim Davis has been discussing an extension of the existing contract with the City, in consideration of a 2% increase, which is similar to options exercised in the past by the City. Mr. Davis has also offered the City two (2) additional one (1) year options to renew the contract with a 2% increase for each option year. Given the existing CPI and other increases which the City faces, it makes sense to consider this offer. The convenience center operated by Davis will continue as well as all other provisions; providing however, the provisions regarding There is no state requirement requiring competitive bidding for this service by the City or its authority. City policy permits procurement without competitive bidding when "some material feature or characteristic of the item or service sought to be purchased is unique**, ….** 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." The City Manager and Chief Financial Officer believe that reasons for not bidding are as follows:

- When bids have been solicited in the past, no bidder was interested in operating the convenience center or picking up unbundled brush and limbs; this contract provides for that service as a part of the basis price.
- The proposed increase is less than the increase in CPI.
- Davis will continue with twice a week service which likely would be discontinued with a change in service providers.
- There is no time to switch providers; at least three months is required and a five-year term is likely to be requested because of the
- While a discussion about a different manner of collection could be held such as automation and once a week service, there are so many other issues to deal with at this time in the city's work, it is recommended that those discussions are deferred to alter time.

Two (2) additional one (1) year options are provided with 2% increases for each year.
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.

Attachment: Contract

Recommendation: Receive certification from City Manager; Authorize the Mayor to execute the contract with monies necessary to fulfill the contract appropriated from the City's reserve account and to be automatically changed to the appropriation made for solid waste collection and disposal services as a part of the FY2024-2025 budget.

10. Consider Approval of Agreement with Jana A. Walker, CPA, to Prepare the FY2023-2024 Audit for the City and Its Subordinate Components.

Background: This item proposes renewing our agreement with Ms. Walker to prepare the City and its subordinate component audit for FY 2023-2024. There is no maximum compensation set out but a total price in the range of the previous audit is expected.

Attachment: Agreement

Recommendation: Approve agreement

11. Consider Approval of the Manual of Standard Operating Procedure for the City of Perry Animal Control and Shelter.

Background: The City has never had a written set of protocols for its animal control department and animal shelter. These policies have been provided from a national source and have been reviewed and revised for use in the City.

Attachment: Operating Procedure

Recommendation: Review and take action as deemed appropriate.

12. Consider Voting for Two (2) Trustees for a three (3) year term starting July 1, 2024, on the Board of Trustees for the Oklahoma Municipal Assurance Group and authorize the Mayor to sign and file the ballot.

Background: Eight candidates for two positions on the OMAG Board are present for selection.

Attachment: Ballot and other information

Recommendation: Select Two (2) Trustees for a three (3) year term starting July 1, 2024, on the Board of Trustees for the Oklahoma Municipal Assurance Group and authorize the Mayor to sign and file the ballot.

13. Consider authorizing the Mayor to execute a non-exclusive access easement over and across the 3S Way and the Perry Industrial Park Access Way in the sale of Parcel #8 from South River Investment Company to 4theSellofit, L.L.C., an Oklahoma limited liability company/Daniel Lee Shade.

Background: The current owner has an access easement on the industrial road for ingress and egress to the property. A condition of the sale is that the easement must be assigned to the new buyer.

Attachment: Easement and Parcel Map

Recommendation: Approval

14. Consider Approval of the Lot Split/Replat of Lots 6-7, Block 88, Townsite of North and West Perry to provide Lots 1 through 4.

Background: Trey Smith of Builders Investment Group, LLC ("BIG") has filed an Application requesting lot splits/replat of Lots 6 and 7, Block 88, North and West Perry Addition. The lot split/replat, if approved, will create four (4) lots from two (2) lots and re-orientate the frontage which will now be to the west facing North 13th Street.

An accurate survey of the lots split/replat has been prepared by a land surveyor and submitted and reviewed by the Community Development Director. As this involves a replat, approval by the Planning Commission, as evidenced by the signature of its Chairman, and approval by the City Council, as evidenced by the signature of the Mayor, is required. Due to the location of the utilities no dedication of additional easements or rights-of-ways will be required. The resulting lot size is appropriate in this R-G Residential General Zoning District.

The lot split/replat was approved by the Planning Commission.

Attachments: Application, Replat and other documentation

Recommendation: Approval

15. Consider Terminations for Convenience:

A. Consider Termination for Convenience of Professional Services Agreement between the City of Perry and Myers Engineering, Consulting Engineers, Inc., pursuant to Section 3.01A.2. on the Water Treatment Plant Roof Replacement over Treatment Trains (Purlins & Panels) Project.

B. Consider Termination for Convenience of Professional Services Agreement between the City of Perry and Myers Engineering, Consulting Engineers, Inc., pursuant to Section 3.01A.2. on the Water System Improvements DWSRF Project Line 1 Project.

Background: The city administration recommends terminating these agreement for convenience, which is permitted. Nate Read will address this recommendation.

Attachments: Contracts and letters of termination for convenience

Recommendation: Direct City Manager to send the letters terminating the contracts for convenience.

16. Consider Approval of Payment of $26.625.00 to Cimarron Valley Engineering, LLC, for engineering Contract and on-call services provided.

Background: The payments and purpose for the payments are described hereinbelow and in the attached invoices:

Contract Services		
CVE24-006	32nd St. Sewer Project	$ 20,400.00
Contract Services Total		**$ 20,400.00**
On-Call Services		
24001-04	Emergency Water System Repairs	$ 637.50
24007.01-04	DWSRF Line I	$ 787.50
CVE24-004	Cottage Homes Review	$ 862.50
24007.03-02	Residual Lagoons	$ 1,012.50
24007.05-02	Water Rights Reporting	$ 675.00
24007.06-02	Perry Lake	$ 618.75
24007.07-01	Seth Wadley Ford Review	$ 225.00
24007.08-01	ODOT TAP Project	$ 281.25
24007.09-01	Lead and Copper Service lines	$ 675.00
24007.11-01	Crow Development	$ 450.00
On-Call Engineering Services Total		**$ 6,225.00**
May Invoice Totals		**$ 26,625.00**

Attachments: Invoices

Recommendation: Approve the invoices

17. Consider Approval of Change Order No. 2 with LoneHickory Cattle, LLC on the Water System Improvement DWSRF Project No. 940-1021206-02 and appropriate sufficient monies for the change order and identify the funding source.

Background: A change order is required to provide one additional insertion valve for the project. Insertion valves was provided as a unit price under the bidding documents. An insertion valve is valuable to close a line for repairs and making additional connections. In addition, the change order provides for additional casing required by ODOT. A total cost and account from which to make the payment will be provided at the meeting.

Attachment: Change Order #2 will be provided when received

Recommendation: Approve change order and designate funding source.

18, Consider Convening into Executive Session for the purpose of conferring on a matter pertaining to the economic development of the City of Perry, namely, 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).

19. Reconvene into Special Session.

20. Take any action with respect to the executive session including the approval of an Economic Development Agreement with Richard Crow to provide for the construction, operation and maintenance of a tourism-related arena to be located in the Perry Industrial Park.

21. Adjourn

Posted at Perry City Hall & Council Chambers. May 9, 2024 _______ P.M.

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Christy Conrad, City Clerk

Agenda
Special Meeting
Perry Municipal Authority Meeting
May 13, 2024
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
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 15, 2024.
B. Receive and approve the minutes of the Special PMA meeting of April 22, 2024.

2. Items Removed from Consent Agenda for Discussion.

3. Consider and act on items removed from the Consent Agenda, if any.

4. Adjourn

Posted at Perry City Hall & Council Chambers. May 9, 2024 _______ P.M.

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Christy Conrad, Secretary

Agenda for the Special Meeting
Perry Facilities Authority
May 13, 2024
Perry Council Chambers
729 Cedar Street, Perry, Oklahoma 73077
6:15 P.M.

Meeting Called to Order
Roll Call
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A. **Receive and approve the minutes of the Regular PMA meeting of April 15, 2024.**
B. **Receive and approve the minutes of the Special PMA meeting of April 22, 2024.**
C. **Consider Declaring Surplus Large Mixer, Food processor (Robo Coupe), small wares – utensils, lids, cutting boards, sheet pans and rack, and direct sale to Stillwater Medical Care Authority for $750.00, if approved by the City and PFA Holdings, Inc.**

2. Items Removed from Consent Agenda for Discussion.

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4. Adjourn

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