City Council of the City of Perry
City Agenda – Regular Meeting
October 6, 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 September 15, 2025.**
   B. **Consider Approval Cimarron Valley Engineering, LLC's, Invoice in the amount of $25,383.00 for engineering and other services for September 2025.**
   C. **Declare certain library 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.

    b. Proclamation on Domestic Violence Awareness

6. **City Manager Report and/or Updates**

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

    Attachment: Invoice for September 2025 is attached with remarks made at the meeting.

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

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

9. **Presentation and Update by Ron Cardwell with MacArthur Associated Consultants on 7th Street Sidewalk Project and Locust Street Improvements.**

    Background: The City has been working with MacArthur Associated Consultants on the 7th Street and Locust Street Sidewalk Improvement Projects. The consultant, Ron Cardwell, has completed the 30% design phase for these projects. The purpose of this agenda item is to provide the City Council with a progress update and to gather feedback on the preliminary design. This discussion will help guide the next phases of the project and ensure the design aligns with the Council's vision, particularly given the importance of the downtown square and adjacent areas to this governing body.

    Attachments: Either attached to this agenda or presented at the meeting

Recommendation: Receive the presentation and provide feedback on the 30% design of the 7th Street and Locust Street Sidewalk Improvement Projects;

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

A. Receive Recommendation from Perry Planning Commission regarding the application for preliminary plat and final plat filed by Dustin Cleveland, representative of BHD Land Development, LLC (referred to as the "Applicant") for a distribution center to be constructed in the Perry Industrial Park, Parcel #7 and #10, south of John Wayne Boulevard; Take action on the preliminary and final plat.

Background: An application for preliminary plat and final plat has been filed by Dustin Cleveland, representative of BHD Land Development, LLC (referred to as the "Applicant") for the location of a distribution center to be in the Perry Industrial Park, Parcel #7 and #10, south of John Wayne Boulevard. The preliminary and final plat provides for the platting of Duke Drive, Gloria G. Brown Boulevard, and Lot 1 and Lot 2, both lots currently owned by the City of Perry, but Lot 1 subject to a Purchase Sale Agreement with BHD Land Development, LLC. The plats have been reviewed by Matthew Coe, City Engineer and Matt Biswell, the Building Official. Certain on-site improvements are shown on the attached site plan. Offsite improvements to be constructed or funded by the Applicant, include the construction of Duke Drive, pursuant to with Development Agreement with the City, and the construction of a portion of John Wayne Boulevard from 35th Street, West to Duke Drive, pursuant to a Development Agreement with Noble County. In addition, the Applicant will be responsible for bringing water and sewer to the property and the extension of those services to their building, and to reimburse the City for certain transformer and other costs necessary to provide connection to the City's electric Distribution system.

The distribution center will be 58,240 square feet in size and have four accesses to the Duke Drive. The subject tract is currently zoned I-1 Light Industrial District. The site plan has already been subject to public notice and hearing and has been approved by the Planning Commission and City Council.

Attachments: Preliminary and Final Plat

Recommendation: Receive recommendation from Perry Planning Commission; Approve Preliminary and Final Plat subject to approval of the First Amendment to the PSA Agreement presented in the next agenda item.

B. Consider Approval of First Amendment to the Purchase and Sale Contract with City Development Agreement with BHD Land Development, LLC.

Background: This First Amendment to the Purchase and Sale Contract for the real property in the Perry Industrial Park to BHD Land Development, LLC provides for Development Agreements mentioned in the previous agenda and the other offsite improvements to be constructed or funded by BHD Land Development, LLC, as provided in the previous agenda item and which previous agenda was conditioned.

Attachment: First Amendment to Purchase & Sale Contract w/ Development Agreement

Recommendation: Approve

11. Consider Railroad Grant Options and give Direction.

Background: Last year we applied for a RAISE Grant that was intended to pay for the design of an overpass on Fir to bypass the railroad tracks. We were not awarded that grant. This year the City Manager is working with railroad consultants to apply to a similar grant. The City Manager will review options, with pros and cons, and expect input from the governing body.

Recommendation: Receive presentation and give direct

12. Consider Approval of Application for Payment No. 1 with Lone Hickory Cattle Company on the 25th Street Water and Sewer Improvements Project in the amount of $151,738.75.

Background: The City Engineer has reviewed the schedule of values and work permed on the above project and recommends payment to the contractor in the amount of $151,738.75, leaving a $658,720.00 balance to finish including retainage.

Attachments: Application for Payment No. 1

Recommendation: Approval

13. Adjourn

Posted at Perry City Hall & Council Chambers.

October 3, 2025, 4:00 P.M.

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Christy Conrad, City Clerk

Board of Trustees of the Perry Municipal Authority

Agenda – Regular Meeting

October 6, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

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Roll Call
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   A. Receive and Approve the Minutes of the Regular PMA Meeting of September 15, 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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5. Consider Approval of Hangar Ground Lease Agreement with Terry Bryson.

NOTE: WHAT HANGAR SPACE – DOESN'T SAY

Attachment: Agreement

Recommendation: Approval

6. Consider Approval of Aircraft Hangar and other Structure Construction Standards at the Perry Municipal Airport.

Background: From time to time, hangars are constructed, or damaged or destroyed and reconstructed at the Perry Municipal Airport. Such construction and/or reconstruction should be in accordance with some rules and regulations which currently do not exist. Adoption of this policy would provide that standard. It provides that all construction must be authorized by the Airport Manager and must be a compatible standard capable of withstanding winds of 85 miles per hour, with doors open or closed. Furthermore, all structures must comply with the City building codes and airport zoning and land use ordinances. All structures must comply with FAA airspace requirements and must receive FAR Part 77 approval prior to construction. Any aircraft hangar or other structure which is destroyed or damaged in an amount greater $5000.00, shall be required to come into compliance with this standard. No structure may be erected beyond the building restriction line or in conflict with the approved airport layout plan. No structures that are built on property adjacent to airport property will be allowed to have access to the airport property or through the fence operation.

Attachment: Policy

Recommendation: Discuss and if deeded appropriate, approve.

7. Adjourn

Posted at Perry City Hall & Council Chambers. October 3, 2025 _______ P.M.

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Christy Conrad, Secretary

Board of Trustees of the Perry Facilities Authority
Agenda – Regular Meeting
October 6, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

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A. Receive and Approve the Minutes of the Regular PMA Meeting of September 15, 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.

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5. Adjourn

Posted at Perry City Hall & Council Chambers. October 3, 2025 _______ P.M.

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Christy Conrad, Secretary