



City Council of the City of Perry

City Agenda – Regular Meeting

June 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 May 19, 2025.**
- B. Consider Approval Cimarron Valley Engineering, LLC's, Invoice in the amount of \$40,421.25 for engineering and other services for May 2025.**
- C. Acknowledge Receipt of Planning Commission minutes from their regular meeting held on May 22, 20205.**

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 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 members 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 is attached, and remarks will be made at the meeting.

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

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

9. **Conduct Public Hearing on the proposed FY2025-2026 General Fund Budget and other Budgets of the Perry Governmental Component Entities, including the Perry Municipal Authority and the Perry Facilities Authority; Receive input from the public; discuss revenues, transfers, expenditures, and all related financial issues.**

Background: This public hearing is to receive public comment on the proposed FY2024-2025 General Fund Budget and other Budgets of the Perry Governmental Component Entities, including the Perry Municipal Authority and the Perry Facilities Authority. A notice of this budget and the date, time and location of this public hearing was published in the Perry Daily Journal at least five (5) days prior to this public hearing. All members of the public are encouraged to attend and participate. The budget is likely to be considered for adoption at the regular meeting to be held on June 16, 2025, at or after 6:15 p.m.

Highlights of the budget discussion include:

- 90% of FY'25 projected tax revenues are budgeted.
- CPI for March was 1.9%.
- Refuse rate increased by 2% due to increase in contractor's rate if ordinance approved.
- 2024 water and sewer rates increase are included.
- Provides \$1,300,000.00 for Capital Projects

- No percentage amount has yet been provided for a cost of living raise for employees.
- 6% Health Insurance increase is budgeted.

Attachment: Draft City and PMA Budgets

Recommendation: Conduct public hearing, receive input from the public; discuss revenues, transfers, expenditures, and all related financial issues.

10. **Consider Approval of Resolution No. 2025-07 of the City Council of the City of Perry, Oklahoma, Adopting and Approving Its FY2025-2026 General Fund and other Budgets and Appropriating the Revenues for the Stated Purposes as Contained in the Budgets Directing the Mayor, City Manager and City Clerk take any and all Additional Actions as may be Required for the Implementation of this Budget.**

Background: If the City Council approves the budget after its hearing, it may consider approval of this resolution. The total resources available to the City for the fiscal year is \$10,074,350.00 and total appropriations in the amount of \$8,162,635.00.

Attachment: Resolution

Recommendation: Approval

11. **Consider Approval of Ordinance No. 2025-10 of the City Council of the City of Perry, Oklahoma, Amending Chapter 18 of the Perry Municipal Code 2022, by the Amendment of Section 17-607E Entitled “Solid Waste Collection and Disposal Rates”; Providing for a Two Percent (2%) Increase in Solid Waste Collection and Disposal Rates; Providing for Repealer; Savings; Codification; Severability; Effective Date; and Declaring an Emergency.**

Background: Davis Sanitation, Inc., increased their contract by 2% and therefore it is deemed appropriate to increase the rates by two percent.

Attachment: Ordinance No. 2025-10

Recommendation: Approve

12. **Consider application of the Emergency Clause to Ordinance No. 2025-10.**

Note: Adoption of the emergency clause will require seven affirmative votes.

13. **Consider Recommendations from the Perry Planning Commission:**

- A. **Receive and consider recommendation from the Perry Planning Commission on Ordinance No. 2025-11.**

Background: The City has contracted with BHD Land Development, LLC an Arizona limited liability company to sell a fifteen (15) acre tract of real property in the Perry Industrial Park.

Although the Park has always been advertised as a location for warehouses and distribution centers, those uses are not listed as permitted uses in the I-1 Industrial (Light) Zoning District. The ordinance adds Distribution and/or Warehousing Centers as permitted uses to the I-1 Industrial (Light) Zoning District. The ordinance also permits other uses which are substantially similar to the specifically listed permitted uses without the necessity of a use by review hearing. In addition, other conflicting language will be deleted.

The Planning Commission held a public hearing on Ordinance No. 2025-11. The public hearing was preceded by a fifteen (15) day notice of the date, time, and place of the public hearing. After conducting the public hearing, the Planning Commission recommended approval of Ordinance No. 2025-11.

Attachment: Notice

Recommendation: Receive recommendation

- B. Consider Approval of Ordinance No. 2025-11 of the City Council of the City of Perry, Oklahoma, Amending Chapter 12, Article 2, Division 5 of the Perry Municipal Code 2022 by the Amendment of Subsection 2.I and 2.J to Section 12-289, by the Addition of Distribution and/or Warehousing Centers as a Permitted Use to the I-1 Industrial (Light) Zoning District, and to Permit Other Uses in Keeping with the General Description of the District but not Specifically Listed Without the Necessity of Requiring a Use by Review Hearing; Re-Lettering the Balance of the Section; Deleting the Use by Review Procedure For Substantially Similar Uses not Listed; Providing For Repealer; Savings; Codification; Severability; Penalty; and Declaring an Emergency.**

Background: If the City Council follows the recommendation of the Planning Commission, approve the ordinance. By approval of this ordinance the distribution center as presented by the Applicant in the next lettered agenda item, will be clearly a permitted use.

Attachment: Ordinance No. 2025-11

Recommendation: Approval

- C. Consider application of the Emergency Clause to Ordinance No. 2025-11.**

Note: Adoption of the emergency clause will require seven affirmative votes.

- D. Receive and consider recommendation from Perry Planning Commission on Application for Site Plan Review filed by Dustin Cleveland, Representative of BHD Land Development, LLC, for a Site Plan Review of a Distribution Center to be Located in the Perry Industrial Park, Parcel #7 and #10, South of John Wayne Boulevard; Consider Approval of the Site Plan addressing and Perhaps adding any on-site or off-site improvements to be installed by the Applicant as a condition of approval.**

Background: An application for site plan review has been filed by Dustin Cleveland, representative of BHD Land Development, LLC, an Arizona limited liability company, with an address of 2425 E. Camelback Road, Suite 220, Phoenix, Arizona, 85016 (referred to as the “Applicant”). This application requests a site plan review for a distribution center to be in the Perry Industrial Park, Parcel #7 and #10, south of John Wayne Boulevard, in Perry, Oklahoma. The City has contracted with BHD Land Development, LLC an Arizona limited liability company to sell a fifteen (15) acre tract of real property in the Perry Industrial Park. The proposed distribution center will be 58,240 square feet in size and have four accesses to the north/south road dissecting the park. The site plan includes a floor plan, elevation plan, landscaping plan, preliminary civil plans, on-site retainage basin on the south side of the tracts, a smaller retainage basin on the north end of the tracts, and a site photometric plan showing the location of lighting.

At an earlier meeting held today, the Planning Commission held a public hearing on the site plan. Issues for the Planning Commission to review in performing the site plan review include drainage, access, lighting, screening, landscaping, parking, special features, waste disposal and public rights-of-way.

As a condition of approval of the site plan, the City Council may require certain on-site and off-site improvements to be installed. Approval of the site plan can also be conditional upon a successful allocation of those costs between the developer and the City.

Attachments: Notice, Site Plan and other related documents

Recommendation: Receive recommendation and approve the site plan subject to the requirement of on-site and/or off-site improvements.

14. Discuss and Give Direction to City Manager regarding the HP Historic Preservation District Map to be attached to the public notice for the future public hearing.

Background: On May 12, 2025, at 5:30 p.m., a town meeting was held to discuss the boundaries of the proposed HP Historic Preservation District. There was considerable public discussion, and many persons signed written protests presented to the City Clerk from stakeholders whose concerns lie outside of the historic downtown square. If any amendments to the current HP Historic Preservation District Map are desired, the City Council should give the City Manager such direction. This direction could permit the focus of the next planned public hearing to be better directed to those interested parties within the revised area and alleviate the concerns of those parties whose interests may lie outside that area. The amended approved map would also be attached to required notices which will again be mailed, published, and used for the public hearing and thereafter used to formally determine and designate the HP Historic Preservation District’s boundaries. If no change is desired, then that direction could also be given. Three (3) proposed draft maps are presented.

Attachment: Three (3) proposed HP Historic Preservation District Maps

Recommendation: Take action as deemed appropriate.

15. Consider Approval of 1st Extension to the Interlocal Cooperative Agreement pertaining to E-911 Services with the Board of Commissioners for Noble County, Oklahoma.

Background: The agreement only extended until June 30, 2025, and therefore should be renewed. A revised budget for a full year of services is also provided. The term is for the City and County's fiscal year (July 1 through June 30), but additional language is added which provides that it is the intent of the parties to annually negotiate each successive budget and extend the Agreement each year unless sooner terminated as provided herein.

Attachment: 1st Extension to the Interlocal Cooperative Agreement; FY2025-2026 Budget

Recommendation: Approval

16. Consider Approval of Certain City Contracts and Resolution:

A. Consider Approval of Tourism Development Contract with the Perry Chamber of Commerce.

Background: The Chamber provides tourism development services for the City. The compensation is paid from receipts from the Hotel/Motel Tax. The annual amount paid under the FY2024-25 contract was \$5000.00. A reassessment of the needs of the Chamber and their plan of action for FY2025-2026 has led to the city administration's reassessment of the consideration that should be paid. \$15,000.00 is recommended as compensation for the FY2025-2026 Contract.

Attachment: Contract with the Perry Chamber of Commerce

Recommendation: Discuss and take action as deemed appropriate

B. Consider Approval of a Service Contract with Main Street of Perry, Inc.

Background: Main Street provides historic preservation and tourism development services for the City. The compensation is paid from receipts from the Hotel/Motel Tax. Main Street has been continually active in working with city officials on the historic preservation ordinance, guidelines, and other work this fiscal year. Their annual amount of compensation for the FY2025-26 contract is recommended at \$25,000.00.

Attachment: Contract with Main Street of Perry, Inc.

Recommendation: Discuss and take action as deemed appropriate

C. Consider Approval of Resolution No. 2025-08 of the Mayor and City Council of the City of Perry, Oklahoma, Supporting Participation in the FY 2025-2026 Oklahoma Main Street Program.

Background: Approval of this resolution confirms our commitment to the principals of Main Street in revitalization of the community.

Attachment: Resolution No. 2025-08

Recommendation: Discuss and take action as deemed appropriate

D. Consider Approval of a Contract for Services with David Payne as Consultant to the Perry Planning Commission.

Background: With the resignation of Brian Henry, David Payne can be re-engaged to provide consultant planning services for the Perry Planning Commission.

Attachment: Contract with David Payne

Recommendation: Discuss and take action as deemed appropriate

E. Consider Approval of a Contract for Services with the Perry Senior Citizen's, Inc.

Background: Perry Senior Citizen's, Inc. provides senior citizen services to the residents of Perry and surrounding area. The FY2025-2026 contract provides that the City pays the utilities at the Senior Citizen's Building and provides a Senior Citizen Director.

Attachment: Contract with the Perry Senior Citizen's Inc.

Recommendation: Discuss and take action as deemed appropriate

F. Consider Approval of Agreement with Northern Oklahoma Development Authority D/B/A Cherokee Strip Transit.

Background: Northern Oklahoma Development Authority D/B/A Cherokee Strip Transit provides transportation services to the residents of Perry and surrounding area. The current contract states that the City pays \$450.00 per month in consideration of the transportation services.

Attachment: Contract with the Northern Oklahoma Development Authority D/B/A/ Cherokee Strip Transit

Recommendation: Discuss and take action as deemed appropriate

G. Consider Approval of Contract for Services and Lease Agreement with Wheatheart Nutrition Project, Inc.

Background: Wheatheart Nutrition Project, Inc., provides senior services to the residents of Perry and the surrounding area. The FY2025-2026 contract provides for the City to provide Wheatheart a building and a \$375.00 credit on its monthly utility bill. The City is responsible for repairs to the roof and outer walls, heating and cooling systems, electric systems and plumbing repairs. Wheatheart is responsible for minor repairs less than \$300.

Attachment: Contract with Wheatheart Nutrition Project, Inc.

Recommendation: Discuss and take action as deemed appropriate

H. Consider Approval of Law Enforcement Agreement with Noble County Commissioners and the Noble County Sherriff.

Background: This Agreement permits city police officers to have jurisdiction on city owned property located outside the City of Perry and on Ditchwitch properties in order to implement the terms of the law enforcement agreement with the community's largest employer.

Attachment: Law Enforcement Agreement

Recommendation: Approval

I. Consider Approval of Tourism Development Services Agreement with the Cherokee Strip Museum jointly owned and operated by the Oklahoma Historical Society and the Cherokee Strip Historical Society.

Background: This tourism development services agreement provides for an annual payment of \$10,000.00 per year in exchange for services provided by the museum.

Attachment: Agreement

Recommendation: Approval

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. **Consider convening into executive session for the purpose of: 1) performance review of City Manager Nate Read pursuant to Title 25, Section 307B.1 of the Oklahoma Statutes, as amended, 2) for purposes of discussing negotiations with the Fraternal Order of Police Lodge #137 pursuant to Title 25, Section 307B.2 of the Oklahoma Statutes, as amended, and 3) for the purpose of conferring on a matter pertaining to the economic development of the City of Perry, including the creation of a proposal to entice residential development proximate to the corporate limits of the City, if public disclosure of the matter discussed would interfere with the development of proposal (Stone Hill Addition), as such the proposal would promote the economic development of the City of Perry (Pursuant To Title 25 Section 307.C.11 of the Oklahoma Statutes, as amended).**
19. **Reconvene into regular session.**
20. **Take any action deemed necessary after the executive session including amending the terms of the employment agreement with City Manager, directing action on the Collective Bargaining Agreement with Fraternal Order of Police Lodge #137, and give direction to the City Manager with respect to the Economic Development Agreement styled as an Agreement with Outback Investments, LLC, for the Operation and Maintenance of the Electric Distribution System in Stone Hill Addition and Provision of Electric Power, providing for any conditions required for its implementation, if any.**

21. Adjourn

Posted at Perry City Hall & Council Chambers.

May 30, 2025, _____ P.M.

Christy Conrad, City Clerk



Board of Trustees of the Perry Municipal Authority

Agenda – Regular Meeting

June 2, 2025 @ 6:15 P.M.

Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order

Roll Call

Declaration of Quorum

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 Trust Manager, staff, attorney or to the recommending board, commission, or committee. All Agenda Items Are for Discussion and Whatever Further Action the Authority Deems Necessary or Advisable to Discharge Their 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 PMA Meeting of May 19, 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.

Perry Municipal Authority Regular Meeting Agenda
June 2, 2025
Page 2

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 Resolution 2025-01 of the Board Of Trustees of the Perry Municipal Authority, Adopting and Approving its FY2025-2026 Budget for the Stated Purposes as Contained in the Budget; Directing its Chairman, Vice-Chairman and Trust Manager to take any and all Additional Actions as may be Required for the Implementation of this Budget.**

Background: If the City Council approves the budget after its hearing, it may consider approval of this resolution. The total resources available to the PMA for the fiscal year is \$15,211,432.00 and total appropriations in the amount of \$13,740,029.00.

Attachment: Resolution

Recommendation: Discuss, and if deemed appropriate, approve.

6. **Adjourn**

Posted at Perry City Hall & Council Chambers.

May 30, 2025 _____ P.M.

Christy Conrad, Secretary



Board of Trustees of the Perry Facilities Authority

Agenda – Regular Meeting

June 2, 2025 @ 6:15 P.M.

Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order

Roll Call

Declaration of Quorum

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 Trust Manager, staff, attorney or to the recommending board, commission, or committee. All Agenda Items Are for Discussion and Whatever Further Action the Authority Deems Necessary or Advisable to Discharge Their 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 PMA Meeting of May 19, 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 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.

5. **Consider Approval of Resolution 2025-01 of the Board Of Trustees of the Perry Facilities Authority, Adopting and Approving its FY2025-2026 Budget for the Stated Purposes as Contained in the Budget; Directing its Chairman, Vice-Chairman and Trust Manager to take any and all Additional Actions as may be Required for the Implementation of this Budget.**

Background: If the City Council approves the budget after its hearing, it may consider approval of this resolution. The total resources available to the PFA for the fiscal year is \$754,246.00 and total appropriations in the amount of \$675,442.00.

Attachment: Resolution

Recommendation: Discuss, and if deemed appropriate, approve.

6. **Adjourn**

Posted at Perry City Hall & Council Chambers.

May 30, 2025 _____ P.M.

Christy Conrad, Secretary