City Council of the City of Perry
City Agenda – Regular Meeting
July 7, 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 Minutes of Regular City Council Meeting of June 16, 2025.
B. Approval of payment of Invoice to Parkhill/Toby Baker, P.E. for professional services on hangars at Perry Municipal Airport in the amount of $18,300.00.
C. Approval of payment of Invoice to Cimarron Valley Engineering, LLC, for various engineering and other services in the amount of $42,556.25 (detailed invoice included).

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 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 will be presented at the meeting.

9. **Receive Presentation of Quarterly Report and Master Plan from Main Street of Perry.**

   Attachment: report and plan enclosed

10. **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: Although the City conducted a public hearing on June 2, 2025, at 6:15 p.m., no notice of the public hearing was published in the Perry Daily Journal at least five (5) days prior to this public hearing. The notice has been subsequently and timely published calling for public input at this public hearing. The purpose of 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. All members of the public are encouraged to attend and participate. The budget is likely to be considered for adoption as the next agenda item.

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.
- 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: Published notice with attached budgets

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

11. Consider Approval of Resolution No. 2025-10 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

12. Approve Interfund Borrowing Agreement with the Perry Municipal Authority in the amount of $218,000.00 to purchase the P285 Weiler Paver Equipment and Authorize Purchase from Warren Cat.

Background: The City desires to acquire a Weiler Paver to be used as a part of its street construction operation. The City and PMA will approve an Interfund Borrowing Agreement. The Perry Municipal Authority shall transfer $218,000.00 from the Electric Capital Improvement Account to the City's Capital Outlay for the Street Department to be used for the purchase of P285 Weiler Paver with attachments. In consideration of this transfer, the City of Perry, Oklahoma, pledges to repay, as follows:

One (1) payment of $100,000.00 payable on or before June 1, 2026; and
One (1) payment of $118,000.00 payable on or before June 1, 2027.

The City would like to acknowledge the local banks willing to finance the equipment, but the CFO believes this will be in the best interest of the City and more cost effective. \

Attachment: Interfund Borrowing Agreement and P285 Weiler Paver Purchase Agreement

Recommendation: Approval

13. Consider agenda items pertaining to Ordinance No. 2025-12:

A. Receive recommendation from Perry Planning Commission on Ordinance No. 2025-12.

B. Consider Approval of Ordinance No. 2025-12 of the City Council of the City of Perry, Oklahoma, Amending Chapter 12, Article 2, Divisions 3 of the Perry Municipal Code by the Addition of a New Section 12-233 Entitled " Front Yard and Rear Yard Carports"; Providing for Specific Provisions Relating to Carports Which may be Administratively Approved; Providing for Repealer; Savings; Codification; Severability; Penalty; and Declaring an Emergency.

C. Consider Approval of the Emergency Clause for Ordinance No. 2025-12.

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

Background: In most instances, due to certain setback requirements, the placement of a carport on agricultural and residentially zoned properties requires considerable time and expense to seek and obtain a variance through the Board of Adjustment. Due to the prevalence and increasing severity of storm systems in and around the City of Perry, Oklahoma, often accompanied by destructive hail, the lack of garages used for the storage of vehicles, and the resultant damage on vehicles left uncovered, this ordinance has been created to provide for administratively approved carports. It applies to carports placed in the front and rear of the property. The ordinance sets out the conditions for placement, the composition of the carport and the manner it is to be affixed to the ground. Notice of this hearing was published in the local newspaper for at least fifteen (15) days prior to the date of this public hearing. The Planning Commission held the public hearing, and due to comments from the planning advisor, tabled the matter. The ordinance has been amended to address the questions posed by the planning advisor and he recommends approval.

Attachments: Ordinance No. 2025-12 and Notice

Recommendation: Receive recommendation from Planning Commission and approve Ordinance No. 2025-12 or permit the Planning Commission to review the amendments before considering the ordinance.

14. Receive recommendation from Perry Planning Commission on Rezoning and Lot Combination for 1504 North 8th Street, Perry, Oklahoma, 73077 ("subject tract") by Elbert Jethro Taylor And Jennifer Dawn Driskell-Taylor (collectively the "Applicant"); Consider Directing City Staff to Prepare an amendment to the Hobby Chicken/Duck ordinance.

Background: The Applicant filed an application to amend the zoning on the Subject Tract from R-1 Single-Family Residential District to the A-G Agricultural District. Minimum lot size for agricultural district is one acre. The subject property is surrounded by residential uses. The uses are R-1 Single-Family Residential, the most restrictive zoning district in Perry. The Applicant also seeks to combine the two parcels owned in this location pursuant to the Lot Combination Ordinance codified as Section 12-285, to fence the entire combined parcel to plant fruit trees and use chickens and ducks for pest control. The number of chickens and ducks will be greater than permitted under municipal ordinance and therefore agricultural zoning is requested. Notice was published in the newspaper at least fifteen (15) days prior to this public hearing and mailed notices sent to property owners located within three hundred feet (300') feet of the perimeter of the combined subject tract.

Two protests were filed against the zoning by persons required to be notified. The Planning Commission recommends the denial of both requests. The tract is more than three acres in size. The hobby chicken/duck ordnance, which limits the aggregate number of fowl to five (5), was written for residences which are set on small lots. An amendment could be drafted to permit more chickens/ducks on properties one acre or larger and provide for the number of total fowl permitted per acre. If the City Council wants this action, it should direct.

Attachments: Notice, Application, Protests and current chicken/duck ordinance

Recommendation: Receive recommendation; consider action; consider directing staff with regard to hobby chicken/duck ordinance

15. Items Pertaining to YMCA Applications:

A. CONDUCT A PUBLIC HEARING ON THE CLOSING TO THE PUBLIC USE OF A CERTAIN ALLEY RUNNING NORTH AND SOUTH BETWEEN PROPERTY OWNED BY THE NOBLE COUNTY YMCA WHICH IS A PART OF BLOCK-FORTY-TWO (42), TOWNSITE OF PERRY TO THE CITY OF PERRY, NOBLE COUNTY, STATE OF OKLAHOMA, ACCORDANCE TO THE RECORDED PLAT THEREOF, BEING A PORTION OF THE PLATTED ALLEYWAY WITHIN SAID BLOCK FORTY-TWO (42); RECEIVE RECOMMENDATION FROM THE PERRY PLANNING COMMISSION; DISCUSS REVOCABLE PERMIT PROCESS.

Background: The YMCA has a construction project and would like to close the easement located just north of their building. To close a right of way, such as an alley, state law requires the city to hold a public hearing and give 30 days' written notice to persons with special interests in the streets or alleys, such as the sanitation company, Internet Company, Cable Company, gas, electric, water and sewer company, and by ordinance requirement, to abutting property owners. YMCA owns both sides of the alley so no notice was sent to abutting owners. Written notices were given timely. a public hearing was held before the Planning Commission on June 26, 2025. Likewise, the City will hold its hearing. At the conclusion of the public hearing, the City can move to the next item and consider closing the easement by approving the ordinance.

Attachments: Notice, Application, map and plan

Recommendation: Receive recommendation

16. CONSIDER APPROVAL OF ORDINANCE NO. 2025-14 OF THE CITY COUNCIL OF THE CITY OF PERRY, OKLAHOMA, CLOSING TO THE PUBLIC USE OF A CERTAIN ALLEY RUNNING NORTH AND SOUTH BETWEEN PROPERTY OWNED BY THE NOBLE COUNTY YMCA WHICH IS A PART OF BLOCK-FORTY-TWO (42), TOWNSITE OF PERRY TO THE CITY OF PERRY, NOBLE COUNTY, STATE OF OKLAHOMA, ACCORDANCE TO THE RECORDED PLAT THEREOF, BEING A PORTION OF THE PLATTED ALLEYWAY WITHIN SAID BLOCK FORTY-TWO (42), AND AS MORE PARTICULARILY DESCRIBED IN THIS ORDINANCE AND AS SHOWN ON EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE (HEREINAFTER REFERRED TO AS THE "ALLEY"); REPEALER CLAUSE; SAVINGS CLAUSE; SEVERABILITY CLAUSE; DECLARING AN EMERGENCY

Background: After holding the public hearing and considering the recommendation of the Perry Planning Commission, the City Council may choose to approve this ordinance. The ordinance provides that the alley can be reopened by the City Council at any time without expense, unless and until an application to vacate the alley is filed with the district court and an order is issued by the judge providing such a vacation. Originally, it was thought that the construction project would interfere with guy lines supporting a utility pole, and the utility pole across the street, but the project will not interfere. Another part of the project involves the use of a portion of Birch Street for parking, an application has been filed for this purpose, and pursuant to the right-of-way management ordinance, the City Manager intends to issue the revocable permit to use the right-of-way for parking purposes.

Attachments: Ordinance No. 2025-14

Recommendation: Approval

17. Consider Approval of the Emergency Clause for Ordinance No. 2025-14.

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

18. Grant an Easement for the construction of an electric line to Kay Electric Cooperative, an Oklahoma corporation, situated in the County of Noble, State of Oklahoma, located in NW/4 of the NW/4 of Section 14, and the SW/4 of the SW/4 of the SW/4 of Section 11 In Township 22N, Range 1W I.M.

Background: Kay Electric Corporation has asked the City to grant an easement for their electric system as shown on the attached map.

Attachment: Easement with map

Recommendation: Approve

19. Accept Public Utility Easement from Noble County to access Stonehill Addition.

Background: The Noble County Commissioners have graciously approved a public utility easement on their property so that the City can access Stonehill Addition.

Attachment: Easement and map

Recommendation: Accept

20. CONSIDER APPROVAL OF ORDINANCE NO. 2025-13 OF THE CITY COUNCIL OF THE CITY OF PERRY, OKLAHOMA, AMENDING CHAPTER 15, ARTICLE 4, SECTION 15-402 OF THE PERRY MUNICIPAL CODE BY THE ADDITION OF MAXIMUM PENALTIES FOR SCHOOL ZONE SPEEDING CITATIONS BASED UPON THE RATE OF SPEED; PROVIDING FOR REPEALER; SAVINGS; CODIFICATION; SEVERABILITY; PENALTY; AND DECLARING AN EMERGENCY.

Background: In order to have the Department Public Safety properly record the offense, this amendment to the school zone ordinance is required as follows:

Speeds less than ten (10) mph over the posted speed limit in a designated school zone on days when school is in session shall carry a maximum fine of One Hundred and Sixty Dollars ($160.00), plus costs, fees and state assessments.

Speeds higher than ten (10) mph but less than fifteen (15) mph over the posted speed limit in a designated school zone on days when school is in session shall carry a maximum fine of One Hundred and Eighty Dollars ($180.00), plus costs, fees and state assessments.

Speeds higher than fifteen (15) mph over the posted speed limit in a designated school zone on days when school is in session shall carry a maximum fine of Two Hundred Dollars ($200.00), plus costs, fees and state assessments.

Attachment: Ordinance No. 2025-13

Recommendation: Approval

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

22. Authorize Mayor to execute the warranty deed to Richard Crow as provided pursuant to the Economic Development Agreement.

Background: Since the certificate of occupancy has been issued, the Agreement provides that the five (5) acre City Tract shall be transferred to Crow by good and proper warranty deed. The parties met with the State Fire Marshal for a final determination of fire suppression locations, and it was determined that such systems must be retrofitted over the grandstands, kitchen, concession area and bathrooms areas. An agreement providing for the same has been prepared and executed by the parties, and a detailed fire watch program established whenever the public is invited to events. The retrofit must be accomplished within one year.

Attachment: Warranty Deed

Recommendation: Approve

23. **Receive Canvas of Bids for 25th Street Water and Sewer Improvements (CVE24-007. L 7); Award Bid to Lowest Responsible Bidder, Lone Hickory Cattle Company in the Amount of $930,200.00, with a Contract Time of 90 Calendar Days; Upon Receipt of Bonds, Insurance and Power of Attorney, and Review and Approval of the City Attorney, Authorize Mayor to Execute Public Construction Contract.**

Background: Following the bid opening held on July 2, 2025, for the 25th Street Water and Sewer Improvements project (CVE24-007.17), Cimarron Valley Engineering, LLC reviewed all bids received. Based on our evaluation, CVE recommends awarding the construction contract to Lone Hickory Cattle Company in the amount of $930,200.00, with a contract time of 90 calendar days. A letter from CVE is enclosed providing the analysis of why Lone Hickory Cattle Company was determined to be the lowest responsible bidder, including the exclusion of bidders for failure to provide required information and factoring in a time adjustment using a credit of $1,500 per day for proposed durations differentials between bids.

Funding for the project will come from a REAP Grant and a grant from the Malzahn Affiliated Family Trust. However, the bids received exceeded the available funding. To move forward, the City will either secure additional grant funding or reduce the project scope to align with the budget.

Attachment: Canvas, Letter from CVE, lowest responsible bid and other related documents.

Recommendation: Award to Lone Hickory Cattle Company as lowest responsible bidder in the amount of $930,200.00, with a Contract Time of 90 Calendar Days; Upon Receipt of Bonds, Insurance and Power of Attorney, and Review and Approval of the City Attorney, Authorize Mayor to Execute Public Construction Contract

24. **Approve 1st Amendment to the Employment Agreement of City Manager Nate Read.**

Background: Following several executive sessions and a detailed performance review procedure, an amended employment agreement with the City Manager is presented for your consideration and review. The only amendment is the provision of an International City Manager Association Retirement Pension which is standard for the profession given normal tenure lengths.

Attachment: 1st Amendment to Employment Agreement

Recommendation: Approval

25. **Consider convening into executive session for the purpose of discussing negotiations with the Fraternal Order of Police Lodge #137 pursuant to Title 25, Section 307B.2 of the Oklahoma Statues, as amended.**

26. Reconvene into regular session.

27. Take any action deemed necessary after the executive session including directing action on the Collective Bargaining Agreement with Fraternal Order of Police Lodge #137.

28. Adjourn

Posted at Perry City Hall & Council Chambers. July 3, 2025, ______P.M.

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Christy Conrad, City Clerk

Board of Trustees of the Perry Municipal Authority
Agenda – Regular Meeting
July 7, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

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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 PFA Meeting of June 16, 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.

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 2025-03 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, approval.

6. **Approve Interfund Borrowing Agreement with the City of Perry in the amount of $218,000.00 to purchase the P285 Weiler Paver Equipment and Authorize Purchase from Warren Cat.**

   Background: The City desires to acquire a Weiler Paver to be used as a part of its street construction operation. The City and PMA will approve an Interfund Borrowing Agreement. The Perry Municipal Authority shall transfer $218,000.00 from the Electric Capital Improvement Account to the City's Capital Outlay for the Street Department to be used for the purchase of P285 Weiler Paver with attachments. In consideration of this transfer, the City of Perry, Oklahoma, pledges to repay, as follows:

   One (1) payment of $100,000.00 payable on or before June 1, 2026; and
   One (1) payment of $118,000.00 payable on or before June 1, 2027.

   The City would like to acknowledge the local banks willing to finance the equipment, but the CFO believes this will be in the best interest of the City and more cost effective. \

   Attachment: Interfund Borrowing Agreement and P285 Weiler Paver Purchase Agreement

   Recommendation: Approval

7. **Approve 1st Amendment to the Employment Agreement of City Manager Nate Read.**

   Background: The PMA should also approve the 1st Amendment to the Employment Agreement.

   Recommendation: Approval

8. Adjourn

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

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Christy Conrad, Secretary

Board of Trustees of the Perry Facilities Authority

Agenda – Regular Meeting

July 7, 2025 @ 6:15 P.M.
Municipal Building | 729 Cedar Street, Perry, Oklahoma 73077

Meeting Called to Order
Roll Call
Declaration of Quorum

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1. Consent Agenda

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A. Receive and Approve the Minutes of the Regular PMA Meeting of June 16, 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 2025-02 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, approval.

6. **Approve 1st Amendment to the Employment Agreement of City Manager Nate Read.**

   Background: The PFA should also approve the 1st Amendment to the Employment Agreement.

   Recommendation: Approval

7. **Adjourn**

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

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Christy Conrad, Secretary