

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
JULY 17, 2007

1. Call to Order: Mayor James Worrall, Presiding Officer, called the regular meeting of the Perry City Council held July 17, 2007 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor James Worrall. Mayor Pro-Tempore Joe Kusar. Council Members Brian Bowen, Bobby Glover, Riley Hunt.

Elected Officials Absent: Phyllis Bynum-Grace and James Moore.

Staff/Guests/Press: City Manager Lee Gilmour. City Attorney Larry Walker. City Departmental Staff: George Potter, Public Safety Director, Mike Beecham, Director of Community Development, Ronnie Jones, Director of Public Works, and Brenda King, Director of Administration, Diane Abney, Secretary Public Works, Recording Secretaries Annie Warren, Joni Ary. Speakers Public Hearing: Mike Baker, Delores G. Lewis, Tom Calhoun, Carden Summers, Scott Free, Jodi Strickland, Rob Nicholas, Willie Tyson, Janet Nicholas, and Ceasar Gormon. Press: Charlotte Perkins, Houston Daily Journal.

3. Invocation and Pledge of Allegiance to the Flag: Rev. Dennis Harden gave the invocation and Council Member Riley Hunt led the pledge of allegiance to the flag.

4. Citizens with Input. None.

5. PUBLIC HEARING – DISCLOSURE NOTICE AND CALL TO ORDER: Mayor James Worrall called to order of a public hearing for the purpose of receiving public input and read aloud a disclosure to those persons addressing the Perry City Council in the Public Hearing forum:

“Any person who wishes to speak for or in opposition to the proposed rezoning application and/or special exception application is advised that, if within the past two years you have made any campaign contribution totaling \$250.00 or more to any local government official considering this application for rezoning/special exception, you must have filed a written disclosure of that campaign contribution in accordance with O.C.G.A. Sec. 36-67A-3 at least five (5) days prior to this hearing. Any person who fails to comply with this disclosure requirement shall be guilty of a misdemeanor as provided by O.C.G.A. Sec. 36-67A-4”.

- 5a Petition for Special Exception Application No. SE-007-02 Tabled: Delores G. Lewis and Robert Lumpkin, Jr. – 1400 Swift Street. The request is to allow a Family Personal Care Home Facility in an R-3 district. Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated June 12, 2007 as follows:

Re: *Petition for Special Exception Application No. SE-007-02*

*Delores G. Lewis & Robert Lumpkin, Jr.
1400 Swift Street
MP-P9-30*

“Dear Mayor and Council:

On June 11, 2007 Perry Planning Commission reviewed the above referenced Application for Special Exception submitted by Delores G. Lewis & Robert Lumpkin. The request is to allow a Family Personal Care Home Facility in an R-3 district. The property is located at 1400 Swift Street.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to the Mayor and City Council of approval for this special exception request.

*Sincerely,
Martin Beeland, Chairman
Perry Planning Commission”.*

Public Input: Mayor Worrall called for any public input for or opposed to the petition.

Opposed: Mike Baker, 1306 Swift Street. Mr. Baker stated no matter what the intention is of the owner it is still a commercial business and the house would be run by someone who doesn't live at the residence.

In Favor: Deloris G. Lewis, prospective owner, the resident would be a home to young women coming out of foster care with supervision.

Council Member Riley Hunt asked if the owner would be paid to run the home, and how many females would be living in the home.

Ms. Lewis answered, subcontractors, two full-time employees and three part-time employees. There will be 5-6 persons living in home.

Mayor Pro-Tempore Joe Kusar question if the home would be a family personal care home or halfway house.

Ms. Lewis answered no, it would not be a half way house. It would provide a home for kids after they reach 18 years of age in foster care with no where to go.

Council Member Brian Bowen asked if the residents would be working.

Ms. Lewis answered, some will work and some will not work. Each resident will have a case worker to provide job training assistance.

Council member Riley Hunt moved that the petition be tabled for forty-five days for further study. Council Member Brian Bowen seconded the motion and it carried unanimously.

Council Member Bobby Glover questioned where the study would come from.

Mayor Worrall said it would come from the Planning Commission.

5b Petition for Special Exception Application No. SE-007-03 Denied. Mr. Clarence Little, applicant,-Prime Locations, Inc. – 523 General Courtney Hodges Blvd. Request to relocate an outdoor advertising sign approximately 100 feet. Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated June 26, 2007 as follows:

*Re: Petition for Special Exception Application No. SE-007-03
Mr. Clarence Little, applicant – Prime Locations, Inc.
523 General Courtney Hodges Blvd.
MP-P36-15C*

“Dear Mayor and Council:

On June 25, 2007 Perry Planning Commission reviewed the above referenced Application for Special Exception submitted by Mr. Clarence Little & Utility Services, applicant – Prime Locations, Inc. the request is to relocate an outdoor advertising sign approximately 100 feet. The property is located off 523 General Courtney Hodges Blvd.

The Perry Planning Commission respectfully submits this letter as our formal recommendation to the Mayor and City Council of denial for this special exception request.

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff report: Mike Beecham, Director of Community Development, per Planning Chairman Beeland, the Planning Commission felt that based on past City Council decisions regarding street improvements along General Courtney Hodges Blvd., that was the reason for the denial.

Public Input: Mayor Worrall called for any public input for or opposed to the petition.

In Favor: Tom Calhoun - representing Carden Summers – Prime Locations, Inc. This is a request to move the sign 100 feet south. This is not a new sign and they are not increasing the size of the signage. This is a move to accommodate Utility Services Inc., to improve their building. In prior meeting there was some concern about inappropriate material on the sign. There has never been inappropriate material on the billboard and never will be.

Opposition: None

Mayor Pro-Tempore Joe Kusar made the motion that the City adopt the recommendation from the Perry Planning Commission and deny the special exception request. Council Member Brian Bowen seconded the motion.

Council Member Riley Hunt asked Mr. Summers if we deny it, will you leave the sign where it is.

Mr. Summers answered yes he will leave it where it is.

Mayor Worrall called for the vote to accept the recommendation of the Perry Planning Commission. Petition denied 3 to 1. Opposed Council Member Bobby Glover.

- 5c. Petition for Rezoning Application No. R-007-010. Rezone and Annex 400 acres – USA Land Development, Inc., Mr. Charlie McGlamry – c/o Ryan Smith – Highway 341 South, Arena Road and Saddlecreek Road Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated June 12, 2007 as follows:

*Re: Petition for rezoning Application No. R-007-010
Mr. Charlie McGlamry – c/o Ryan Smith.
USA Land Development, Inc.; applicant
Rezone & Annex 400.00 acres from
Houston County R-AG, Residential Agricultural District & Houston County MI
To City of Perry PUD, Planned unit Development
Highway 341 South, Arena Road & Saddlecreek Road
MP-84-17, 84-17A & 108-15*

“Dear Mayor and Council:

On June 11, 2007 Perry Planning Commission reviewed the above referenced Petition for rezoning submitted by Mr. Charlie McGlamry –C/o Mr. Ryan Smith, owner, USA Land Development, Inc.

This petition requests the rezoning and annexation of 400,000 acres located off Highway 341 South, Arena Road & Saddlecreek Road from Houston County R-AG, Residential Agricultural District & Houston County MI, Light Industrial to City of Perry PUD, Planned Unit Development.

The Perry Planning Commission respectfully submits this letter to mayor and City Council as our formal and favorable recommendation of approval for this petition request for PUD rezoning for annexation with the following conditions 1) a buffer along Arena Road, 2) buffer around the designated wet ponds which will be used for detention area, 3) delineation of the playground parks areas in the pods as they are being developed, and 4) the design layout should accommodate the proposed widening of Arena Road and encroach on the buffer.

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff report: Mike Beecham, Director of Community Development, presented for the Council’s review the site and advised DRI regional review process found the project to be in the best interest for the region. Notified county of intent to annex, no opposition.

Public Input: Mayor Worrall called for any public input for or opposed to the petition.

In Favor: Scott Free, representing Mr. Charlie McGlamry. Meet all guideline and will answer any questions.

Opposition: Jodie Strickland - PUD Zoning gives the developer the developer free reign. Ms. Strickland quoted a case study conducted by the University in 2006. Ms. Strickland also asked Council to consider the recommendations by a team from the Georgia Department of Community Affairs.

Rob Nicholas - PUD is too wide of freedom on what they can build on the property.

Willie Tyson – If PUD is put out in this area it is going to ruin the aesthetics of the community.

Janet Nicholas - Voiced her concern what effect this going to have on traffic at Kings Chapel Elementary School, cars lined up to pick up kids.

Cesar Gorman – Traffic will increase.

Scott Free addressed the concerns and stated the intention was not to hurt property value, land costs today are too high and developers are leaving green space.

Mayor Pro-Tempore Joe Kusar questioned Mike Beecham about the recommendations including the PUD guidelines and recommendation of acceleration and deceleration lanes, but noted that these recommendations were not included in the letter from the Perry Planning Commission.

Mr. Beecham clarified this information for Mayor Pro-Tempore Joe Kusar.

Mayor Worrall closed the Public Hearing at 6:45 p.m.

6. Consent Agenda Items:

6a. Minutes of June 19, 2007 work session and regular meeting approved. Council Member Riley Hunt moved to approve. Council Member Bobby Glover seconded the motion and it carried unanimously.

7. Old Business:

7a. Alcohol Licensing: No second readings.

7b. Ordinances for Second reading/Consideration of Adoption: None.

8. New Business:

8a. Ordinances for First Reading and Introduction:

1. **First reading** of an ordinance to rezone 400.00 acres from Houston County R-AG, Residential Agricultural District & Houston County M1 to City of Perry PUD – Highway 341 South, Arena Road and Saddlecreek Road. (*No action required – First Reading only*).

2. **First reading** of an ordinance to annex 400.00 acres as submitted in Petition Application No. R-007-010, USA Land Development, Inc. – Mr. Charlie McGlamry – c/o Ryan Smith, Highway 341 South, Arena Road, and Saddlecreek Road. (*No action required – First Reading only*).

8b. Alcohol License Applications:

1. **First Reading:** Application for Beer Packaged To Go/Alcohol License for Three Star Management, (old Sing Store) located at 1205 Main Street. License will be in the name Mohammad Quddus. *(No Action required - First Reading only).*
2. **First reading:** Application for wine-wholesale alcohol license for Signature Wholesalers, Inc., located at 550 Valley Drive. License will be in the name Robert Abney Fricks. *(No Action required – First Reading only).*
3. **First Reading:** Application for beer, wine, mixed drinks for Leta Mae's (formally Angelo's) at 807 Carroll Street. License will be in the name Daniel Foy Evans. **(Can only be for beer and wine, no distilled spirits - see attachment).** *(No Action required - First Reading only).*

8c. Resolutions for consideration:

Adopted Resolution No. 2007-32 to amend the City of Perry Fee Schedule. City Manager Lee Gilmour presented for the Council's consideration a Resolution to amend the City Fee Schedule based on the cost of living increase. Mayor Pro-Tempore moved to adopt the Resolution amending the City of Perry Fee Schedule. Council Member Riley Hunt seconded the motion and it carried unanimously.

8d. Recommendations of the Public Works Oversight Committee (met on 07.12.07). Chairman of Public Works Oversight Committee City Manager Lee Gilmour reviewed the recommendations from the Committee. They were acted upon, as follows:

- Authorized the adopted Resolution No. 2007-38 supporting the use of alternative fuels. Mayor Pro-Tempore Joe Kusar moved to adopt the resolution. Council Member Brian Bowen seconded the motion and it carried unanimously.
- Approved the recommendation to discontinue the Georgia Department of Correction work detail contract. Council Member Riley Hunt moved to accept the recommendation to discontinue the contract with Georgia department of Correction. Council Member Bobby Glover seconded the motion and it carried unanimously.
- Authorized the proposal from ESG, Inc. to manage the water treatment operations. The proposal estimates we will save \$27,500 on our operating costs. The agreement will be effective immediately. City employees currently vested in retirement system sick leave will be rolled over. Council Member Hunt moved to accept the proposal from ESG, Inc. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously.
- Awarded the bid for Big Indian Creek park parking lot to the low bidder, Middle GA. Paving \$ 23,000. Council Member Riley Hunt moved to accept the

recommendation from the Committee to award the bid to Middle GA. Paving. Council Member Bobby Glover seconded the motion and it carried unanimously.

- Authorized the cancellation of preventive maintenance contract with outside contractor. City Manager Lee Gilmore presented to Council a letter written by Vehicle Maintenance Supervisor, Bob Taylor to the Committee, requesting that the preventative maintenance program be returned to the shop. Taylor advised that the current process the city uses for contracting out for light vehicles maintenance could be more effectively done through the shop. The Committee recommended cancelling the contract. Mayor Pro-Tempore Joe Kusar moved to accept the recommendation from the Committee. Council Member Riley Hunt seconded the motion and it was carried unanimously.
- 8e. Authorized the use of capitol reserve account money to pay for Integrated Science and Engineering, Inc. for the stormwater drain study General Courtney Hodges Blvd. / Baird Street Corridor. City Manager Lee Gilmour, presented for Council's recommendation the proposal from Integrated Science and Engineering Inc. to study the storm drain and plans for addressing it. Mayor Pro-Tempore Joe Kusar moved to authorize the study. Council Member Bobby Glover seconded the motion and it carried unanimously.
- 8f. Authorized the request from Downtown Development Authority parking restriction on a portion of Ball Street. City Manager Lee Gilmour presented to Council the DDA recommendation for a parking limit two hours on a portion of Ball Street. Mayor Pro-Tempore Joe Kusar moved to accept the recommendation of the DDA. Council Member Brain Bowen seconded the motion and it was carried unanimously.
- 8g. Authorized waiver of fees for use of the community room at Roar Park for the Middle Georgia Inspector Association meeting on October 25, 2007. City Manager Lee Gilmour presented for Council's consideration a request to waive the fee for the October 25, 2007 Middle Georgia Inspectors Association meeting in the community room at Rozar Park. Council Member Riley Hunt moved to authorize the waiver of the fee. Council Member Bobby Glover seconded the motion and it was carried unanimously.
- 8h. Approved award of professional service for Big Indian Creek, archaeological study to TRC. City Manager Lee Gilmour reviewed with Council a matrix which provided the professional services for the archaeological study on Big Indian Creek. The State requires a Phase 1 archaeological study before the grant can be awarded. The City Manager recommendation to award this professional service to TRC which is the low bidder, \$ 6,000.00. Mayor Pro-Tempore Joe Kusar moved to accept the recommendation of the City Manager. Council Member Riley Hunt seconded the motion and it was carried unanimously.
- 8i. Approved to enter in contract with Georgia Department of Transportation resurfacing of various streets. City Manager Lee Gilmour presented to Council a contract from the Georgia Department of Transportation to resurface a number of street, MKL Drive, Glenwood, Sunshine Avenue, and a portion of Plaza Drive.

This would be referred to as a City contract. City Manager's recommendation to enter into agreement with Georgia Department of Transportation. Council Member Riley Hunt moved to enter into agreement and Mayor Pro-Tempore Joe Kusar seconded the motion, and it was carried unanimously.

8j. Approved the recommendation of cancelling the September 4, 2007 City Council meeting due to possible conflict with Labor Day holiday. City Manager Lee Gilmore made the recommendations to cancel the September 4, 2007 City Council meeting. Mayor Pro-Tempore Joe moved to accept the recommendation of the City Manager. Council Member Riley Hunt seconded the motion and it was carried unanimously.

9. Other Business/Supplemental Agenda:

9a. Award of Bids:

1.	Bid No. 2007-10	300 Sesus Water Meters	Kendall Metering
2.	Bid No. 2007-18	Repair Parts for Stock	Ferguson Supply
3.	Bid No. 3007-19	Repair Parts for Stock	Ferguson Supply

City Manager Lee Gilmour recommendation to Council to accept the recommend bids since these are sole source providers. Council Member Brain moved to accept the bids. Mayor Pro-Tempore seconded the motion and it was carried unanimously.

9b. Alcohol License Applications:

1. **First Reading:** Application for Beer and Wine Packaged To Go Only, Alcohol License for Circle 9 Food Mart, located at 423 Gen C. Hodges Blvd. New name is Shirishchandra Desai. (*No Action required – First Reading only*).

10. Council Committee Reports. None.

11. Department Reports:

Director of Administration, Brenda King, reminded members to submit travel advances from GMA trip.

12. Executive Session entered at 7:11 p.m.: Mayor Pro-Tempore Joe Kusar moved to adjourn regular meeting and enter into an Executive Session for the purpose of discussing real estate. Council Member Riley Hunt seconded the motion and it carried unanimously.

13. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held July 17, 2007 and reconvened into the regular meeting.

14. Adopted Resolution No. 2007-39 stating purpose of Executive Session held July 17, 2007 was to discuss real estate.

15. Adjournment: