

MINUTES  
REGULAR MEETING OF THE PERRY CITY COUNCIL  
OCTOBER 2, 2007

1. Call to Order: Mayor James Worrall, Presiding Officer, called the regular meeting of the Perry City Council held October 2, 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, Council Member Phyllis Bynum-Grace and Council Member Riley Hunt.

Elected Officials Absent: Council Member James Moore

Staff/Guests/Press: City Manager Lee Gilmour. City Attorney David 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, Rick Kilgore, Parks and Recreation Director, and Recording Secretary Joni Ary.

Speakers Public Hearing: None

Press: Charlotte Perkins, Houston Daily Journal and Natasha Smith, Macon Telegraph.

3. Invocation and Pledge of Allegiance to the Flag: Mayor James Worrall gave the invocation and Mitchell from the Boys Scouts Troup 127 led the pledge of allegiance to the flag.
4. Citizens with Input. Cynthia Bemus, spoke to Council about the closing of the Salvation Army in Perry. She stated how much the Salvation Army has meant to the Citizens of Perry. Mayor Pro-Tempore Joe Kusar stated that the closing of the Salvation Army has nothing to do with the City. Mayor Pro-Tempore Joe Kusar stated that if Ms. Bemus wanted to create a link between the Perry Volunteer Outreach and the Salvation Army, then she would have to address their board. Mayor Worrall stated that the position of the City is that it is none of the City's business. Captain Glenn Weiner Representative from the Salvation Army, stated that the Salvation Army is not pulling out of Perry, that the Salvation Army is committed to the Citizens of Perry. Unfortunately at this time there will not be a physical presence of the Salvation Army but they believe that the Salvation Army can work around not having a physical location in Perry. Mayor Worrall thanked Captain Weiner for coming and responding to the questions by the citizens of Perry. Council Member Brian Bowen asked how long before the Salvation Army will have a presence in Perry again. Captain Weiner stated that he would have to consult his board before he could give a definite time line.

5. PUBLIC HEARING CALLED TO ORDER AT 6:20 P.M. – DISCLOSURE NOTICE  
READ ALOUD: Mayor James Worrall called to order of a public hearing at 6:20 p.m. for the purpose of receiving public input to advertised petitions 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 Rezoning Application No. R-007-015. Woodland Property Partners, Inc – Mr. Mathew Marshall. Rezone – 494.535 acres from City of Perry PUD #2, Planned Unit Development Standards to City of Perry PUD #2, Planned Unit Development Standards consisting of 494.535 acres located at Perry Parkway, Highway 341 North and Airport Road Extension. Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated September 11, 2007 as follows:

*Re: Petition for Rezoning Application No. R-007-015  
Mr. Mathew Marshall – Woodland Property Partners, Inc.  
Rezone – 494.535 acres from  
City of Perry PUD Standards to City of Perry PUD Standards  
Perry Parkway, Highway 341 North & Airport Road Extension  
MP-P53-1*

*“Dear Mayor and Council:*

*On September 10, 2007 Perry Planning Commission reviewed the above referenced Petition for Rezoning submitted by owner, Woodland Property Partners, Inc. – Mathew Marshall. This petition requests a zoning change from City of Perry PUD # 2, Planned Unit Development Standards to City of Perry PUD # 2, Planned Unit Development Standards consisting of 494.535 acres located at Perry Parkway, Highway 341 North and Airport Road Extension.*

*The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation of approval to Mayor and City Council for PUD rezoning.*

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

Staff Report: Mike Beecham, Director of Community Development stated that this is a revised application from the developer that meet all requirements from the Planning Commission.

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

In Favor: Mathew Marshall stated that with each time they have come back to Council they have done a better job of making the area more livable and a lot more green space for the residents.

Opposition: None

- 5b. Petition for Rezoning Application No. R-007-016. Mr. Arthur S. MacDonald – Perry – Houston County Airport Authority. Rezone and Annex – 12.353 acres from Houston County R – AG, Residential Agricultural District to City of Perry M-2, Industrial District for property located off Airport Road. Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated September 11, 2007 as follows:

*Re: Petition for Rezoning Application No. R-007-016  
Mr. Arthur S. MacDonald. - Perry –Houston County Airport Authority  
Rezone & Annex – 12.353 acres from  
Houston County R-AG to City of Perry M-2  
Airport Road  
MP-15-18A*

*“Dear Mayor and Council:*

*On September 10, 2007, the Perry Planning Commission reviewed the above referenced Petition for Rezoning from Mr. Arthur S. MacDonald – Perry- Houston County Airport Authority. This request is to rezone and annex 12.353 acres from Houston County R-AG, Residential Agricultural District to City of Perry, M-2, Industrial District for property located off Airport Road.*

*The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation of approval to Mayor and City Council for the M-2 rezoning for annexation.*

*Sincerely,*

*Martin Beeland, Chairman  
Perry Planning Commission”.*

Staff report: Mike Beecham Director of Community Development, the reason for the M-2 classification is due to the fact that the remainder of the Airport Authority property is classified as M-2, also wanted to stress that as of today there are no plans for development.

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

In Favor: None.

Opposition: None

- 5c. Petition for Special Exception Application No. SE-007-04. Ms. Kelly Rodriguez, applicant. The request is to Section 80.1.3 for a day care center in a R-1 district. The property is located at 1108 Tucker Road. Mayor James

Worrall read aloud a letter of recommendation from the Perry Planning Commission dated September 11, 2007 as follows:

*Re: Petition for Special Exception Application No. SE-007-04  
Kelly Rodriguez  
1108 Tucker Road  
MP-P45A-10*

*“Dear Mayor and Council:*

*On September 10, 2007 Perry Planning Commission reviewed the above referenced Application for Special Exception submitted by Ms. Kelly Rodriguez, applicant. The request is to Section 80.1.3 for a day care center in a R-1 district. The property is located at 1108 Tucker Road.*

*The Perry Planning Commission respectfully submits this letter as our formal recommendation to 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 stated that the Planning Commission requested a denial of the petition, but the petitioner Kelly Rodriguez has requested a withdrawal of application.

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

In Favor: None

Opposition: None.

Mayor Worrall closed the Public Hearing at 6:25 p.m.

6. Consent Agenda Items:

- 6a. Minutes of September 18, 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/Second Reading – Consideration of Adoption: Presented by City Manager Lee Gilmour.
1. Council approved application for alcohol license for Beer Packaged To Go/ Alcohol License for Three Star Management, (Old Sing Store) located at 1205 Main Street. Lee Gilmour, City Manager gave the second reading of an application for alcohol license for Three Star Management. The license will be in the Mohammad Quddus. Mayor Pro-Tempore Joe Kusar

moved to approve the application request as submitted. Council Member Riley Hunt seconded the motion and it carried unanimously.

2. Council approved application for alcohol license for beer and wine-wholesale alcohol license for PMF Enterprise Inc. d/b/a Super Food Mart located at 517 Perry Parkway. Lee Gilmour, City Manager gave the second reading of an application for alcohol license for PMF Enterprises Inc. d/b/a Super Food Mart. The license will be in the Pierre Beauchamps. Council Member Riley Hunt moved to approve the application request as submitted. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously.
3. Council approved application for alcohol license for beer and wine packaged to/go alcohol license for Texaco Food Mart located at 1315 South Perry Parkway (new building). Lee Gilmour, City Manager gave the second reading of an application for alcohol license for Texaco Food Mart. The license will be in the name Habibullah M. Ulmer. Council Member Phyllis Bynum-Grace moved to approve the application request with license contingent on Certificate of Occupancy from Community Development as submitted. Council Member Brian Bowen seconded the motion and it carried unanimously.

7b. Ordinances for Second Reading/Consideration of Adoption: City Manager Lee Gilmour.

1. Adoption of Ordinance 2007-34. City Manager Lee Gilmour gave the second reading of an ordinance to amend the City of Perry zoning map to reflect a change in zoning for 2.143 acres located at 1039 Keith Drive, as submitted in Petition R-007-011. Mayor Pro-Tempore Joe Kusar motioned to approve the ordinance. Council Member Bobby Glover seconded the motion and it carried unanimously. (*Ordinance 2007-34 has been entered in the City's official book of record*).
2. Adoption of Ordinance 2007-35. City Manager Lee Gilmour gave the second reading of an ordinance to amend the City of Perry zoning map to reflect a change in zoning 2.66 acres located off Perry Parkway, as submitted in Petition R-007-012. Council Member Phyllis Bynum-Grace motioned to approve the ordinance. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously. (*Ordinance 2007-35 has been entered in the City's official book of record*).
3. Adoption of Ordinance 2007-36. City Manager Lee Gilmour gave the second reading of an ordinance to amend the City of Perry zoning map to reflect a change in zoning for 1.0 acres located off Keith Drive, as submitted in Petition R-007-014. Council Member Brian Bowen motioned to approve the ordinance. Council Member Bobby Glover

seconded the motion and it carried unanimously. (*Ordinance 2007-36 has been entered in the City's official book of record*).

4. Adoption of Ordinance 2007-37. City Manager Lee Gilmour gave the second reading of an ordinance to amend Perry Land Development Ordinance # A-061-0707. Mayor Pro-Tempore Joe Kusar motioned to approve the ordinance. Council Member Riley Hunt seconded the motion and it carried unanimously. (*Ordinance 2007-37 has been entered in the City's official book of record*).

8. New Business:

8a. Ordinances for First Reading and Introduction: Presented by City Manager Lee Gilmour.

1. **First Reading** of an ordinance to amend the City of Perry zoning map to reflect a change in zoning for 494.535 acres located at Perry Parkway, Highway 341 North and Airport Road Extension, as submitted in Petition R-007-015 by Woodland Property Partners, Inc. – Mr. Mathew Marshall from City of Perry PUD # 2 to City of Perry PUD # 2, Planned Development Standards. (*No Action required – First Reading only*).
2. **First Reading** of an ordinance to amend the City of Perry zoning map to reflect a change in zoning for 12.353 acres located off Airport Road, as submitted in Petition R-007-016 by Mr. Arthur S. MacDonald – Perry-Houston County Airport Authority from Houston County R-AG, to City of Perry M-2. (*No Action required – First Reading only*).
3. **First Reading** to annex 12.353 acres located off Airport Road, as submitted in Petition No. R-007-016. Property is currently located in Houston County. (*No Action required – First Reading only*).

8b. Resolutions: City Manager Lee Gilmour

1. Adoption of Resolution No. 2007-45 To amend the City of Perry Fee Schedule). Motion by Mayor Pro-Tempore Joe Kusar to approve the amended Fee Schedule. Council Member Riley Hunt seconded the motion and it carried unanimously. (*Resolution 2007-45 has been entered in the City's official book of record.*)
2. Adoption of Resolution No. 2007-46 To invest Water and Sewer Revenue Bond, Series 2007 with Georgia Fund 1. Motion by Council Member Riley Hunt to approve to invest in the Water and Sewer Revenue Bond, Series 2007 with Georgia Fund 1. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously. (*Resolution 2007-46 has been entered in the City's official book of record.*)

8c. Approved unanimously request from Houston County to waive the permit fee for their new purchased warehouse facility on Kings Chapel Road. Council Member Riley Hunt motioned to accept request, Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

8d. Approved unanimously all the recommendations of the Public Works Oversight Committee (met on 09.25.07). Chairman of Public Works Oversight Committee Riley Hunt.

1. Authorized to proceed about increasing our permitted withdrawal water level limits from EPD.

Council Member Riley Hunt made the motion to accept the recommendation of Chairman Riley Hunt. Council Member Bobby Glover seconded the motion and it carried unanimously.

2. Approved designating two (2) approved employees to maintain cemeteries, shifting employees to Department of Administration.

Mayor Pro-Tempore Joe Kusar made the motion to accept the recommendation of Chairman Riley Hunt. Council Member Riley Hunt seconded the motion and it carried unanimously.

3. To review options relative to yard debris pick up on Main Street and Eleanor Street. Ronnie Jones Public Works Director addressed Council stating that the alley way is privately owned, that since alley way is privately owned that citizens place their yard debris in front yard so that the City can pick up the yard debris. Mayor James Worrall stated that the citizens have been placing their yard debris in the alley way for the last 40 years, suggested that the City compromise. But Mayor Pro-Tempore Joe Kusar stated that the City should follow the law and asks residents to place their yard debris on the front yard.

Council Member Riley Hunt made the motion to accept the recommendation of Director of Public Works Ronnie Jones to ask citizens to put yard debris in front yard not in alley way. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously.

8e. Approved unanimously all the recommendations of the Park and Recreation Oversight Committee (met on 09.27.07). Chairman of Parks and Recreation Oversight Committee Bobby Glover.

1. Discuss funding for Creekwood Park lights for youth football field (\$45,270 - \$49,800).

Council Member Bobby Glover made the motion to accept the recommendations from the Parks and Recreation Committee. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

2. Discuss Creekwood Park multi-use Butler type building estimated cost at \$1.5 million.

Mayor Pro-Tempore Joe Kusar made the recommendation to keep this item on priority list until funding is available. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

3. Discuss provision of restroom of Barbara Calhoun Park estimated to cost \$6,200.

Council Member Bobby Glover made the motion to accept the recommendation of the Parks and Recreation Committee. Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously.

4. Discuss hiring additional youth from Middle Georgia Consortium.

Council Member Riley Hunt made the motion to accept the recommendation of Chairman Bobby Glover. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

- Council Member Bobby Glover stated that at the Parks and Recreation Oversight Committee, the Crossroad Civitan Club has raised money to purchase swings for the handicap. The City would be responsible for the installation to the existing swing structure. The Parks and Recreation Committee have agreed to accept the swings from the Crossroad Civitan Club. City Manager Lee Gilmour stated that at this time no Council action is required.

- 8f. Request from the Downtown Development Authority. Vice-Chairman of Downtown Development Authority David Walker III.

**Mayor Pro-Tempore motioned that City Council table the request of the DDA until DDA and the City Council can meet in a work session to discuss items. All Council Members concurred unanimously.**

1. Relocation of Gazebo from Walgreen's property to the former Waites property.

2. Request for funding for installation and maintenance of the seasonal plantings downtown and maintenance of the Garden Park and downtown flowerbeds.

8g. Council consideration to approve proceeding with Automated Meter Reading.

Mayor Pro-Tempore Joe Kusar motioned to authorize the City proceed to get a formal contract for the Automated Meter Reading for the City Attorney to review. Council Member Riley Hunt seconded the motion and it carried unanimously.

8h. Council consideration to approve proceeding with the relative GREAT Tax Proposal.

Mayor Pro-Tempore Joe Kusar made the motion to approve recommendation from the Georgia Municipal Association. Council Member Riley Hunt seconded the motion. Council Members Bobby Glover and Phyllis Bynum-Grace voted in favor of the motion with Council Member Brian Bowen abstained.

8i. Request input from Council concerning proposing amendment to state accommodation Excise Tax Law (Hotel/Motel Tax) – Perry Area Convention and Visitors Bureau. Mr. Jimmy Faircloth and Ms. Shelia Jones presented request to Council to support proposed amendment to state accommodation Excise Tax Law (Hotel/Motel Tax). Council Member Riley Hunt motioned to approve the request, Council Member Brian Bowen seconded and it carried unanimously.

8j. Acceptance of portion of Big Indian Creek Park from Uptown Perry Partnership.

Mayor Pro-Tempore Joe Kusar motioned to accept the portion of Big Indian Creek from the UPP. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

8k. Bid Awards: City Manager Lee Gilmour

1. Bid No. 2007-22 award demolition of structure at 704 Patterson Street \$2,800.00 (Level Line Inc.)

City Manager Lee Gilmour recommendation to Council to accept the recommended bid of \$2,800 since Level Line Inc. is the only bidder. Council Member Riley Hunt moved to accept the bid. Council Member Brian Bowen seconded the motion and it was carried unanimously.

2. Bid No. 2007-31 award bid to Scott Voice Amplifier w/mounting brackets \$5,685.00 (American Safety Fire House)

City Manager Lee Gilmour recommendation to Council to accept the recommended bid of \$5,685 since American Safety Fire House Inc. is the lowest bidder. Council Member Riley Hunt moved to accept the bid. Council Member Bobby Glover seconded the motion and it was carried unanimously.

9. Other Business/Supplemental Agenda

- 9a. Adoption of Resolution No. 2007-47 For Honorary Citizenship to the Reithoffer Family. Motion by Mayor Pro-Tempore Joe Kusar to approve Honorary Citizenship to the Reithoffer Family. Council Member Riley Hunt seconded the motion and it carried unanimously. (*Resolution 2007-47 has been entered in the City's official book of record.*)
- 9b. Parade participation of Council Member. The Parade will begin at 9:30 a.m. on Friday the 5<sup>th</sup> from City Hall. Council Member Bobby Glover stated he would like to participate in the Parade. Council Members Riley Hunt and Joe Kusar respectively declined. Council Member Brian Bowen stated he would contact City Hall on 10.3.07 to let them know if he would be able to participate. Council Member Phyllis Bynum-Grace had already left the meeting.

10. Council Committee Reports.

Council Member Bobby Glover- Had nothing to add.

Council Member Riley Hunt- Would like Cemeteries taken care of.

Council Member Brian Bowen- Had nothing to add.

Mayor Pro-Tempore Joe Kusar- Will have Impact Fee Committee information for next City Council meeting to present to Council if all members of Council are present.

Council Member Phyllis Bynum-Grace- Had already left for the evening at 7:18 p.m.

City Manager Lee Gilmour- The Georgia National Fair asks for provision in the amount of \$6,000 in paying for the Fire Fighter to work the Fair. Mayor-Pro-Tempore Joe Kusar and Council Member Bobby Glover were in agreement that the Georgia National Fair should have planned appropriately for the upcoming Fair season. The City should not have to pay the provision; The Georgian National Fair could also try to use the County Fire Fighters to work the Fair Grounds. Council Member Brian Bowen and Council Member Riley Hunt agreed that this would be a one time payment to the Fair Grounds. Council Member Riley Hunt motioned to accept the provision for the Georgia National Fair; Council Member Brian Bowen seconded the motion. Council Member Bobby Glover and Mayor Pro-Tempore Joe Kusar opposed. Mayor James Worrall broke the tie with voting in favor of the motion.

11. Department Reports.

Chief George Potter, Director of Public Safety- Crime is down in the City and getting ready for the Fair.

Chief Joel Gray, Deputy Fire Chief- Nothing to add.

Rick Kilgore, Director of Recreation Department- Nothing to add.

Ronnie Jones, Public Works Director- Nothing to add.

Mike Beecham, Director of Community Development- Nothing to add.

Brenda King, Director of Finance- Nothing to add.

12. Adjournment: There being no further business to come before the Council in the meeting held October 2, 2007, the meeting was adjourned at 7:44 p.m.