

MINUTES  
REGULAR MEETING OF THE PERRY CITY COUNCIL  
October 7, 2008  
**6:00 P.M.**

1. Call to Order: Mayor James Worrall, Presiding Officer called to order the regular meeting held October 7, 2008 at 6:00 p.m.

2. Roll:

Elected Officials Present: Mayor James Worrall, Presiding Officer. Mayor Pro-Tempore Phyllis Bynum-Grace. Council Members Willie King, James Moore, Charles Lewis and Riley Hunt.

Elected Official Absent: Council Member Joe Kusar.

Staff: City Manager Lee Gilmour. City Attorney David Walker. City Departmental Staffing: George Potter – Director of Public Safety, Rick Kilgore – Director of Parks and Recreation, Mike Beecham – Director of Community Development, Ronnie Jones – Director of Public Works, Dianne Abney – Secretary Public Works Department and Joni Ary – Recording Secretary.

Guests/Speakers: Mr. Daniel Brown.

Press: Natasha Smith – Macon Telegraph and Charlotte Perkins – Houston Home Journal.

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

4. Introductions/Special Presentation:

4a. City Manager Lee Gilmour presented Mrs. Carol Fudge with a 25 years service pin award.

5. Citizens with Input. Mr. Daniel Brown stated that at 413 Frank Satterfield Road and 415 Frank Satterfield Road having problems with sewage backing up into the houses and flooding the inside of the homes. Mr. Brown asked Council to look into putting backflow preventors on all the houses on Frank Satterfield to prevent sewage from backing up.

6. PUBLIC HEARING CALLED TO ORDER AT 6:07 P.M. Mayor James Worrall called to order of a public hearing at 6:07 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 ( c ).

6a. Petition for Rezoning & Annexation Application No. R-08-011. Perry Volunteer Outreach, applicant – Rezone and Annex – 2.394 acres from Houston County R-AG, Residential Agricultural District to City of Perry C2, General Commercial for property

located off Highway 41 South. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated September 8, 2008, as follows:

*“Re: Petition for Rezoning & Annexation Application No. R-08-011  
City of Perry – Perry Volunteer Outreach  
Highway 41 South  
MP – P34-34*

*Dear Mayor and Council:*

*On September 8, 2008, the Perry Planning Commission reviewed the above referenced Petition for Rezoning submitted by Perry Volunteer Outreach. This petition requests to rezone & annex 2.394 acres from Houston County R-AG, Residential Agricultural to City of Perry C2, General Commercial for property located off Highway 41 South.*

*The Perry Planning Commission respectfully submits this letter to Mayor and City Council as our formal recommendation for the approval for this petition for C2 rezoning for annexation.*

*Sincerely,*

*Martin Beeland, Chairman  
Perry Planning Commission”.*

**Staff Report:** Mr. Mike Beecham, Director of Community Development stated that the Perry Planning Commission recommendation is for approval for this petition.

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

There was no public input for or opposed to the petition.

- 6b. **Amendment to Perry Land Development Ordinance #A-009-0808. Section 144.6-Temporary Turnarounds.** Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated September 9, 2008, as follows:

*“Re: Amendment to Perry Land Development Ordinance  
Section 144.6 – Temporary Turnarounds  
#A-009-0808*

*Dear Mayor and Council:*

*On September 8, 2008, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance – Section 144.6 – Temporary Turnarounds.*

*The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to the Mayor and City Council for the approval of Section 144.6.*

*Sincerely,*

*Martin Beeland, Chairman  
Perry Planning Commission”.*

Staff Report: Mr. Mike Beecham, Director of Community Development stated that the Perry Planning Commission recommendation is for approval for this amendment.

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

There was no public input for or opposed to the amendment.

6c. Ordinance to amend the City of Perry, Code of Ordinance – Identity Theft Program.

No public hearing was needed for this item.

Public Hearing Adjourned at 6:15 p.m. Mayor James Worrall closed the public hearing at 6:15 p.m.

7. Consent Agenda Items: Mayor James Worrall.

7a. Council Consideration –

1. Minutes of September 16, 2008 work session and regular meeting. Council Member Riley Hunt motioned to approve. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

8. Old Business: Mayor James Worrall.

8a. Ordinances for Second Reading/Consideration of Adoption: City Manager Lee Gilmour.

1. Adoption of Ordinance 2008-24. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry Land Development Ordinance, Section 41.2.3 – Denial of Certificate of Occupancy, #A-010-0808. The City Manager advised Council that the recommendation from the Perry Planning Commission was to approve the amendment. Council Member Charles Lewis motioned to follow the recommendation of the Perry Planning Commission and to approve the request to amend the Perry Land Development Ordinance, Section 41.2.3 – Denial of Certificate of Occupancy. Council Member James Moore seconded the motion and it carried unanimously. (*Ordinance 2008-24 has been entered in the City's official book of record*).

8b. Alcohol License Second Reading - Applications: City Manager Lee Gilmour.

1. Council approved application for Beer Packaged To Go/Alcohol License for Publix Super Markets, Inc. #1233, located at 275 Perry Parkway. License will be in the name Trent N. Loseke. Mayor Pro-Tempore Phyllis Bynum-Grace motioned to approve the application request as submitted. Council Member Willie King seconded the motion and it carried unanimously.

2. Council approved application for Beer Packaged To Go/Alcohol License for Publix Pix Convenience Store #3405, located at 285 Perry Parkway. License will be in the name Trent N. Loseke. Mayor Pro-Tempore Phyllis Bynum-Grace motioned to approve the application request as submitted. Council Member Willie King seconded the motion and it carried unanimously.

9. Any Other Old Business Matters: None.

10. New Business: Mayor James Worrall.

10a. Ordinances for First Reading and Introduction: Presented by City Manager Lee Gilmour.

1. **First Reading** of an ordinance to rezone 2.394 acres, as submitted in Petition R-08-011 by Perry Volunteer Outreach - from Houston County R-AG, Residential Agricultural District to City of Perry C-2, General Commercial for property located off Highway 41 South. (*No action required by Council – First Reading only*).
2. **First Reading** of an ordinance to annex 2.394 acres, as submitted in Petition R-08-011 by Perry Volunteer Outreach - from Houston County R-AG, Residential Agricultural District to City of Perry C-2, General Commercial for property located off Highway 41 South. (*No action required by Council*).
3. **First Reading** of an ordinance to amend the Perry Land Development Ordinance – Section 144.6 – Temporary Turnarounds - #A-009-0808. (*No action required by Council*).
4. **First Reading** of an ordinance to amend the City of Perry, Code of Ordinances – Identity Theft Prevention Program. (*No action required by Council*).

10b. Approved to enter into an agreement with Associates Inc. and local government for Grace Village Phase II, CDBG Grant: City Manager Lee Gilmour presented for Council's consideration a request to enter into agreement with Associates Inc. for Grace Village Phase II, CDBG Grant. Council Member James Moore motioned to enter into agreement with Associates Inc. for Grace Village Phase II, CDBG Grant. Council Member Willie King seconded the motion and it carried unanimously.

10c. Authorized amending the City retirement plan to provide for exception of cancellation of benefits if a retiree becomes an elected official. City Manager Lee Gilmour presented for Council's consideration a request to amend the City retirement plan to provide for exception of cancellation of benefits if a retiree becomes an elected official. Mayor Pro-Tempore Phyllis Bynum-Grace asked if the exception applies to only Council Member Charles Lewis. City Manager Lee Gilmour stated that the exception applies to everyone who becomes an elected official. Council Member Riley Hunt moved to amend the City's retirement plan to provide for exception of cancellation of benefits if a retiree becomes an elected official. Council Member James Moore

seconded the motion and it carried unanimously. Council Member Charles Lewis abstained.

10d. Authorized provision of easements for improvements on Sandefur Road as requested by Houston County Board of Commissioners. City Manager Lee Gilmour presented for Council's consideration a request to authorize a provision of easements for improvements on Sandefur Road as requested by Houston County Board of Commissioners. Council Member Riley Hunt motioned to authorize a provision of easements for improvements on Sandefur Road as requested by Houston County Board of Commissioners. Council Member Charles Lewis seconded the motion and it carried unanimously.

10e. Authorized applying for matching grant for Wildland Firefighter protective gear. City Manager Lee Gilmour presented for Council's consideration a request to authorize applying for matching grant for Wildland Firefighter protective gear. Council Member James Moore motioned to authorize applying for matching grant for Wildland Firefighter protective gear. Council Member Riley Hunt seconded the motion and it carried unanimously.

11. Award of Bids: Consideration of Award – City Manager Lee Gilmour.

1. Awarded Bid No. 2008-35 of equipment for Laser Shot Firearms Simulator. Director of Public Safety, George Potter.

<u>Vendor</u>	<u>Bid</u>	<u>Total</u>
Laser Shot	\$21,617.50	\$21,617.50

City Manager Lee Gilmour suggested to Council to accept the recommended bid from Laser Shot as the sole source provider for this item. Council Member James Moore motioned to accept the recommended bid. Council Member Charles Lewis seconded the motion and it carried unanimously.

12. Other Business/Supplemental Agenda. None.

13. Council Committee Reports.

Council Member Willie King – nothing.

Council Member James Moore – asked Director of Public Safety, George Potter about the newspaper article about the Windstream Grant. Director of Public Safety – George Potter stated that Fire Chief Joel Gray applied for and was selected for the Windstream Grant. The Windstream grant was for light weight protective gear for fire fighters. Yesterday, Windstream delivered \$5,000 worth of light weight protective gear for the fire fighters.

Council Member Riley Hunt – nothing.

Mayor James Worrall- asked Council to look at the full page article in the Georgia Cities paper about the City of Perry Fuel Solutions; it is a very good article.

Council Member Charles Lewis – nothing.

Mayor Pro-Tempore Phyllis Bynum-Grace – nothing.

14. Department Reports.

George Potter, Director of Public Safety –stated that the Georgia National Fair is going well.

Michael Beecham, Director of Community Development – No sir.

Rick Kilgore, Director of Parks and Recreation – stated that the Musco link lighting system has been installed at Rozar Park. Also, there will be an adult book club that will be meeting at Rozar Park once a month.

Ronnie Jones, Director of Public Works – Everything is fine so far in Public Works.

15. Executive Session entered at 6:33 p.m.: Council Member Willie King moved to adjourn regular meeting and enter into an Executive Session for the purpose of discussing real estate and personnel. Council Member Riley Hunt seconded the motion and it carried unanimously.
16. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held October 7, 2008 and reconvened into the regular meeting.
17. Adopted Resolution No. 2008-49 stating purpose of Executive Session held October 7, 2008 was to discuss real estate and personnel. Council Member James Moore moved to adopt a resolution stating the purpose of the Executive Session held on October 7, 2008 was to discuss real estate and personnel. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously. (*Resolution 2008-49 has been entered in the City's official book of record*).
18. Adjourn. There being no further business to come before the Council in the reconvened meeting held October 7, 2008, Mayor James Worrall adjourned the meeting.