

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
NOVEMBER 20, 2007
6:00 P.M.

1. Call to Order: Mayor James Worrall, Presiding Officer, called the regular meeting of the Perry City Council held October 16, 2007 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor James Worrall. Mayor Pro-Tempore Joe Kusar. Council Members Riley Hunt, Brian Bowen, James Moore, Bobby Glover, and * Phyllis Bynum-Grace.

* Council Member Phyllis Bynum-Grace left at 7:05 p.m.

Elected Officials Absent:

Staff/Guests/Press: City Manager Lee Gilmour. City Attorney John Walker. City Departmental Staff: George Potter, Public Safety Director, Mike Beecham, Director of Community Development, Ronnie Jones, Director of Public Works, Brenda King, Director of Administration, Deputy Chief Joel Gray, Fire Department, Captain Heath Dykes, Police Department, Captain Bill Phelps, Police Department, Dianne Abney, Secretary Public Works, and Recording Secretary Joni Ary.

Guests: Barbara Jernigan – Rainbow House.

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

3. Invocation and Pledge of Allegiance to the Flag: Mayor Worrall gave the invocation and Council Member James Moore led the pledge of allegiance to the flag.

Mayor Worrall advised Council that the agenda order would be adjusted to expedite the City business.

8j. Approved unanimously request from Rainbow House annual meeting/dinner to waive the fee for use of the community room at Rozar Park on December 10, 2007, from 4:00 p.m. to 9:00 p.m. Council Member Riley Hunt motioned to accept request, Mayor Pro-Tempore Joe Kusar seconded the motion and it carried unanimously.

8a. Performance Awards: Presented by City Manager Lee Gilmour.

Officer Matthew Leopard- For his arrest in the Bank Robbery Suspect dubbed “The Grandpa Bandit” on November 10, 2007, at 7:30 a.m. at the Holiday Inn on Valley Drive.

Detective Drew Dodson- For the capture of the suspects convicted of Armed Robbery of a family at a local hotel.

9. (2). Approved unanimously request from Perry Downtown Merchants for use of the lot behind City Hall (Ball Street) for Snow Day, December 15, 2007, from 3:00 p.m. until 5:00 p.m. Mayor Pro-Tempore Joe Kusar motioned to accept request, Council Member Riley Hunt seconded the motion and it carried unanimously.

4. Citizens with Input: Citizens and family members from Post 2, District 1 presented Council Member Bobby Glover with plaques for his dedication and service to the City and his district.

5. PUBLIC HEARING CALLED TO ORDER AT 6:30 P.M. – DISCLOSURE NOTICE READ ALOUD: Mayor James Worrall called to order of a public hearing at 6:30 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 Special Exception Application No. SE-007-05.** Kelly Rodriquez- 1424 Elizabeth Avenue. MP-P23-74. Mayor James Worrall read aloud a letter of recommendation from the Perry Planning Commission dated October 23, 2007. *Note: Special Exception require a Council decision at the time of introduction.*

*“Re: Petition for Special Exception Application No. SE-007-05
Kelly Rodriquez
1424 Elizabeth Avenue
MP-P23-74*

Dear Mayor and Council:

On October 22, 2007, the Perry Planning Commission reviewed the above referenced Application for Special Exception submitted by Ms. Kelly Rodriquez, applicant. The request is to Section 80.1.3. for a day care center in an R-1 district. The property is located at 1424 Elizabeth Avenue.

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 Planning and Zoning asked Council to deny this request based on the traffic and parking for the daycare.

Public Input: Mayor Worrall called for any public input for this particular item.

In Favor: None.

Opposition: None.

Council Member Riley Hunt motioned to deny the petition for special exception Application No. SE-007-05. Council Member Brian Bowen seconded the motion and it carried unanimously.

- 5b. **Petition for Rezoning Application No. R-007-017.** Mr. Scott Free c/o Ogden Persons, Owner. Rezone and Annex a Total 27.26 Acres- 11.49 acres from Houston County R-AG to City of Perry C2, and 15.77 acres from Houston County R-AG to City of Perry R3. The property is located at the S/E corner of Langston Road and Highway 41 North. MP-55-155. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated October 23, 2007, as follows:

*“Re: Petition for Rezoning Application No. R-007-017
Scott Free c/o Ogden Persons
Rezone & Annex a Total of 27.26 Acres
11.49 acres from Houston County R-AG Residential Agricultural District
to City of Perry, C2, General Commercial District and
15.77 acres from Houston County R-AG, Residential Agricultural District
to City of Perry R3, Multi-Family Residential District
The Property is located at the S/E corner of Langston Road and Highway 41 North
MP-55-155*

Dear Mayor and Council:

On June 11., 2007, the Perry Planning Commission reviewed the above referenced Petition for Rezoning submitted by Mr. Scott Free c/o Ogden Persons, owner.

This petition requests the rezoning and annexation of a total of 27.26 acres. This request is to rezone and annex 11.49 acres from Houston County R-AG, Residential Agricultural District to City of Perry C2, General Commercial District and rezone and annex 15.77 acres from Houston County RAG, Residential Agricultural District to City of Perry R3, Multi-Family Residential for property located at the S/E corner of Langston Road and Highway 41 North.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation of approval for this petition request for C2 and R3 rezoning for annexation with the following conditions 1) a single driveway is permitted on Langston Road located at least 500 feet from the right-of-way of Highway 41 North; 2) a undisturbed buffer of 50 feet along Langston Road; and 3) the design layout should accommodate the proposed widening of Langston Road and not encroach on the 50' undisturbed buffer...

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Public Input: Mayor Worrall called for any public input for this particular item.

In Favor: None.

Opposition: None.

Mayor Worrall closed the Public Hearing at 6:40 p.m.

6. Consent Agenda Items: Mayor James Worrall.

6a. Minutes of November 6, 2007 work session and regular meeting approved. Council Member Riley Hunt moved to approve. Council Member James Moore seconded the motion and it carried unanimously.

7. Old Business:

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

1. **Second Reading** of an ordinance to amend FY 08 Operating Budget. Ordinance was deferred to next City Council Meeting.

8. New Business:

8b. Ordinance for First Reading and Introduction: Presented by City Manager Lee Gilmour

1. **First Reading** of an Ordinance to amend Perry Code for Alcoholic Beverage Business License. (*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 a total of 27.26 acres as submitted in Petition No. R-007-017 by Mr. Scott Free c/o Ogden Persons. The property is located at the S/E corner of Langston Road and Highway 41 North. (*No action required – First Reading only*).
3. **First Reading** to annex total of 27.26 acres as submitted in Petition No. R-007-017. Property is located at the S/E corner of Langston Road and Highway 41 North. (*No action required – First Reading only*).

8c. Alcoholic License First Reading- Applications: None.

8d. Alcohol License- Manager Change (One reading/ Council takes action):

1. Council approved application for Manager Change on beer & wine alcohol license for Harvey's Grocery Store #2338, 1309 Main Street. Change name to Eddie Howard Jr. City Manager Lee Gilmour gave the reading of the application for Manager Change on beer & wine alcohol license for Harvey's Grocery Store #2338, 1309 Main Street; changed to Eddie Howard Jr. Council Member James Moore moved to approve the application request as submitted. Council Member Bobby Glover seconded the motion and it carried unanimously.

- 8e. Resolutions for Consideration. Introduced by City Manager Lee Gilmour.
1. Adoption of Resolution No. 2007-53 authorizing City to accept and proceed with necessary documents for \$100,000 grant for Big Indian Creek survey. Motion by Council Member Phyllis Bynum-Grace to approve authorizing City to accept and proceed with necessary documents for \$100,000 grant for Big Indian Creek survey. Council Member Bobby Glover seconded the motion and it carried unanimously. *(Resolution 2007-53 has been entered in the City's official book of record.)*
- 8f. Authorizing BOCA Industries, Inc. relative to grease trap pumping services. Council Member James Moore made the motion to accept BOCA Industries, Inc rate increases that are paid by the business. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 8g. Council on behalf of Grace Village Recovery Center applying for CDBG funding. Mayor Pro-Tempore Joe Kusar made the motion to proceed with the City applying on behalf of Grace Village Recovery Center for the CDBG funding. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 8h. Authorize City of Perry to apply for CHIPS funding for housing rehabilitation. Council Member Phyllis Bynum-Grace made the motion for the City to proceed in applying for CHIPS funding for housing rehabilitation. Council Member James Moore seconded the motion and it carried unanimously.
- 8i. List of GDOT projects. These projects will be presented the Georgia Department of Transportation for their consideration.
- 8k. Award of Bids: Consideration of Award-

1. Awarded Bid No. 2007-29 for the replacement of 182+ linear feet 8” of sanitary sewer line. The bids were received as follows:

Vendor Name	Total
Pyles Plumbing	\$18,200.00

Staff recommendation is accept bid from Pyles Plumbing in the amount of \$18,200.00 for the replacement of 182 + linear feet 8” sanitary sewer lines. Mayor Pro-Tempore Joe Kusar moved to award Pyles Plumbing with the bid. Council Member Riley Hunt seconded the motion and it carried unanimously.

2. Bid No. 2007-58 for purchasing two (2) 2 ½ ton crew cab trucks with utility bodies.
Bid was rejected due to cost.
3. Bid No. 2007-60 for purchasing two (2) trailers.
Bid was deferred until crew cab trucks are obtained.

9. Other Business/Supplemental Agenda.

1. **First Reading** of an Ordinance to amend FY 07 Operating Budget to provide for budgetary adjustments. Director of Administration- Ms. B. King (*No Action required – First Reading only*).

Item Not Listed on Agenda:

Mayor Worrall gave a brief report on the school bus. Blue Bird painted the bus and installed all new seating along with a radio/disc player, speakers and handicapped accessible.

10. Council Committee Reports.

Council Member Bobby Glover – Had nothing to add.

Council Member James Moore – Noticed that the speed limit on a two mile stretch on Hwy 127 traveling toward Marshallville is 45 mph., asked Mr. Potter, Director of Public Safety why the posted speed limit 45 mph. Mr. Potter advised that the state does that. The City has done a great job getting the Christmas decorations up. Friday night is going to be a big night, a playoff football game of Perry High is playing Worth County. Mayor Worrall asked Chief Potter is he could get a sign for parking for the football game. Council Member Moore asked for an update of the animal control shelter from the City Manager. The City Manager advised council that architects have met with staff and volunteer groups who have an interest and proposals are due in at the end of next week or the following week and will go the Public Safety Oversight Committee for review. The road out at the James Street area – City Manager advised that the road is on hold until Perry Branch sewer line is redone, once it's redone we will go out and acquire the right-of-way, construction will start next year.

Council Member Riley Hunt – Asked Chief Potter for an update on Pepo's Food Mart on Perry Parkway. Chief Potter advised that as soon as the DA does a conviction and we are going take license.

Council Member Brian Bowen- Nothing.

Mayor Pro-Tempore Joe Kusar – Questioned the policy on mosquito spraying. Ronnie Jones, Director of Public Works responded that even through the temperature was cool in the evening time, the temperature during the day rose to the 70 degrees - the spraying has since been suspended.

City Manager Lee Gilmour recommendation to Council to cancel the January 1, 2008 meeting. Council Member Riley Hunt motion to accept the recommendation of the City Manager. Council Member Brian Bowen seconded the motion and it carried unanimously.

11. Department Reports.

George Potter, Director of Public Safety – Nothing.

Joel Gray, Deputy Fire Chief – Nothing.

Mike Beecham, Director of Community Development – Nothing.

Ronnie Jones, Director of Public Works – Nothing.

Brenda King, Director of Administration – Nothing.

12. Executive Session entered at 7:15 p.m.: Council Member James Moore moved to adjourn regular meeting and enter into an Executive Session for the purpose of discussing a real estate acquisition matter. Council Member Brian Bowen seconded the motion and it carried unanimously.
13. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held November 20, 2007 and reconvened into the regular meeting.
14. Adopted Resolution No. 2007-54 stating purpose of Executive Session held November 20, 2007 was to discuss a real estate acquisition matter. Council Member Riley Hunt moved to adopt a resolution stating the purpose of the Executive Session held on November 20, 2007 was to discuss a real estate acquisition matter. Council Member Brain Bowen seconded the motion and it carried unanimously. (*Resolution 2007-54 has been entered in the City's official book of record*).

Authorized Mayor to proceed with real estate acquisition per Executive Session discussion. Council Member Riley Hunt made the motion for the Mayor to proceed with the real estate acquisition. Council Member Bowen seconded the motion and it carried unanimously.

Authorized Christmas gift certificates at \$25.00/per employee. Council Member Riley Hunt made the motion to approve Christmas gift certificates at \$25.00/per employee. Council Member Brain Bowen seconded the motion and it carried unanimously.

15. Adjournment: There being no further business to come before the Council in the reconvened meeting of November 20, 2007, Mayor James Worrall adjourned the meeting.