

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
December 16, 2008
6:00 P.M.

1. Call to Order: Mayor James Worrall, Presiding Officer called to order the regular meeting held December 16, 2008 at 6:15 p.m.

2. Roll.

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

Elected Official Absent: None.

Staff: City Manager Lee Gilmour. City Attorney David Walker. City Departmental Staffing: George Potter – Director of Public Safety, Deputy Fire Chief Joel Gray - Fire Department, Brenda King - Director of Administration, Rick Kilgore – Director of Parks and Recreation, Mike Beecham – Director of Community Development, Ronnie Jones – Director of Public Works, Tish Chase – DDA Manager and Joni Ary - Recording Secretary.

Guests/Speakers: Bob Hubbard.

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

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

- Mayor James Worrall stated that he has asked Ms. Tish Chase to give an update on the Houston Arts Alliance.

Ms. Tish Chase - Houston Arts Alliance representative stated that the Houston Arts Alliance board will decide by January 15, 2009 whether or not to stay open. The Houston Arts Alliance has been around for 20 years and helps promote art and art education in Houston County. The Houston Arts Alliance has an office in the old courthouse downtown that has one full time employee. Ms. Chase stated that to try and help, each board member has been challenged to enlist 20 people to become members. Membership fees for an individual are \$15.00/annually and \$35.00/annually for a family. The Houston Arts Alliance is asking all the surrounding cities for any size gift. Ms. Chase stated that the Houston Arts Alliance has funding for the different programs but need money for the daily operations. Mayor James Worrall stated that it would be a shame if the Houston Arts Alliance closed and will be working with Ms. Chase to try to help. Council Member Joe Kusar suggested asking Civic Clubs, Rotary Clubs and Kiwanis for additional help. Council Member Riley Hunt asked what the annual budget is for the Houston Arts Alliance. Ms. Chase stated around \$10,000.

4. Citizens with Input.

Mr. Bob Hubbard stated that in the Macon Telegraph article about the City of Warner Robins and Macon increasing their Hotel/Motel Tax from 6% to 8%. Mr. Hubbard stated he would recommend the City increase our Hotel/Motel Tax to increase revenue. Mr. Hubbard stated that if middle Georgia became a united front to request State representatives to go to bat for us and have this tax increased. City Manager Lee Gilmour stated that at this time the City of Perry has a 6% Hotel/Motel Tax. City Manager Lee Gilmour stated that he wanted to point out Warner Robins has a Civic Center and a series of buildings that can be paid for when you go over that 6%. Macon has the Tubman African Museum, Georgia Sports Hall of Fame and the Georgia Music Hall of Fame. Council Member Joe Kusar stated that he would like to look at in a work session what areas the Hotel/Motel taxes could be used.

5. PUBLIC HEARING CALLED TO ORDER AT 6:30 P.M. Mayor James Worrall called to order of a public hearing at 6:30 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).
- 5a. Amendment to Perry Land Development Ordinance #A-012-1108. – Section 81.2.5. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated November 25, 2008, as follows:

*“Re: Amendment to Perry Land Development Ordinance
Section 81.2.5
#A-012-1108*

Dear Mayor and Council:

On November 24, 2008, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance – Section 81.2.5.

The Perry Planning Commission respectfully submits this letter as our formal recommendation to the Mayor and City Council for approval of Section 81.2.5.

Sincerely,

Martin Beeland, Chairman

Staff Report: Mr. Mike Beecham, Director of Community Development stated that the amendment is for the permitted uses within the expanded DDA District. The amendment would also remove some of the restrictions in dwellings in commercial buildings. Mr. Beecham stated that the Perry Planning Commission has reviewed and recommends approval. Council Member Riley Hunt stated that there is currently a tire sales business in the downtown area. What would happen to the business? Mr. Beecham stated that the tire business would be grandfathered in but the business can not expand or close longer than a year.

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

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

Public Hearing Adjourned at 6:32 p.m. Mayor James Worrall closed the public hearing at 6:32 p.m.

6. Consent Agenda Items: Mayor James Worrall.

6a. Council Consideration –

1. Minutes of December 2, 2008 regular and work session meeting. Council Member Riley Hunt motioned to approve. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

7. Old Business: Mayor James Worrall.

7a. Alcohol License Second Reading – Applications: City Manager Lee Gilmour.

1. Council approved application for beer and wine packaged-to-go alcohol license for Texaco Food Mart, located at 1315 Perry Parkway. Name Changes from Habibullah M. Umer to Pratap Singh. Name change will be on 2009 License. City Manager Lee Gilmour gave the reading of the application for beer and wine packaged-to-go alcohol license for Texaco Food Mart, located at 1315 Perry Parkway. Name Changes from Habibullah M. Umer to Pratap Singh. Name change will be on 2009 License. Council Member James Moore motioned to approve the application request as submitted. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

7b. Ordinances for Second Reading and Introduction: City Manager Lee Gilmour.

1. Denial of Ordinance to amend the Perry City Code. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry Code by adding Section 18-5. City Manager Lee Gilmour stated that this ordinance would amend the speed limit on a portion of Valley Drive to 35 mph. Council Member James Moore asked if George Potter – Director of Public Safety would have a serious problem with the ordinance. George Potter – Director of Public Safety stated that he has a serious problem with reducing the speed to allow golf carts to travel on a portion of Valley Drive. If the speed limit is lowered and golf carts are traveling on a portion of Valley Drive it would become a huge traffic hazard. Council Member Charles Lewis motioned to adopt the ordinance. Motion died for lack of motion.
2. Adoption of Ordinance 2008-36. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry Code by deleting Sec. 3-7 in its entirety and adding a new Sec. 3-7; by renaming Article X in Chapter 15; and by deleting Sec. 15-180 in its entirety and adding a new Sec. 15-180. Council Member James Moore motioned to adopt the ordinance. Council Member Willie King seconded the motion and it carried unanimously. (*Ordinance 2008-36 has been entered in the City's official book of record*).

8. Any Other Old Business Matters: None.

9. New Business: Mayor James Worrall.

9a. Ordinances for First Reading and Introduction: City Manager Lee Gilmour.

1. **First Reading** of an ordinance to amend the Perry Land Development Ordinance #A-012-1108. *(No action required by Council – First Reading only).*
- 9b. **Alcoholic License Applications:** City Manager Lee Gilmour.
1. **Approval for 2009 Alcohol License Renewals for the City of Perry.** City Manager Lee Gilmour presented for Council consideration a request to approve the 2009 alcohol license renewals for businesses. Council Member Willie King motioned to approve the list submitted for the 2009 Alcohol License Renewals. Mayor Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 9c. **Resolutions for Consideration.** City Manager Lee Gilmour.
1. **Adoption of Resolution No. 2008-60 authorizing City to accept certain infrastructure for public maintenance – Ivy Glen Subdivision, Phase 1.** City Manager Lee Gilmour presented for Council’s consideration a Resolution authorizing the City to accept certain infrastructure for public maintenance for Ivy Glen Subdivision, Phase 1. Council Member Willie King motioned to adopt the Resolution authorizing City to accept certain infrastructure for public maintenance for Ivy Glen Subdivision, Phase 1. Council Member Riley Hunt seconded the motion and it carried unanimously. City Manager Lee Gilmour stated that the Department of Community Development is working on the amendment to the Perry Land Development ordinance relative to City maintained infrastructure when a later phase is constructed or development delayed. *(Resolution 2008-60 has been entered in the City's official book of record).*
 2. **Adoption of Resolution No. 2008-61 to amend Resolution No. 2008-58 relative to Village at Camelot.** City Manager Lee Gilmour presented for Council’s consideration a Resolution to amend Resolution No. 2008-58 relative to Village at Camelot. City Manager Lee Gilmour stated that the amendment would be to exclude the streets at Village at Camelot. The streets are privately maintained. Council Member Riley Hunt motioned to adopt the amended Resolution No. 2008-58 relative to Village at Camelot. Council Member Willie King seconded the motion and it carried unanimously. *(Resolution 2008-61 has been entered in the City's official book of record).*
- 9d. **Consider options relative to certificates of occupancy for Cameron Court Development.** City Manager Lee Gilmour presented for Council’s consideration options relative to certificates of occupancy for Cameron Court Development. The developer wants to be issued the certificates of occupancy without requiring the asphalt paving to be completed. City Manager Lee Gilmour stated that the next item on the agenda is tied to this item. City Manager Lee Gilmour stated that relative to water meters being installed, most of the work at Cameron Court Development has been completed.
- 9e. **Authorized request for Letter of Credit for Cameron Court in the amount of \$111,780.** City Manager Lee Gilmour presented for Council’s consideration a request for Letter of Credit for Cameron Court in the amount of \$111,780 to complete the required asphalt

paving. Mayor Pro-Tempore Phyllis Bynum-Grace motioned to authorize the Letter of Credit for Cameron Court in the amount of \$111,780 to complete the required asphalt paving. Council Member Willie King seconded the motion and it carried unanimously. Council Member Joe Kusar asked if the 60 day letter of credit would be adequate time. City Manager Lee Gilmour stated that 60 days would be adequate time. The City would notify the developer on the 30 day mark that the work has to be done or the letter of credit would be called. Council would then decide to extend or call the letter of credit.

9f. Authorized waiver of parade and procession fee for the annual Dr. Martin Luther King Jr. march to be held on Monday, January 19, 2009 from 10:00a.m. to 11:00a.m. City Manager Lee Gilmour presented for Council's consideration a request to waive the parade and procession fee for the annual Dr. Martin Luther King Jr. march to be held on Monday, January 19, 2009 from 10:00a.m. to 11:00a.m. Council Member Riley Hunt motioned to authorize the waiver of the parade and procession fee. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

9g. Authorized waiver of parade fees and support for the 5th Annual Peaches to Beaches Yard Sale to be held March 13 – 14, 2009. City Manager Lee Gilmour presented for Council's consideration a request to waive the parade fees and support for the 5th Annual Peaches to Beaches Yard Sale to be held March 13 – 14, 2009. Council Member Riley Hunt motioned to authorize the waiver of the parade fees and support. Council Member Joe Kusar seconded the motion and it carried unanimously.

9e. Award of Bids: Consideration of Award

1. Awarded Bid No. 2008-47 Digital mail metering system.

Vendor	Bid	Total
Pitney Bowes	\$8,359.00	\$8,359.00
A-1 Postage	\$8,444.00	\$8,444.00

City Manager Lee Gilmour suggested to Council to accept the recommended bid from Pitney Bowes of \$8,359.00. Council Member Willie King motioned to accept the recommended bid. Council Member Joe Kusar seconded the motion and it passed unanimously.

10. Other Business/Supplemental Agenda. City Manager Lee Gilmour.

1. Consider funding need for General Courtney Hodges Boulevard Lighting. City Manager Lee Gilmour stated that the money from a TE-Grant was for General Courtney Hodges Boulevard the pedestrian lighting and sidewalk improvements on the south side of General Courtney Hodges Boulevard. As approved per Council to proceed with funding from SPLOST for the installation of light standards down the medium of General Courtney Hodges Boulevard The GDOT has come back and said that they are not going to issue a permit for the lighting to go down the medium. DOT representative Mr. Walker spoke with Commissioner Evans for some type of assistance and the response from Mr. Walker was that Commissioner Evans has agreed to allow the City to proceed with the project with the determination that the City will agree to install the pedestrian lighting on the North side of General Courtney Hodges Boulevard in some

reasonable period of time. Until the City gives some answer back to DOT the whole project is on hold. City Manager Lee Gilmour's recommendation, if Council concurs, would be to advise DOT that the City is agreeable to proceed with the installation of the pedestrian lighting within the next 2-3 years either through additional TE-Grant or SPLOST. Council Member Riley Hunt asked what the estimated costs would be. City Manager Lee Gilmour stated that the estimated costs would be \$90,000 - \$100,000, but will know an exact number once the bids come in. City Manger Lee Gilmour stated that the City could wait for the bid prices or let DOT know that the condition is not workable. Mayor James Worrall asked Council if they would be agreeable to wait and see what the bids are. Council Member Joe Kusar stated that since it has been at least 6 years since this project first began, asked if the entire project could be reviewed with Council in a work session. All members concurred to review entire project in a work session.

11. Department Head Items.

Chief George Potter, Director of Public Safety – No.

Deputy Fire Chief Joel Gray, Fire Department – No.

Mike Beecham, Director of Community Development – No.

Rick Kilgore, Director of Parks and Recreation – No.

Ronnie Jones, Director of Public Works – No.

Brenda King, Director of Administration – Stated that the financial reports will be put in Council's boxes that are for the December 31 period and should be turned in by January 6, 2009.

12. Council Member Items.

City Attorney David Walker – No.

Council Member Willie King – No.

Council Member James Moore – Stated that at the new brick sidewalk on Washington Street there is a clean out plug sticking out of the ground. Ronnie Jones, Director of Public Works stated that issue has been taken care of today. Council Member James Moore asked if the DOT could look at the traffic lights on Washington Street and Ball Street again. Mayor James Worrall stated that DOT is in the process of changing out traffic lights, request give DOT time to do the change outs.

Council Member Riley Hunt – No.

Council Member Charles Lewis – No.

Council Member Joe Kusar – No.

Mayor Pro-Tempore Phyllis Bynum-Grace – No.

Mayor James Worrall – reminded Council that at January 6th City Council meeting appointments will be needed for the Planning and Zoning, Downtown Development Authority, Perry Area Convention & Visitor Bureau Authority and Perry Housing Authority. Mayor Worrall asked Council to wear the name badges that were in their mail box at any event to represent the City. Mayor Worrall also reminded Council that the City's Christmas luncheon will be Wednesday, the 17th at Rozar Park; Public Safety Christmas luncheon will be on Friday, the 19th; the County's Christmas luncheon will be on Thursday, the 18th and Dr. Joseph Lomboy has invited everyone to the grand opening of their new building on Thursday the 18th. Mayor Worrall thanked the press and Department Heads for all of their hard work.

13. Executive Session entered at 6:55 p.m.: Council Member Riley Hunt motion to adjourn regular meeting and enter into an Executive Session for the purpose of discussing pending litigation and real estate. Council Member James Moore seconded the motion and it carried unanimously.
14. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held December 16, 2008 and reconvened into the regular meeting.
15. Adopted Resolution No. 2008-62 stating purpose of Executive Session held December 16, 2008 was to discuss pending litigation and real estate. Council Member Joe Kusar motion to adopt a resolution stating the purpose of the Executive Session held on December 16, 2008 was to discuss pending litigation and real estate. Council Member Willie King seconded the motion and it carried unanimously. (*Resolution 2008-62 has been entered in the City's official book of record*).
16. Adopted Resolution No. 2008-63 to authorize the City to proceed with condemnation for parcels required for Airport Road right away. Council Member Joe Kusar motioned to adopt a resolution to authorize the City to proceed with condemnation for parcels required for Airport Road right away. Council Member Willie King seconded the motion and it carried unanimously. (*Resolution 2008-63 has been entered in the City's official book of record*).
17. Adopted Resolution No. 2008-64 to authorize the City to proceed with condemnation for parcels required for Airport Road right away. Council Member Joe Kusar motioned to adopt a resolution to authorize the City to proceed with condemnation for parcels required for Airport Road right away. Council Member Willie King seconded the motion and it carried unanimously. (*Resolution 2008-64 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 December 16, 2008, Mayor James Worrall adjourned the meeting.