

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
February 3, 2009  
**6:00 P.M.**

1. Call to Order: Mayor James Worrall, Presiding Officer, called to order the regular meeting of the Perry City Council held February 3, 2009 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: Council Member James Moore.

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, Mike Beecham – Director of Community Development, Rick Kilgore – Director of Parks and Recreation, Ronnie Jones – Director of Public Works, and Annie Warren – Riley Recording Secretary.

Guests/Speakers: Mr. James Kiser – Constantine Engineering.

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

3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro-Tempore Riley Hunt gave the invocation and led the pledge of allegiance to the flag.

4. Special Guests/Presentations:

Mayor James Worrall presented a proclamation to Pack 419 Cub Scouts and Troop 96 Boys Scouts honoring the 99<sup>th</sup> Anniversary of Scouting.

The scouts also made a presentation to Mayor Worrall for all of his dedication to scouting.

Mr. Jim Kizer of Constantine Engineering presented to full Council the engineering report relative to the City of Perry water provision planning.

5. Citizens with Input.

Mr. Dave Cyr - A resident of Stonebridge Subdivision had concerns about the visual barrier separating Stonebridge Subdivision and New Haven Subdivision. Mr. Cyr would like an appropriate visual barrier be put in place and be maintained.

**City Manager Lee Gilmour recommended to Council to move item 11 under supplemental agenda relative up at this time. Council concurred.**

Mr. Louis Landry - A resident of Stonebridge wanted to know about performance bond, allowance for visual break, placement, size of vegetation, and guarantee. Mr. Landry wanted to know if the stormwater was on the agenda for tonight. City Manager Lee Gilmour advised this has gone out to bid. Mr. Landry stated there is residual in the retention ponds because they were not designed for zero retention which causes a mosquito problem. This is an issue that needs to be addressed. City Manager Lee Gilmour advised Mr. Landry that the issue about the mosquito control is a separate issue that the City will have to take a look at. In general terms the subdivision is the responsibility of the property owner, it has not been accepted by the City. The developer had a requirement to put in the buffer and a requirement to address the stormwater. Council gave final approval to the subdivision subject to the Letters of Credit beginning posted. The developer did not fulfill its requirements. The City called the Letters of Credit and in the process addressing those issues per the approval of the subdivision plat. Mr. Landry stated that the City of Perry police department, 911 center, and sheriff department does not seem to know whether the subdivision is in the county or city. City Manager Lee Gilmour advised Mr. Landry that every time a subdivision is accepted the City of Perry notifies every other public agency in Houston County. If there is a question about 911 not operating properly than notify the sheriff department.

Mr. Laton Kersey – Has contacted the city numerous times about raw sewage. It was finally fixed when he came to City Hall last week. The water is running out in the subdivision, mud is always running in the streets and potholes in the roadway.

Mr. Jeff Fielder - A resident of Stonebridge subdivision. Who will be responsible for maintaining the buffers. I called a year ago about getting Gunn Road paved. I spoke to Mr. Deal and he made the comment that the City does own the road, the County does. I did some inquiring and found out that the City does own the road and would like to make a formal request to have the road paved.

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

Award of Bids: Consideration of Award -

1. Bid No. 2008-48 buffer of Leland Cypress verses Dwarf Southern Magnolias for New Haven Subdivision.

<u>Vendor Name</u>	<u>Leland Cypress</u>	<u>Dwarf Southern Magnolia</u>	<u>Alternates</u>
A & A Contractors	\$19,855.00	\$29,055.00	None
Heart of GA Landscaping	\$32,475.00	\$59,650.00	D.D.Blanchard Magnolia \$24,406.00
Greenworks	\$38,000.00	\$38,000.00	None
Green Magic Lawn Service	\$50,600.00	\$60,720.00	None

City Manager Lee Gilmour suggested to Council to accept the recommendation of Heart of Georgia Landscaping for D.D. Blanchard Magnolia and additional for pine strawing. A & A Contractors is to be notified and have 24 hours to submit their cost, otherwise award to Heart of Georgia Landscaping. The buffer responsibility initially will be the

City. A homeowners association will need to follow up with the City as to who will be responsible.

Council Member Phyllis Bynum-Grace motioned to accept the recommendation of the City Manager. Council Member Joe Kusar seconded the motion and it carried unanimously.

6. PUBLIC HEARING CALLED TO ORDER AT 6:55 P.M.: Mayor James Worrall called to order a public hearing at 6:55 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. Hearing for revocation of City alcoholic beverage license relative to gaming machine violations. Director of Public Safety George Potter presented to Council a history of the business located at 1429 Sam Nunn Boulevard for violations. Per Mr. Potter there have been six (6) incidents at this location since April, 2004. Mr. Potter recommended to Council to suspend the alcoholic beverage license of the business owner; license holder answered Council questions. Member Charles Lewis motioned to suspend the alcoholic beverage business license for six (6) months. Mayor Pro-Tempore Riley Hunt seconded the motion and it carried unanimously.

Public Hearing Adjourned at 7.01 p.m. Mayor James Worrall closed the public hearing at 6:30 p.m.

7. Consent Agenda Items: Mayor James Worrall.
  - 7a. Council Consideration –
    1. Minutes of January 20, 2009 work session and regular meeting. Mayor Pro-Tempore Riley Hunt motioned to approve the minutes. Council Member Willie King seconded the motion and it carried unanimously.
8. Old Business: Mayor James Worrall.
  - 8a. Ordinances for Second Reading and Introduction: City Manager Lee Gilmour deferred to address under the committee recommendations.
    1. **Second Reading** of an ordinance to amend Requirement for Security Cameras for certain establishments of the Perry Code.
    2. **Second Reading** of ordinance to amend FY 09 Operating Budget.
9. Any Other Old Business Matters: None.
10. New Business: City Manager Lee Gilmour.
  - 10a. Authorized Change Order for the Houston Lake Road widening project – water/sewer location. City Manager Lee Gilmour presented for Council’s consideration a request to

authorize a Change Order for the Houston Lake Road widening project – water sewer location for \$16,667.00. City Manager Lee Gilmour recommendation to Council to authorize the Change Order for the Houston Lake Road widening project – water/sewer location for \$16,667.00. Council Member Joe Kusar motioned to accept the recommendation of the City Manager to authorize the Change Order for the Houston Lake road widening project - water sewer location for \$16,667.00. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

10b. Approved unanimously the recommendation of the Downtown Development Authority from their meeting held on January 27, 2009.

1. Approved renaming Garden Park to Welcome Park.

Council Member Willie King made the motion to accept the recommendation of the Committee. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

10c. Approved unanimously all the recommendations of the Administrative and Finance Oversight Committee from their meeting held on January 27, 2009. Chairman of Administrative and Finance Oversight Committee Joe Kusar.

1. Approved proceeding with refinancing of 1998 Water/Sewer Revenue Bond.

Council Member Willie King made the motion to accept the recommendation of the Committee. Council Member Joe Kusar seconded the motion and it carried unanimously.

2. Adoption of Ordinance 2009-04. City Manager Lee Gilmour gave the second reading of an ordinance to amend the FY 09 Operating Budget. Council Member Joe Kusar gave an overview and moved to approve the ordinance. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously. (*Ordinance 2009-04 has been entered in the City's official book of record*).

3. Approved amending purchasing authorization limits.

	From	To
Purchasing Agent	\$ 2,000	\$ 3,500
City Manager	5,000	7,500

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

4. Authorized purchase of sod for adult soccer field at Rozar Park from SPLOST 06 fund.

Council Member Willie King made the motion to accept the recommendation of the Committee. Council Member Joe Kusar seconded the motion and it carried unanimously.

10d. Approved unanimously recommendations of the Public Works Oversight Committee from their meeting held on January 22, 2009. Chairman of Public Works Oversight Committee Riley Hunt.

1. Authorized acceptance and adoption water planning report.
2. Authorized immediately proceeding with Georgia Department of Natural Resources application to increase water withdrawal permit level.

City Manager Lee Gilmour reviewed items one (1) and two (2) together. Council Member Joe Kusar made the motion to accept the recommendation of the Committee on both items. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

10e. Approved unanimously recommendations of the Public Safety Oversight Committee from their meeting held on January 29, 2009. Chairman of Public Safety Oversight Committee James Moore.

1. Authorized proceeding with final drawings of Phases 1A, 1B and Phase 2 for animal control center.

Council Member Willie King made the motion to accept the recommendation of the Committee. Council Member Charles Lewis seconded the motion and it carried unanimously.

2. Adoption of Ordinance 2009-03. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry Code requirement for security cameras for certain establishments by deleting Sec. 15-180(a) in its entirety and adding a new Sec.15-180(a). Council Member Willie King motioned to adopt the ordinance amending the hours to be 6:00 p.m. – 6:00 a.m.. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously. (*Ordinance 2009-03 has been entered in the City's official book of record*).

12. Department Head Items.

Public Safety Director – George Potter – No.

Deputy Fire Chief Joel Gray – No.

Director of Community Development – Mike Beecham – The new McDonald's has pulled its building permit.

Director of Parks and Recreation – Rick Kilgore – No.

Director of Public Works – Ronnie Jones – No.

13. Council Member Items.

Council Member Willie King – No.

Mayor Pro-Tempore – Riley Hunt – No.

Council Member Charles Lewis – No.

Council Member Joe Kusar – No.

Council Member Phyllis Bynum-Grace – No.

14. Executive Session entered at 7:34 p.m.: Council Member Joe Kusar moved to adjourn regular meeting and enter into an Executive Session for the purpose of discussing real estate. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

14. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held February 3, 2009 and reconvened into the regular meeting.

15. Adopted Resolution No. 2009-05 stating purpose of Executive Session held February 3, 2009 was to discuss real estate. Council Member Joe Kusar moved to adopt a resolution stating the purpose of the Executive Session held on February 3, 2009 was to discuss real estate.

16. Rescinded action of Adoption of Ordinance 2009-03 for security cameras motioned by Council Member Willie King and seconded by Council Member Joe Kusar and adopted unanimously.

Moved by Council Member Willie King to adopt Ordinance 2009-03 with modification of 11:00 p.m. until 6:00 a.m. Council Member Joe Kusar seconded the motion and it carried unanimously. (*Resolution 2009-05 has been entered in the City's official book of record*).

17. Adjourn. There being no further business to come before the Council in the reconvened meeting held February 3, 2009, Mayor James Worrall adjourned the meeting.