

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
April 21, 2009
6:00 P.M.

1. Call to Order: Mayor James Worrall called to order the regular meeting of the Perry City Council held April 21, 2009 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: Council Member James Moore.

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

Guests/Speakers: Tish Chase – DDA Manager. Mr. Larry Walker III– DDA Chairman. Ms. Ellie Loudermilk – Perry Museum. Sharon Kelly and Larry Yockachonis – ESG Operations, Inc.

Press: Charlotte Perkins – Houston Home Journal, Natasha Smith – Macon Telegraph and Ms. Kristen Berryhill - ComSouth.

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

❖ Mayor James Worrall stated that the City of Perry's 185th Birthday cake is out front for everyone to enjoy at the end of the meeting.

▪ Mayor James Worrall stated that at this time the agenda would be changed to cover items not covered at the work session.

1. Update on funding for "Go Fish" project. City Manager Lee Gilmour reviewed with Council the update on the funding for the "Go Fish" project. City Manager Lee Gilmour stated that one of the questions Council had relative to the prorating of the loan amount if the "Go Fish" project is less than the projected amount, would that the amount be passed on to the City's commitment. The response from the Development Authority was 'no' the prorated amount could not be passed on to the City's commitment. Council Member Joe Kusar asked if the City should postpone our commitment. City Manager Lee Gilmour stated that the Administration

recommendation if Council concurs to not proceed any further with the “Go Fish” project unless the State’s commitment is around 80%, if the State’s commitment is less than 80% the City not make any type of commitment for the project. All members concurred with Administration recommendation.

2. Update on Armory improvements costs. City Manager Lee Gilmour reviewed with Council for consideration the Armory improvement costs. The two areas of concern are on the upper section with the windows and roof. Mr. Steve Howard, Chief Building Official stated that the building was tested for asbestos and no asbestos was detected. Mr. Howard stated that the estimated costs to manufacture and install the upper and lower windows would be \$66,000. The different options and estimated costs for the roofing system are:

- Built up roof system - \$100,000 - \$120,000.
- Retrofit with thermal plastic system - \$80,000 – 85,000.
- Standing seam metal system - \$90,000 - \$100,000.

Council Member Joe Kusar asked what the estimated costs for tearing down the building and rebuilding. Mr. Howard stated that based on \$155.00 per square foot and the building is 14,000 square feet the estimated costs would be \$2.2 million. Council Member Joe Kusar asked if the roof could be replaced in stages. Mr. Howard stated that the gutter system and the entire upper section of the roof would have to be done completely first. City Manager Lee Gilmour stated that the Administration recommendation if Council concurs is to go out to bid for the standing seam metal roofing system for the entire Armory building. Council Member Joe Kusar requested that the windows be included with the bids for the Armory. Council Member Joe Kusar asked Mr. Steve Howard, Chief Building Official, once the bids come in to get an estimate on the energy saving calculations also. All members concurred to go out to bid for the standing seam metal roofing and window replacement for the Armory building.

- Council Member Joe Kusar motioned to authorize going out to bid for the standing seam metal roofing and window replacement for the Armory. Council Member Charles Lewis seconded the motion and it carried unanimously.
3. Update on County warning system. City Manager Lee Gilmour updated Council on the County’s warning system and the direction that it is going. The County warning system will be zoned based on weather conditions on the north end versus the south end; it would not be County wide. The County is talking about putting up the warning sirens and is focusing on areas where the public is generally gathered outside and for the rest of the public the County is looking at an advisory call system that would also be zoned. The County is also looking at getting warning radios to provide to senior citizens and other individuals that are interested. City Manager Lee Gilmour stated that the surrounding cities will be involved and have input relative to the final system and design.

- Mayor James Worrall stated that at this time we will review the items on the City Council regular meeting agenda.

4. Presentations:

- 4a. Presentation to discuss the Perry Museum. Ms. Ellie Loudermilk presented to Council a powerpoint presentation that showed other cities museums. Ms. Loudermilk stated that at this time the Perry museum is located at the Perry Arts Center that was started several months ago and since then the three rooms that are used are filled to capacity. The museums are getting a lot of items that are being donated by citizens and items that have been found at Evergreen cemetery. Ms. Loudermilk stated that she would like to add a genealogy component to the museum that will include family names to help anyone wanting to search their ancestry. Ms. Loudermilk asked Council to consider moving the museum to the 901 Northside Drive property that the City owns. The property would be able to house all of the artifacts for the museum with an option to rent out the living room area for additional revenue to off set expenses. Council Member Joe Kusar stated that while he was looking at the Armory, there was a very large room that looked like an old firing range. This room looked like an area that could be used by the museum. DDA Manager Tish Chase stated that the “Big Band” stores their equipment in that room and is a permanent home for the “Big Band”. Council Member Joe Kusar stated that once the improvements have been made to the Armory then the area could be used as faux store fronts for the museum. Council Member Joe Kusar stated that as mentioned in the City Council work session, funds are always hard to find and the City’s property taxes delinquency are the highest this year than they have ever been and there will be a short fall that will have to be dealt with in the budget. Council Member Joe Kusar stated that the City will look at alternatives and get back with Ms. Loudermilk. Mayor James Worrall stated that the City will consider all alternatives and suggestions and at an appropriate time the City will meet with Ms. Loudermilk and discuss all options.
- 4b. Downtown Development Authority relative to improvements in the Commerce Street corridor. Mr. Larry Walker III, DDA Chairman reviewed with Council the completed project for Welcome Park; the project was completed \$15,000 under budget. DDA Chairman Walker presented to Council a powerpoint presentation showing the before and after shots of the downtown area that has been completed by the beautification projects. The next phase of work for the downtown area would be the public parking lot behind the Bickley building and The Swanson building. Mayor Pro-Tempore Riley Hunt asked who owns the public parking lot property. DDA Chairman Walker stated that the DDA owns some of the property and has come before Council for funding to purchase the parcels needed for the project. The money needed for the property acquisition is \$136,210. DDA Chairman Walker stated that he is here to ask Council to authorize the DDA to use the downtown restricted funds for the land acquisition. Mayor Pro-Tempore Riley Hunt asked if the downtown restricted funds are used for the land acquisition and improvements, would it leave any money left in that fund. DDA Chairman Walker stated that he does not know the amount it will take to do the improvements. Council Member Joe Kusar stated he would like to see the project move forward with the property acquisition, but would like to have a master plan with a budget for the remainder of the downtown restricted funds account. DDA Chairman Walker stated that the DDA would have to hire someone to create a master plan to present to Council. Mayor Pro-Tempore Riley Hunt motioned to authorize the DDA to move forward with the property acquisition not to exceed \$136,210. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

- Ms. Sharon Kelly, ESG, Operations, Inc. Mayor James Worrall asked Ms. Kelly to give an update on all the work that ESG, Operations Inc has done for the City. Ms. Kelly stated that since ESG took over line maintenance in November and has caught up all the back log of work orders by the end of the year. Ms. Kelly wanted to commend the Chief and his department for having all the fire hydrants data computerized. Mr. Larry Yockachonis, ESG, Operations, Inc. presented to Council awards from the Water and Wastewater Treatment facilities was recognized for the Gold award by the State for outstanding facility operations. Also, the City was recognized by the CDC for the 2007 and 2008 Water Fluoridation Quality award. Ms. Sharon Kelly just wanted to thank Mayor and Council and stated that it's a team effort.

5. Citizens with Input. None.

6. PUBLIC HEARING CALLED TO ORDER AT 7:00 P.M. Mayor James Worrall called to order a public hearing at 7:00 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. **Amendment to the Perry Land Development Ordinance for sections 83.3.4, 83.6.4, 106.6.2, 106.6.3, 106.6.4, 106.6.6, 106.6.7 and Appendix C – Section 3.02 – Deleting language which requires nonconforming shopping center signs to be removed within two (2) years.**

*“Re: Amendment to Perry Land Development Ordinance
Sections 8.3.4, 83.6.4, 106.6.2, 106.6.3, 106.6.4, 106.6.6, 106.6.7 and Appendix C – Section 3.02*

Dear Mayor and Council:

On March 23, 2009 Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance for Sections 8.3.4, 83.6.4, 106.6.2, 106.6.3, 106.6.4, 106.6.6, 106.6.7 and Appendix C – Section 3.02 – Deleting Language which requires nonconforming shopping center signs to be removed within two (2) years.

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

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff Report: Mike Beecham, Director of Community Development stated that based on a ruling by the City attorney, request is for deleting the language which requires nonconforming shopping center signs to be removed within two (2) years. Council Member Joe Kusar asked about shopping center signs that are left when a business closes. Mike Beecham stated that after a business has been closed for a year, any signs have to be removed from the property. The Code Enforcement officer is keeping track of any businesses that have closed and have signs on the property.

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

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

6b. **Amendment to the Perry Land Development Ordinance Section 31 - Definitions.**

*“Re: Amendment to Perry Land Development Ordinance
Section 31 - Definitions*

Dear Mayor and Council:

On March 23, 2009 Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance to change the definition of a personal care home to include children in addition to ambulatory adults.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to the Mayor and City Council for the approval of the change to Section 31 of the Perry Land Development Ordinance.

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff Report: Mike Beecham, Director of Community Development stated that amendment is to add language to the definition of a personal care home to include children in addition to ambulatory adults.

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

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

Public Hearing Adjourned at 7:05 p.m. Mayor James Worrall closed the public hearing at 7:05 p.m.

7. **Consent Agenda Items:** Mayor James Worrall.

7a. **Council Consideration – Minutes of April 7, 2009 work session and regular meeting.** Council Member Phyllis Bynum-Grace motioned to approve the minutes. Council Member Charles Lewis seconded the motion and it carried unanimously.

8. **Old Business:** Mayor James Worrall.

8a. **Ordinances for Second Reading and Introduction:** City Manager Lee Gilmour.

1. **Tabled Ordinance to amend the Perry Land Development Section 147.6 – Maintenance of Completed Work.** City Manager Lee Gilmour recommended tabling the ordinance until after the Public Works Oversight Committee meeting on (04.23.09) for their review of item. Council Member Joe Kusar motioned to table the ordinance. Council Member Willie King seconded the motion and it carried unanimously.

8b. Consideration of applicant relative to coin machine requirements at The Corner Pocket located at 1201 Main Street. City Manager Lee Gilmour reviewed for Council's consideration request relative to coin machine requirements. City Manager Lee Gilmour recommended amending the Ordinance to exclude coin machines that do not give ticket voucher and/or any type of cash reward. Council Member Joe Kusar motioned to amend Ordinance to exclude coin machines that do not give ticket vouchers and/or any type of cash reward. Council Member Willie King seconded the motion and it carried unanimously. This change is effective immediately.

9. Any Other Old Business Matters: None.

10. New Business: City Manager Lee Gilmour.

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

1. **First Reading** of an Ordinance to the Perry Land Development Ordinance Sections 83.3.4, 83.6.4, 106.6.2, 106.6.3, 106.6.4, 106.6.6m 106.6.7 and Appendix C – Section 3.02 – Deleting language which requires nonconforming shopping center signs to be removed within two (2) years. *(No Action required by Council - First Reading only).*
2. **First Reading** of an Ordinance to amend the Perry Land Development Ordinance Section 31 – Definition of a personal home to include children in addition to ambulatory adults. *(No Action required by Council - First Reading only).*

10b. Authorize to increase Purchase Order #34154 for the water meter upgrade project. City Manager Lee Gilmour presented for Council's consideration a request to increase Purchase Order # 34154 for the water meter upgrade project. Mayor Pro-Tempore Riley Hunt motioned to authorize the increase for Purchase Order # 34154 for the water meter upgrade project. Council Member Willie King seconded the motion and it carried unanimously.

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

1. Approved the Public Safety Federal Justice Grant – senior citizen volunteer program. City Manager Lee Gilmour presented for Council's consideration a request to implement a senior citizen volunteer program through the Public Safety Federal Justice Grant. Council Member Joe Kusar motioned to approve the request. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously, with an effective date of April 16, 2009.
2. Approved agreement between the City of Perry and Judicial Alternative of Georgia, Inc. Probation Services. City Manager presented for Council's consideration a request to enter into an agreement between the City of Perry and Judicial Alternative of Georgia, Inc. Probation Services. City Manager Lee Gilmour stated that the agreement has been reviewed by the City Attorney and Judge Wells and is acceptable. Council Member Charles Lewis motioned to

approve the request to enter into an agreement between the City of Perry and the Judicial Alternatives of Georgia, Inc. Probation Services. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

Item recommended from the work session to Council:

1. Authorize Camp Character Organization use of Rozar Park facilities for summer camp. City Manager Lee Gilmour stated that this item was reviewed in the work session and recommended to Council to approve, subject to City Attorney preparing a hold harmless waiver agreement. Council Member Joe Kusar motioned to authorize Camp Character Organization use of Rozar Park facilities subject to City Attorney preparing a hold harmless waiver agreement. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

12. Department Head Items.

Director of Public Safety – George Potter: State certification assessment assessed the police department last week has been approved for State certification for another three (3) years. Council Member Joe Kusar congratulated Chief Potter on his recent appointment to the State Board of Corrections.

Deputy Fire Chief – Joel Gray: No.

Director of Community Development – Mike Beecham: No.

Director of Parks and Recreation – Rick Kilgore: Stated that he has finished the Leadership One course with GRPA. For the first time the City will be sending a track and field team to Monroe, GA this Saturday. The adult church softball league has just started. The AAUA girls and boys basketball team traveled to Atlanta last week, and did fairly well in the competition. The 9 & 10 year old girls' basketball won the Championship and the 11 & 12 year old girls' basketball won 2nd place in Fitzgerald.

Director of Public Works – Ronnie Jones: No.

Ms. Sharon Kelly – ESG Operations, Inc. – No.

Director of Administration – Brenda King: Mayor Pro-Tempore Riley Hunt asked how the back debts for the water department were going. Ms. Brenda King, Director of Administration stated that utilities are collecting and are going through procedures for cut-offs, but are up to date for cut-offs as of this week and have one scheduled for Thursday.

13. Council Member Items.

Council Member Willie King – No.

Mayor Pro-Tempore Riley Hunt – Stated that the Public Works Oversight Committee meeting is scheduled for this Thursday.

Council Member Charles Lewis – No.

Council Member Joe Kusar – No.

Council Member Phyllis Bynum-Grace – Wanted update on our code book and web page to be more user friendly. City Manager Lee Gilmour stated we are finalizing a document for citizens that are interested in having a business in the City. City Manager Lee Gilmour stated that he will also look into the ordinance and web page and will hopefully have information at the next City Council meeting.

Mayor James Worrall – Stated City Manager Lee Gilmour was elected president by The Georgia City County Manager Association. The Perry Dogwood Festival and Atlanta Symphony Orchestra was a success for the City. The Chamber has agreed to take over the Christmas parade again as they have done in the past.

14. Executive Session entered at 7:20 p.m.: Mayor Pro-Tempore Riley Hunt motioned to adjourn regular meeting and enter into Executive Session for the purpose of personnel, pending litigation and land acquisition. Council Member Willie King seconded the motion and it carried unanimously.
15. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held April 21, 2009 and reconvened into the regular meeting.
16. Adopted Resolution No. 2009-16 stating purpose of Executive Session held April 21, 2009 was to discuss personnel, pending litigation and land acquisition. Council Member Joe Kusar motioned to adopt a resolution stating the purpose of the Executive Session held on April 21, 2009, was to discuss personnel, pending litigation and land acquisition. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously. (*Resolution 2009-16 has been entered in the City's official book of record*).
17. Adjournment: There being no further business to come before Council in the reconvened meeting held April 21, 2009, Mayor James Worrall adjourned the meeting.