

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
June 16, 2009
6:00 P.M.

1. Mayor Pro-Tempore Riley Hunt, Presiding Officer, called to order the regular meeting of the Perry City Council held June 16, 2009 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: Mayor James Worrall and Council Member James Moore

Staff: City Manager Lee Gilmour and 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 and Joni Ary- Recording Secretary.
Public Safety Department – Captain Heath Dykes, Captain Bill Phelps, Lieutenant James Buck, Lieutenant Kenneth Ezell, Lieutenant Willie Johnson, Officer Keith Kindle, Officer Lakimberly Clark, Officer Jalon Hear, Field Training Officer Nicolas Brown, Detective Christopher Sutcliff, Detective David Hill and Detective Andrew Dodson.

Guests/Speakers: Mr. Michael Caldwell, General Counsel for the Georgia Association of Chiefs of Police. Mr. David Patel – Travel Lodge.

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

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

4. Special Recognition: Director of Public Safety George Potter.

4a. Perry Police Department for achieving State Certification. Director of Public Safety George Potter presented Mr. Michael Caldwell, General Counsel for the Georgia Association of Chiefs of Police. Mr. Caldwell presented to Council an award to the Perry Police Department for achieving State Certification after a five-year process. The Perry Police Department is one of the ninety-three agencies that are state certified in Georgia out of seven hundred eligible. Director of Public Safety George Potter commended Officer Keith Kindle and Lieutenant James Buck for their hard work and assistance in achieving State Certification.

4b. Public Safety Department – 20 Years of Service. Captain Bill Phelps and Officer Keith Kindle. Director of Public Safety George Potter presented to Captain Bill Phelps and Officer Keith Kindle their 20 years of service pins.

5. Citizens with Input. None.

6. PUBLIC HEARING CALLED TO ORDER AT 6:10 P.M: Mayor Pro-Tempore Riley Hunt called to order a public hearing at 6:10 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67 A-3 (c).

6a. Consider revoking alcoholic beverage license for Discount Tobacco at Ball Street Crossing. City Manager Lee Gilmour reviewed the request to revoke the alcoholic beverage license for Discount Tobacco.

Public Input: Mayor Pro-Tempore Riley Hunt called for any public input for this particular item.

There was no public input for or opposed.

Director of Public Safety George Potter stated that numerous complaints were received about video gambling payouts and after an undercover operation, the business owners were arrested and charged with “Commercial Gambling” and for “Keeping a Gambling Place.” Director of Public Safety George Potter requests City Council revoke the Alcohol License issued for Discount Tobacco; the case is still pending at Superior Court.

Council Member Joe Kusar made the motioned that the City revoke the alcohol beverage license issued to Discount Tobacco at Ball Street Crossing. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

Public Hearing Adjourned at 6:15 p.m. Mayor Pro-Tempore Riley Hunt closed the public hearing at 6:15 p.m.

7. Consent Agenda Items: Mayor Pro-Tempore Riley Hunt.

7a. Council Consideration – Minutes of the June 2,2009 work session and regular meeting. Council Member Willie King motioned to approve. Council Member Charles Lewis seconded the motion and it carried unanimously.

7b. Council Consideration – Minutes of the June 8th and June 11th, 2009 Budget work session meetings. Council Member Willie King motioned to approve. Council Member Charles Lewis seconded the motion and it carried unanimously.

8. Old Business: Mayor Pro-Tempore Riley Hunt.

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

1. Adoption of Ordinance 2009-16. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry City Code by deleting Sec. 25-6 (Unlawful use of or tampering with utility property) in its entirety and adding a new Sec. 25-6. Council Member Phyllis Bynum-Grace moved to adopt the ordinance. Council Member Willie King seconded the motion and it carried unanimously. (*Ordinance 2009-16 has been entered in the City's official book of record*).
2. Adoption of Ordinance 2009-17. City Manager Lee Gilmour gave the second reading of an ordinance to adopt FY 10 Operating Budget. Council Member Joe Kusar moved to adopt the adjusted recommended FY 10 Operating Budget ordinance. Council Member Willie King seconded the motion and it carried unanimously. (*Ordinance 2009-17 has been entered in the City's official book of record*).
3. Adoption of Ordinance 2009-18. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry City Code to increase accommodation Excise Tax (Hotel/Motel tax) by 1% to fund improvements and operation of the Perry Arts Center.

Mr. David Patel – Travel Lodge addressed Council with the request not to increase the hotel/motel tax. Mr. Patel suggested going to legislation to increase the prepared food/beverage tax. Mr. Patel stated that by increasing the prepared food/beverage tax it would bring more money into the City. Council Member Joe Kusar asked to have the City Attorney review legislation to increase the prepared food/beverage tax in the future as an alternative.

Council Member Joe Kusar moved to adopt the ordinance. Council Member Charles Lewis seconded the motion and it carried unanimously. (*Ordinance 2009-18 has been entered in the City's official book of record*).

9. Any Other Old Business Matters: None.

10. New Business: Mayor Pro-Tempore Riley Hunt.

10a. Alcohol License: City Manager Lee Gilmour.

1. **First Reading** Application for Beer and Wine on premises for The Boarding House located at 922 Carroll Street (former location of The Front Porch Tea Room). License will be in the name Marni Echols-Bell. (*No action required by Council*).

10b. Resolution for consideration. City Manager Lee Gilmour.

1. Adopted Resolution No. 2009-20 to amend the City of Perry Fee Schedule. City Manager Lee Gilmour presented for Council's consideration a Resolution to amend the City of Perry Fee Schedule. Council Member Joe Kusar motioned to adopt the Resolution to amend the City of Perry Fee Schedule. Council Member

Willie King seconded the motion and it carried unanimously. (*Resolution 2009-20 has been entered in the City's official book of record*).

10c. Approval of Change Order #1 for Big Indian Creek Walking Trail Phase 1. City Manager Lee Gilmour presented for Council's consideration Change Order #1 request for the Big Indian Creek Walking Trail Phase 1. Council Member Joe Kusar motioned to approve Change Order #1 for the Big Indian Creek Walking Trail Phase 1. Council Member Willie King seconded the motion and it carried unanimously.

10d. Approval of contract between the City of Perry and Houston County Board of Commissioners for conducting the City of Perry Elections. City Manager Lee Gilmour presented for Council's consideration to authorize a contract between the City of Perry and Houston County Board of Commissioners for conducting the City of Perry Elections. Council Member Willie King motioned to authorize a contract between the City of Perry and Houston County Board of Commissioners for conducting the City of Perry Elections subject to City Attorney review. Council Member Joe Kusar seconded the motion and it carried unanimously.

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

11a. Resolution for consideration. City Manager Lee Gilmour.

1. Adopted Resolution No. 2009-21 to authorize GMA lease/purchase agreement for FY 09 Capital. City Manager Lee Gilmour presented for Council's consideration a Resolution to authorize GMA lease/purchase agreement for FY 09 Capital. Council Member Willie King motioned to adopt the Resolution to authorize GMA lease/purchase agreement for FY 09 Capital. Council Member Charles Lewis seconded the motion and it carried unanimously. (*Resolution 2009-21 has been entered in the City's official book of record*).

11b. Authorize the services of the Public Safety Department for the community event held by the Notting Hill Community on July 18, 2009 from 10:00 a.m. to 1:00 p.m. City Manager Lee Gilmour presented for Council's consideration a request for services from the Public Safety Department for a community event to be held by the Notting Hill Community on July 18, 2009 from 10:00 a.m. to 1:00 p.m. City Manager Lee Gilmour stated that since the event is being held on private property the recommendation of the Administration is that if the Public Safety Department can provide services for the event without any overtime or schedule conflicts for the event. Council Member Joe Kusar motioned to authorize the services if possible from the Public Safety Department for the community event held on July 18, 2009 from 10:00 a.m. to 1:00 p.m. by the Notting Hill Community. Council Member Willie King seconded the motion and it carried unanimously.

11c. Authorized wavier of parade fees and the standard support for the New Hope Baptist Church to be held July 5, 2009 at 10:00 a.m. City Manager Lee Gilmour presented for Council's consideration a request to waive the parade fees and the standard support for the New Hope Baptist Church to be held July 5, 2009 at 10:00 a.m. Council Member Joe Kusar motioned to authorize the waiver of the parade fees and the standard support.

Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

12. Department Head Items.

Director of Public Safety – George Potter: No.

Deputy Fire Chief Joel Gray – Fire Department: No.

Director of Community Development – Mike Beecham: No.

Director of Parks and Recreation – Rick Kilgore: No.

13. Council Member Items.

Council Member Willie King – No.

Council Member Charles Lewis – No.

Council Member Joe Kusar – No.

Council Member Phyllis Bynum-Grace - No

14. Adjournment: There being no further business to come before Council in the meeting held June 16, 2009 the meeting was adjourned at 6:30 p.m.