

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
June 17, 2008
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 June 17, 2008 at 6:02 p.m.

2. Roll.

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

Elected Officials Absent: Council Member Joe Kusar.

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, Rick Kilgore – Director of Parks and Recreation, Mike Beecham – Director of Community Development, and Joni Ary – Recording Secretary.

Guests/Speakers: Mr. Tim Supple, Ms. Sandy Davis, Mr. Ferrell Davis, Mr. James Salomon, Mr. Scott Free, Mr. Tim Thornton, Mr. Billy Schwanebeck, Ms. Amy Wilkes, Mr. Daniel Brown, Mr. Rob Cooper, Mr. Bob Harper and Mr. Marty Johnson.

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.

4. Presentations/Special Recognitions:

4b. Recognition of the Perry Recreation Department 11 and 12 year old boy's basketball team as State Champions. Rick Kilgore – Director of Parks and Recreation presented to Council the Perry Braves and Perry White Sox's who finished 1st in their division. Mayor Worrall presented the teams with a plaque from Council for their accomplishments.

4c. Recognition of the Perry Recreation Department 7 and 8 year old baseball teams as first in their divisions in the Houston County Championship. Rick Kilgore – Director of Parks and Recreation presented to Council the Perry Knights baseball team State Champions. From July 26 – August 2nd, the team will be competing in Orlando, FL for the National Championship. Council Member Willie King presented the team with a document from Council for their accomplishments.

4a. Perry Leadership Project. Mike Beecham – Director of Community Development presented to Council the preliminary plan for Perry Leadership Project to clean Rozar Park nature trail on Tuesday, August 12, 2008.

5. Citizens with Input. None.
6. PUBLIC HEARING CALLED TO ORDER AT 6:20 P.M: Mayor James Worrall called to order of a public hearing at 6:20 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G. Sec. 36-67 A-3 (c).
- 6a. Public Hearing consideration of ordinance to propose Impact Fee on new development.

Public Input: Mayor Worrall called for any public input for impact fees.

Opposition:

Tim Supple (Citizen of Perry) - Stated he hoped that everyone votes against Impact Fees.

Sandy Davis (Perry Board of Realtors) – In opposition of the impact fees, are currently having the same conversation accruing in Gray and Jones County and those Counties have decided that due to the condition of the real estate market, they feel they should table the discussion. The other matter for consideration is that they represent private property owner's rights and if impact fees are passed, land owners value of raw land will be reduced by the value of that impact fee. If the land is developed the property owner would recoup that costs. If the land is not developed, if the land is sold to a developer then the land owner does not recoup the costs, the value of the land will be reduced. Would like Council to take into consideration the current land owners who may incur a loss in value due to impact fees, this is not the time to pass impact fees. Currently Oconee, Walton, Jackson, all those counties have tabled impact fees due to the lack of revenue coming in.

Ferrell Kitchens (Wooden Eagle Subdivision) - At this point Wooden Eagle has had three building permits issued this month and with the struggling real estate economy would like to see the impact fees postponed. If the City does go forward with the impact fees realize that the low income people are going to be the ones who are affected. Low income citizens already have the cheapest houses and the slowest margin. Would like the City to find another way around impact fees and should it go forward hopes Council will entertain entry level implementation of impact fees. At one of the meetings stated impact fees will be charged at the time of a building permit is issued, for the people who already have lots and inventory, bought those lots at no anticipation of the added costs, maybe we can work together on that.

James Salomon (Local Realtor) – Remind Council of what impact fees will do to a purchaser trying to buy a home. There are already enough additional fees for a purchaser without adding impact fees, these fees will keep purchasers from pre-qualifying for a home. In order to purchase a home you must pre-qualify for the loan. Every company has different fees that they charge a home owner who is purchasing a home, and we're going to fee, fee them to death. We need to try and make other compensation for the purchaser instead of impact fees. Feels like this will not be good for the community as a realtor, and a few extra fees can prevent a purchaser from pre-qualifying for a home. Real estate affects the economy and will affect everyone.

Robert Cooper (Representing the Central Georgia Board of Realtor, Georgia Manufacturing Association and the Homebuilders Association of Warner Robins) – Last time before Council gave a news update recent happening with impact fees in the state and how many places are tabled. News update this week, found a study that states that Impact fees slows residential growth by up to 25%, depending on the fee on how much the growth is slowed. This is not a bias report it in a publication called Growth & Change a Journal of Urban and Regional Policy. The starting amount of the fees was \$1,000 and our fees are just under that amount. The industrial companies that I have spoken to in the past about how they decide locations on where they move, they send a questionnaire and the third question that is asked are whether or not there are impact fees. Unfortunately impact fees will not only hurt the citizens of today but the children of this community who grow up and want to move back to the community to be closer to family, but are not able to move back due to impact fees. They can go right up the road and buy a house for \$1,000 more or less. You've got to carefully consider the children of this community the ones who want to come back and continue building this community that they will have an incredibly difficult decision to make.

Scott Free (Robbins and Free Realty)- Council appointed a committee to study impact fees to see whether or not Perry should have impact fees, and the committee that was appointed by Council said “no” to impact fees. What's the use in having a committee if you're not going to listen to your own committee that you appointed and put in place to look at impact fees? Wanted to show a Georgia map which shows only the area around metro Atlanta that has impact fees, except Lee County. Lee County is an isolated cause on why they have impact fees. Metro Atlanta has such synergy and growth that impact fees were not going to stop the growth. Perry has been slow growth for years and years that in the last couple of years we have seen some growth and the first thing were going to do is the City of Perry the only town in the whole county that is going to isolate itself from the City of Warner Robins – does not have impact fees, the County does not have impact fees, City of Centerville – does not have impact fees, and your going to isolate yourself from developers. Developers will not come here and buy property in the City of Perry and develop it, when they got surrounding areas that do not have impact fees. Say “No” to impact fees.

Tim Thornton (Thornton Realty in Macon) - Does business in this area and own property in the County, work with national site representatives for site selection for national corporations like Home Depot. Site representative usually gets an order and budget to open new stores in Georgia. The site rep makes the final recommendation to their board doesn't care about the City the store is located, the only thing that matters is that the budget meets the bottom line. The impact fees factor into that decision, if you pass impact fees you will loose some of those opportunities and you will never know you lost those opportunities. If impact fees are in place you will loose more money in sales tax, property tax and employment then you will ever collect from impact fees.

Daniel Brown (Representing the Perry Chamber of Commerce and Perry Board of Realtors) - Basically when a home is being constructed your looking at about 30 jobs on that house. So if you have 100 permits time 30 jobs that would be 3,000 jobs. If I was an industry coming to Perry with 3,000 jobs I would ask for some type of tax relief to bring those jobs to Perry. Asking you to look at the industry as an industry, those are the industries that put the tax dollars back into the City budget. When a lot is sitting there and has a \$25,000 value, we are collecting tax on that. The flooring, roofing and lumber companies all get so many jobs out of the building industry. Looked at the 2006 SPLOST and stated there was \$1 million dollars set

aside for fire stations on there and \$400,000 for parks and recreation, ask that the 2006 SPLOST be the way that we fund the fire station and passive parks without using impact fees. Borrow the money against the SPLOST to fund the new fire station. Houston Springs will be directly affected by impact fees by \$964.00 and their not getting a new fire station out there. Why can't the City of Perry and City of Warner Robins come together and build a fire station out at Houston Springs.

Billy Schwanebeck (Homebuilders Association) – One of the basis for having the impact fees was based on The Brookings Study, wanted to clarify that the study was done 15 years ago and was composed of 60 something Counties in Florida. Wanted to point out that the demographics difference between Florida and Georgia, Florida has the tourist industry. Wanted to ask that the Brookings Study not be used as a basis to say 'yes' to impact fees.

Dr. Dudley Christie (Local Business Owner) – I think that if you do this impact fee, I'm opposed to impact fees, but if you do impact fees unless you die within 5 years, its going to make your property taxes go up. Be careful on how you vote for impact fees.

Amy Wilkes (Coldwell Realtor SSK) – Taxes are a lot higher as it is now, the only City in the surrounding area that has to have 2 meters per house. Also when people come in to look at houses in Perry, the 1st question is how is the school system, then when you start adding extra taxes and that's another reason to keep people out of Perry. Do not think that impact fees should be passed.

Clay Smith (Citizen of Perry) – Developer for the Langston Road project, finishing up 1st phase of project that consist of 153 acres with green space; with completion it is now time to sell those lots and talking to developers stating that they are not ready to move in that direction right now due to impact fees. Would like to see Council support the Developers as we try to help make Perry grow by not going forward with impact fees.

In Favor:

Bob Harper (Local Citizen) – Council will shortly has to make two decisions that will affect the future of public safety in this city for some years to come. First is to decide if or not you will build these new public safety stations. If you decide not to build them, you must seriously reconsider any future annexation requests, as the current public safety group is already tasked close to their maximum resource level, and may not be able to protect future annexations. If you decide to build them, then you must decide how to pay for them. You may establish an impact fee, dividing the costs of construction between the existing citizens and the incoming citizens, represented here by the developers. Or, you may simply increase the taxes for the current citizens, and have them pay for the stations. With your votes on these decisions, you will decide whether you support the developers here, or the citizens who elected you and represent them.

Marty Johnson (Local Citizen) - Has lived in Perry for the last 13 years, and walk in the neighborhood of Cheshire, walking up Cherokee that road has been paved. That road was paved because of the times they had to break into the line around 15 places in the last 4 or 5 years. Someone is paying that bill, I am representing the special interest group and that is the tax payers, because there is impact of development and it has fees associated with it. Impact

fees are a one time fee, the cost of not having impact fees are picked up by the tax payers and homeowners. Speak in support of Impact Fees.

Public Hearing Adjourned at 6:45 p.m. Mayor James Worrall closed the public hearing at 6:45 p.m.

7. Consent Agenda Items: Mayor James Worrall.

7a. Council Consideration –

The Minutes of the June 3, 2008 work session and regular meeting; Minutes of June 10, 2008 budget work session. Council Member Willie King motioned to approve. Council Member Riley Hunt seconded the motion and it carried unanimously.

8. Old Business: Mayor James Worrall.

8a. Ordinance for Second Reading/Consideration of Adoption.

1. Adoption of Ordinance 2008-10. City Manager Lee Gilmour gave the second reading of an ordinance to amend the Perry Land Development Ordinance – Section 147- Administrative Procedures as submitted in Petition A-004-0408. Mayor Pro-Tempore Phyllis Bynum-Grace motion to adopt the ordinance. Council Member James Moore seconded the motion and it carried unanimously. (*Ordinance 2008-10 has been entered in the City's official book of record*).
2. Adoption of Ordinance 2008-11. City Manager Lee Gilmour gave the second reading of an ordinance to adopt the City of Perry's FY 09 Operating Budget. Council Member Willie King motions to adopt the ordinance with a 4% total pay increase for employees. Council Member Riley Hunt seconded the motion. Council Member James Moore opposed. (*Ordinance 2008-11 has been entered in the City's official book of record*).

9. Any Other Old Business Matters: None.

10. New Business: City Manager Lee Gilmour.

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

1. **First Reading** of an ordinance to amend the FY 08 Operating Budget. (*No action required by Council*).

10b. Consider City participation of Governor's Clean Community Challenge Workshop. City Manager Lee Gilmour presented to Council for consideration the City's participation in the Governor's Clean Community Challenge Workshop. Mayor Pro-Tempore Phyllis Bynum-Grace motioned to authorize the City's participation of the Governor's Clean Community Challenge Workshop. Council Member Riley Hunt seconded the motion and it carried unanimously.

- 10c. Authorize Phase II of City of Perry Historic Resource Survey. City Manager Lee Gilmour presented to Council for consideration authorizing Phase II of City of Perry Historic Resource Survey. Council Member Riley Hunt motioned to authorize Phase II of the City of Perry Historic Resource Survey. Council Member James Moore seconded the motion and it carried unanimously.
- 10d. Consider funding sidewalk improvements at the new Walgreens. City Manager Lee Gilmour presented to Council for consideration funding the sidewalk improvements at the new Walgreens. Council Member Riley Hunt motioned to fund the sidewalk improvements at the new Walgreens. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 10e. Extension of PUD moratorium another 90 days. City Manager Lee Gilmour presented to Council for consideration the extension of PUD moratorium for another 90 days. Council Member Willie King motioned to extend the PUD moratorium for another 90 days. Council Member James Moore seconded the motion and it carried unanimously.
- 10f. Consider adjusting speed limit on Danny Carpenter Drive. City Manager Lee Gilmour presented to Council for consideration adjusting the speed limit on Danny Carpenter Drive to 30 mph. Council Member Riley Hunt motioned to adjust the speed limit on Danny Carpenter Drive to 30 mph. Council Member Willie King seconded the motion and it carried unanimously.
- 10g. Consider amending agreement to provide for marketing plan for Big Indian Creek. City Manager Lee Gilmour presented to Council for consideration amending agreement to provide for marketing plan for Big Indian Creek. Council Member James Moore motioned to authorize amending the agreement to provide for marketing plan for Big Indian Creek. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 10h. Resolutions for consideration. City Manager Lee Gilmour.
1. Adoption of Resolution No. 2008-27 authorizing City to accept certain infrastructure for water and sewer only. City Manager Lee Gilmour presented for Council's consideration a Resolution authorizing the City acceptance of certain infrastructure – water and sewer only – The Reserve at Tuscany, Phase I; Blackhawk at Grand Reserve; Avington Glen, Phase I; Ivy Glen, Phase I; Brookwater, Phase II; and Walker Farm, Phase I. Council Member Riley Hunt motioned to adopt the Resolution authorizing City to accept for water and sewer only – The Reserve at Tuscany, Phase I; Blackhawk at Grand Reserve, Avington Glen, Phase I; Ivy Glen, Phase I; Brookwater, Phase II and Walker Farm, Phase I. Council Member Riley Hunt motioned to adopt the Resolution authorizing City to accept for water and sewer only – The Reserve at Tuscany, Phase I; Blackhawk at Grand Reserve; Avington Glenn, Phase I; Ivy Glen, Phase I; Brookewater, Phase II; and Walker Farm, Phase I. Council Member Willie King seconded the motion and it carried unanimously. (*Resolution 2008-27 has been entered in the City's official book of record*).

2. Adoption of Resolution No. 2008-28 establishing policy not refunding credit balances under \$2.00. City Manager Lee Gilmour presented for Council's consideration a Resolution establishing a policy for not refunding credit balances under \$2.00. Council Member Riley Hunt motioned to adopt the Resolution establishing a policy for not refunding credit balances under \$2.00. Council Member James Moore seconded the motion and it carried unanimously. (*Resolution 2008-28 has been entered in the City's official book of record*).

11. Supplemental Agenda. City Manager Lee Gilmour.

11a Request to waive building permit fees for Mr. Richard Whiddon. City Manager Lee Gilmour presented to Council for consideration a request to waive the building permit fees for Mr. Richard Whiddon for the properties located at 200 and 201 Longhorn Trail. Mike Beecham- Director of Community Development stated that since the properties are 99.9% complete Mr. Whiddon could continue using the existing permit; but if the property was still at the framing stage, then he would ask that a new permit be issued. Council Member Riley Hunt motioned to follow the recommendation of the Department of Community Development that if permanent power has been approved, the existing building permit is still active. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

11b. Request easement waiver for Mr. Roy Sutton. City Manager Lee Gilmour presented to Council for consideration a request to waive the easement for Mr. Roy Sutton. City Manager Lee Gilmour stated that Mr. Roy Sutton has built a utility shed on the easement, stated that it was a miss measurement. If the utility shed is left on the utility easement and the City has to do any utility work, the shed would have to be moved or torn down at no cost to the City. Council Member Riley Hunt motioned to waive the easement enforcement for Mr. Sutton, with the position if the City has to do any utility work on the property the shed would have to be moved or torn down at no expense to the City. Council Member Willie King seconded the motion and it carried unanimously.

12. Other Business. None.

13. Council Reports.

Mayor James Worrall – Thanked the Public Safety Department for the excellent job and team work in containing the fire this past Saturday.

Council Member Willie King – No.

Council Member James Moore – Thanked the Public Safety Department for the excellent job they done containing the fire this past Saturday.

Council Member Riley Hunt – No.

Mayor Pro-Tempore Phyllis Bynum-Grace – No.

14. Department Reports.

Deputy Fire Chief Joel Gray, Fire Department – No Sir.

Chief George Potter, Director of Public Safety – No Sir.

Mike Beecham, Director of Community Development – No sir.

Rick Kilgore, Director of Parks and Recreation –No Sir.

15. Executive Session entered at 7:13 p.m.: Council Member Riley Hunt motioned to adjourn regular meeting and enter into an Executive Session for the purpose of pending litigation and real estate acquisition. Council Member Willie King seconded the motion and it carried unanimously.
16. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held June 17, 2008 and reconvened into the regular meeting.
17. Adopted Resolution No. 2008-29 stating purpose of Executive Session held June 17, 2008 was to discuss real estate and litigation. Council Member Willie King motioned to adopt a resolution stating the purpose of the Executive Session held on June 17, 2008 was to discuss a real estate and litigation. Council Member Riley Hunt seconded the motion and it carried unanimously. (*Resolution 2008-29 has been entered in the City's official book of record*).
18. Adjournment: There being no further business to come before Council in the reconvened meeting held June 17, 2008, Mayor James Worrall adjourned the meeting at 8:15 p.m.