

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
June 2, 2009  
**6:00 P.M.**

1. Mayor James Worrall, Presiding Officer, called to order the regular meeting of the Perry City Council held June 2, 2009 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: Mayor Pro-Tempore Riley Hunt.

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, Ronnie Jones – Director of Public Works, Brenda King – Director of Administration, Rick Kilgore – Director of Parks and Recreation and Annie Warren- Recording Secretary.

Guests/Speakers: Mr. Jimmy Faircloth - Chairman PACVB, Ms. Sheila Jones, Executive Director -PACVB and Mr. Kim Mullins.

Press/Media: Charlotte Perkins – Houston Home Journal, and Mr. Row Jerles – Houston Home Journal and Ms. Kristen Berryhill – ComSouth.

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. Special Recognition:

4a. Mayor James Worrall recognized the Perry Recreation Department AAU 11 year old boys' basketball team for winning the state championship. The team was not present but Coach Terry Sams thanked the Mayor and Council for their support. Director of Parks and Recreation Ricky Kilgore reported to Mayor and Council that the recreation 11 year old Perry Knights' received a National bid to compete on the National level at the AAU Tournament in Orlando, Florida, July 26 – August 1, 2009. The 13 year old Perry Knights also received an AAU bid to compete and defend their National title in Orlando, Florida, June 28 – July 4, 2009. The 11-12 year old Georgia Sparks girls also won the Georgia AAU basketball tournament. The Sparks will represent the City of Perry in the Big Easy (New Orleans) July 26 – August 1, 2009.

5. Citizens with Input. None.

6. PUBLIC HEARING CALLED TO ORDER AT 6:07 P.M: Mayor James Worrall called to order of a public hearing at 6:07 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 for FY 10 Operating Budget for the City of Perry. City Manager Lee Gilmour reviewed the FY 10 Operating Budget with Council. City Manager Lee Gilmour advised Council there is \$334,000.00 less income the General Fund has compared to FY 08. Council has stated that each fund has to support itself, that's another \$295,000.00 the General Fund will not have for a \$629,000.00 shortfall going into the fiscal year. In order to address that, there is no pay plan increase for employees, employees will have to pay a greater share of health and dental insurance costs, non required expenditures have been reduced. This still leaves \$224,000.00 short; this budget recommends to the Council the General Fund has a slight millage increase that would translate into \$2.42/month for average homeowner in the City of Perry. It is important for our General Fund to get back in a stable financial condition; Council is committed to setting up and operating a second fire station. That will be approximately 1.5 – 1.8 mills in order to operate. It is recommended to Council to begin increasing the millage over the next three (3) fiscal years so Council will not have to get all of the money at once. The Hotel/Motel Fund Tax Special Revenue Fund is anticipated to be alright. The Water/Sewer Fund had significant losses relative to revenue to expenditures; recommending \$1.00 increase in base charge and eight (8) percent increase in utility rates. The Gas Fund is anticipated to be about the same. The Solid Waste Fund – recommending a \$.50 increase. This comes to a total of \$7.75/month. If you are a high volume consumer the amount will be more. If the value of your property is less than what we used for our calculation, your cost will be less. City Manager Lee Gilmour advised the Council and the public that there will be a series of meetings to review the budget and citizens are welcome to those meetings.

Public Input: Mayor Worrall called for any public input for this particular item.

In Favor: None.

Opposition: None.

Public Hearing Adjourned at 6:16 p.m. Mayor James Worrall closed the public hearing at 6:16 p.m.

**Not on the agenda:**

Mayor James Worrall recognized Officer Tom Daly as being selected Officer of the Year by the Warner Robins Optimist Club.

7. Consent Agenda Items: Mayor James Worrall.

7a. Council Consideration – Minutes of the May 19,2009 work session and regular meeting. Council Member Willie King motioned to approve. 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. **Second Reading** of an Ordinance to rezone 0.71 acres from City of Perry R3 – Multi-Family Residential District to City of Perry C3 – Central Business District. The property is located at 1303 Houston Lake Drive.

Adoption of Ordinance 2009-15. City Manager Lee Gilmour gave the second reading of an ordinance to rezone 0.71 acres from City of Perry R-3 to City of Perry C3 - property located at 1303 Houston Lake Drive. City Manager Lee Gilmour reminded Council that the Perry Planning Commission recommended against the rezoning because they felt it was spot zoning. Director of Community Development Mike Beecham advised Council at the last Council meeting that C-3 is one of the uses in this area. City Manager Lee Gilmour stated that staff has no objections to the C-3 proposal. Council Member Joe Kusar motioned to approve the request with the recommendation from staff to increase the setbacks from the front and rear 25 feet. Council Member Willie King seconded the motion and it carried unanimously. (*Ordinance 2009-15 has been entered in the City's official book of record*).

9. Any Other Old Business Matters: None.

10. New Business: Mayor James Worrall.

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

1. **First Reading** of an Ordinance to amend the Perry Code by deleting Sec. 25-6 (Unlawful use of or tampering with utility property) in its entirety and adding a new Sec. 25-6. (*No action required by Council*).
2. **First Reading** of an Ordinance to adopt FY 10 Operating Budget. (*No action required by Council*).
3. **First Reading** of an Ordinance to amend the Perry Code to increase accommodation Excise Tax (Hotel/Motel tax) by 1% to fund improvements and operation of the Perry Arts Center. (*No action required by Council*).

**Discussion**

Mayor recognized at this time Mr. Jimmy Faircloth, Chairman of the PACVB. Mr. Faircloth advised Council that 1% increase of the Hotel/Motel Tax will have a negative impact on tourism in Perry. Ms. Sheila Jones, Executive Director of PACVB passed out to Council a list reflecting lodging and sales tax comparison of cities surrounding Perry.

Mr. Glen Stalnecker of Holiday Inn advised Council that the overall U.S. occupancy is 61%. In the year of 2008 Perry was running 45% occupancy. In the year of 2009 thus far, Perry is running 41% occupancy. Perry is well under the country average. Mr. Stalnecker asked Council to reject the 1% increase of the Hotel/Motel Tax at this time and to reconsider it sometime in the future.

Mr. Kim Mullins of New Perry Hotel stated he would like to for the City to sit down and talk to the hotel owners and CVB before approaching this increase. He would also like for the City to look at an analysis of how the 1% increase would affect the hotel owners.

Council Member Joe Kusar stated it was his understanding that a number of cities surrounding Perry are going to increase the Hotel/Motel tax.

Mayor Worrall thanked CVB for what they do for our City.

- 10b. Authorized going to bid for re-roofing City Hall. City Manager Lee Gilmour presented for Council's consideration a request to go to bid for re-roofing City Hall. Council Member Willie King motioned to authorize going to bid for the reroofing of City Hall. Council Member James Moore seconded the motion and it carried unanimously.
- 10c. Awarded Saunders Engineering Consultants, Inc. the professional engineering services 2008 CSTEE – Transportation Enhancement Grant. City Manager Lee Gilmour provided to Council a breakout of the criteria used for selection of an engineering firm for professional engineering services 2008 CSTEE – Transportation Enhancement Grant. The Downtown Development Authority recommendation to Council to award Saunders Engineering Consultants, Inc. the professional engineering services 2008 CSTEE - Transportation Enhancement Grant and Administration concurs. Council Member Joe Kusar motioned to accept the recommendation of the Downtown Development Authority of awarding Saunders Engineering Consultants, Inc. the professional engineering services 2008 CSTEE - Transportation Enhancement Grant. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.
- 10d. Authorized one (1) month credit for Smith Heights Apartments. City Manager Lee Gilmour presented for Council's consideration a request for one (1) month credit for Smith Heights Apartments. City Manager Lee Gilmour advised Council that the manager of Smith Heights Apartments detected a substantial leak that was in our system, the main was leaking directly into the stormwater drain, flowing through the stormwater drain and going out to the drainage ditch along I-75 which is covered with kudu. This would have never been detected because it was something we could not see. His reporting this information to us will save us a considerable amount of water we have to pump into the system. Administration recommendation to Council to award one (1) month credit to Smith Heights Apartments relative water and sewer bill. Council Member Charles Lewis motioned to authorize one (1) month credit for Smith Heights Apartments. Council Member Phyllis Bynum-Grace seconded the motion. Council Member Joe asked if this is going to set a precedence because other citizens have reported frozen water lines and partially developed subdivisions and haven't been awarded. City Manager Lee Gilmour advised Council it is a matter of degree, there were 750,000 gallons of water going through the main lost per day. Mayor Worrall called for the question and the motion carried unanimously.
- 10e. Postpone revoking business license for Discount Tobacco. Public Safety Director George Potter asked Council to postpone until the next Council meeting so the owner can be present. Council concurred.

10f. Approved establishing 120 day moratorium for electronic message board signs. Director of Community Development Mike Beecham advised Council that on April 13, 2009 the Perry Planning Commission voted to recommend to Council to enact a 120 day moratorium on issuing permits for new electronic message board signs. The Planning Commission is currently reviewing the regulations of these signs. There is a great concern a number of these signs may pose a traffic safety hazard. Council Member James Moore motioned to authorize a 120 day moratorium for electronic message board signs.. Council Member Charles Lewis seconded the motion and it carried unanimously.

10g. Approved establishing 120 day moratorium for billboards. Director of Community Development Mike Beecham advised Council that this item has not went before the Perry Planning Commission yet. City Attorney David Walker received a call from the City of Centerville advising him that last year a billboard company out of Atlanta sued Houston County when Houston County denied some billboard permit applications; the company said Houston County billboard ordinances were unconstitutional because it lacked certain procedures. Houston County settled out of court with the billboard company. The same billboard company has threatened to do the same with the City of Centerville. We are trying to be proactive, if approved this item will be placed on Monday agenda of the Perry Planning Commission. Council Member Joe Kusar motioned to authorize a 120 day moratorium for billboards. Council Member Willie King seconded the motion and it carried unanimously.

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

11a. Award of Bids: Consideration of Award -

1. Awarded Bid No. 2009-20 demolition of structure at 913 Cathy Circle to Fred White the lowest bidder, amount \$1,797.00.

Vendor Name	Basic	Totals
Fred White	\$1,797.00	\$1,797.00
Martin Construction	\$3,350.00	\$3,350.00
Warren Construction	\$4,400.00	\$4,400.00
Carpenter Construction	\$4,800.00	\$4,800.00
LaKay Construction	\$4,865.00	\$4,865.00
Davis Construction	\$5,000.00	\$5,000.00
Level Line Construction	\$5,400.00	\$5,400.00

City Manager Lee Gilmour suggested to Council to accept the recommended bid from Fred White in the amount of \$1,797.00. Council Member Willie King motioned to accept the recommended bid. Council Member Joe Kusar 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: Advised Council that a gentleman working on the sign at Chick-Fil-A is stuck 55 feet in the air and the ladder truck had been dispatched to get him down.

Director of Community Development – Mike Beecham: No.

Director of Parks and Recreation – Rick Kilgore: No.

Director of Administration – Brenda King: No.

Director of Public Works – Ronnie Jones: No.

13. Council Member Items.

Council Member Willie King – No.

Council Member James Moore – Asked about the status of Ball Street Extension and Devonshire Court Extension/James Street. City Manager Lee Gilmour advised the initial survey work is done and we have a cost estimate for the project. The cost estimate exceeds the remaining balance in SPLOST. This has been rolled to a first priority project for the next Construction SPLOST. We are going to complete the survey work and acquire the necessary right-of-ways. The Ball Street Extension, GDOT declined to provide us any assistance on construction administration. We are looking at making a slight adjustment in the design where Ball Street tie into Tucker Road and we should have a final sign off from DOT about the right-of-way alignment and we will proceed with acquiring parcels on our own. Property acquired for the bridge – we will have to follow federal guidelines.

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 4, 2009 the meeting was adjourned at 6:50 p.m.