

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
July 15, 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 July 15, 2008 at 6:10 p.m.

2. Roll.

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

Elected Officials Absent: None.

Staff: City Manager Lee Gilmour. City Attorney David Walker. City Departmental Staffing: Deputy Fire Chief Joel Gray - Fire Department, Rick Kilgore – Director of Parks and Recreation, Mike Beecham - Director of Community Development, Ronnie Jones – Director of Public Works, Brenda King – Director of Administration, Captain Bill Phelps – Public Safety, Dianne Abney – Secretary Public Works Department and Joni Ary - Recording Secretary.

Guests/Speakers: None.

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

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.

4. Citizens with Input. None.

5. PUBLIC HEARING CALLED TO ORDER AT 6:11 P.M.: Mayor James Worrall called to order of a public hearing at 6:11 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).

5a. **Petition for Rezoning Application No. R-08-006.** Patrick Allan Lacefield & Michael E. Lacefield, owners & Keith Seamon, applicant. Rezone 6.82 acres and Rezone and Annex 1.1 acres total 7.92 acres from Ho. Co. R-AG, Residential Agricultural District & City of Perry R2, Two-Family Residential District to City of Perry, IN, Institutional District, Kings Chapel Road and Gray Road. MP – P44B-34, P44B-35, and 57-6. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated June 24, 2008, as follows:

*“Re: Petition for Rezoning Application No. R-08-006
Patrick Allan Lacefield & Michael E. Lacefield, owners & Keith Seamon, applicant
Rezone 6.82 acres and Rezone and Annex 1.1 acres*

Total 7.92 Acres from
Ho. Co. R-AG, Residential Agricultural District & City of Perry R2, Two-Family Residential
District
to City of Perry IN, Institutional District
Kings Chapel Road & Gray Road
MP – P44B-34, P44b-35, and 57-6

Dear Mayor and Council:

On June 23, 2008 Perry Planning Commission review the above referenced Petition for Rezoning submitted by Patrick Allan Lacefield & Michael E. Lacefield, owner and Keith Seamon, applicant. This petition requests to rezone 6.82 acres and rezone & annex 1.1 acres fro a total of 7.92 Acres from Ho. Co. R-AG, Residential Agricultural District & City of Perry R2, Two-Family Residential District to City of Perry, IN, Institutional District for property located on Kings Chapel & Gray Roads.

The Perry Planning Commission respectfully submits this letter to Mayor and Council as our formal recommendation of approval for this petition request for IN rezoning for annexation.

Sincerely,

Martin Beeland, Chairman
Perry Planning Commission”.

Staff Report: Mike Beecham, Director of Community Development reviewed with Council the petition for rezoning.

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

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

- 5b. **Amendment to Perry Land Development Ordinance #A-005-0508.** Definition of Fence – Section 31. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated June 24, 2008, as follows:

“Re: Amendment to Perry Land Development Ordinance
Section 31 – Definition of Fence
#A-005-0508

Dear Mayor and Council:

On June 23, 2008 Perry Planning Commission review the above referenced amendment to the Perry Land Development Ordinance – Section 31 – Definition of Fence.

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

Sincerely,

Martin Beeland, Chairman
Perry Planning Commission”.

Staff Report: Mike Beecham, Director of Community Development reviewed amendment to Perry Land Development Ordinance – Section 31 – Definition of Fence.

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

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

- 5c. **Amendment to Perry Land Development Ordinance #A-006-0508.** Subdivision Perimeter Buffers – Section 149. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated June 24, 2008, as follows:

*“Re: Amendment to Perry Land Development Ordinance
Section 149 –Subdivision Perimeter Buffers
#A-006-0508*

Dear Mayor and Council:

On June 23, 2008 Perry Planning Commission review the above referenced amendment to the Perry Land Development Ordinance – Section 149 – Subdivision Perimeter Buffers.

The Perry Planning Commission respectfully submits this letter to Mayor and Council as our formal and favorable recommendation to the Mayor and City Council for approval of Section 149.

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff Report: Mike Beecham, Director of Community Development reviewed amendment to Perry Land Development Ordinance – Section 149 – Subdivision Perimeter Buffers. City Council directed Mike Beecham, Director of Community Development to schedule further discussion of the amendment to the Perry Land Ordinance – Section 149 – Subdivision Perimeter Buffers, at the next scheduled Planning Commission meeting on July 28, 2008.

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

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

- 5d. **Ordinance to amend the speed limit on Danny Carpenter Drive.** City Manager Lee Gilmour stated that Council has agreed to adjust the speed limit in front of Mossey Creek Middle School to 35 mph normally and 25 mph during school hours.

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

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

Public Hearing Adjourned at 6:15 p.m. Mayor James Worrall closed the public hearing at 6:15 p.m.

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

- 6a. Council Consideration –

The minutes of July 1, 2008 regular meeting. Council Member Riley Hunt motioned to approve. Council Member James Moore seconded the motion and it carried unanimously.

7. Old Business: Mayor Worrall stated that while in attendance at last night's forum heard implications that the City does not spend its money wisely. Mayor Worrall took exception from that because the City has received the Certificate of Achievement and Excellence in financial reporting.
8. Any Other Old Business Matters: None.
9. New Business:
 - 9a. Ordinances for First Reading and Introduction: Presented by City Manager Lee Gilmour.
 1. **First Reading** of an ordinance to rezone 6.82 areas and rezone and annex 1.1 acres total 7.92 areas as submitted in Petition R-08-006 by Patrick Allan Lacefield & Michael E. Lacefield, owners & Keith Seamon, applicant from Ho. Co. R-AG, Residential Agricultural District & City of Perry R2, Two-Family Residential District to City of Perry IN, Institutional District- Kings Chapel Road & Gray Road. *(No action required by Council)*.
 2. **First Reading** of an ordinance to amend the Perry Land Development Ordinance – #A-005-0508. *(No action required by Council)*.
 3. **First Reading** of an ordinance to amend the Perry Land Development Ordinance - #A-006-0508. *(No action required by Council)*.
 4. **First Reading** of an ordinance to amend the speed limit on Danny Carpenter Drive. *(No action required by Council)*.
 - 9b. Resolutions for consideration. City Manager Lee Gilmour.
 1. Adoption of Resolution No. 2008-33 authorizing City to accept certain infrastructure for City maintenance. City Manager Lee Gilmour presented for Council's consideration a resolution authorizing the City to accept certain infrastructure for City maintenance – Sugarloaf Phase I, Section 1 and 2; The Reserve at Tuscany, Phase I; Notting Hill Phase I; Brendale Section 3 and Wind River Phase 1. Council Member Joe Kusar motioned to adopt the resolution authorizing City to accept certain infrastructure for City maintenance – Sugarloaf Phase I, Section 1 and 2; The Reserve at Tuscany, Phase I; Notting Hill Phase I; Brendale Section 3 and Wind River Phase I. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously. *(Resolution 2008-33 has been entered in the City's official book of record)*.

9c. Approved unanimously all the recommendations of the Parks and Recreation Oversight Committee for Council's consideration (met on 07.10.08). Chairman of Parks and Recreation Oversight Committee Willie King.

- Authorize proceeding with installation of light control/monitoring for Rozar Park (\$27,900) and Creekwood Park (\$7,200) to be paid from SPLOST 06 Fund.

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

- Authorize acceptance of Rozar Park trail improvements from Lighthouse Nursing Agency.

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.

9d. Award of Bids: Consideration of Award.

1. Awarded Bid No. 2008-15 of ceiling repair at Rozar Park Gym.

| <u>Vendor</u> | <u>Bid</u> | <u>Total</u> |
|------------------|-------------|--------------|
| Green World Inc. | \$32,800.00 | \$32,800.00 |

City Manager Lee Gilmour suggested to Council to accept the recommended bid from Green World Inc of \$32,800.00. Council Member Willie King motioned to accept the recommended bid. Council Member Riley Hunt seconded the motion and it carried unanimously.

10. Supplemental Agenda. City Manager Lee Gilmour.

- 10a. Permission to error off uncollectible taxes. City Manager Lee Gilmour reviewed request from Administration to error off uncollectible taxes from the 2004 and 2005 personal property tax accounts. Council Member Riley Hunt motioned to give permission to error off uncollectible taxes. Council Member Willie King seconded the motion and it carried unanimously.

Item not listed on the Agenda: City Manager Lee Gilmour reminded Council Members from the work session the recommendation for DDA to extend the brick pavers from Walgreen's to the corner of Commerce Street and Washington Street. Council Member Joe Kusar motioned to approve DDA to extend the brick pavers from Walgreen's to the corner of Commerce Street and Washington Street. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

11. Other Business. None.

12. Council Reports.

Council Member Willie King – No.

Council Member James Moore – No.

Council Member Riley Hunt – Asked about the status of the party/dinner for the Police and Fire Departments relative to the downtown fire. Mayor James Worrall stated that a series of possible dates have been sent out and are waiting for information.

Council Member Joe Kusar – No.

Mayor Pro-Tempore Phyllis Bynum-Grace – No.

13. Department Reports.

Captain Bill Phelps, Public Safety – Chief George Potter is at the Chief's conference.

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

Mike Beecham, Director of Community Development – No sir.

Rick Kilgore, Director of Parks and Recreation – Wanted to thank Ronnie Jones, Director of Public Works for assisting the Parks and Recreation Department on the adult soccer field project that is moving along and should be wrapped up as soon as possible.

Brenda King, Director of Administration – No sir.

Ronnie Jones, Director of Public Works – No sir.

14. Executive Session entered at 6:50 p.m.: Council Member Riley Hunt motioned to adjourn regular meeting and enter into an Executive Session for the purpose of real estate, personnel and pending litigation. Council Member James Moore seconded the motion and it carried unanimously.

15. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held July 15, 2008 and reconvened into the regular meeting.

16. Adopted Resolution No. 2008-34 stating purpose of Executive Session held July 15, 2008 was to discuss real estate, personnel and pending litigation. Council Member Joe Kusar motioned to adopt a resolution stating the purpose of the Executive Session held on July 15, 2008 was to discuss real estate, personnel and pending litigation. Council Member Willie King seconded the motion and it carried unanimously. (*Resolution 2008-34 has been entered in the City's official book of record*).

17. Council Member Joe Kusar motioned to authorize provision of benefit assistance to Mr. Edward Brunson and to authorize proceeding with the eviction of the Jaycee's from their building on City property. Council Member Willie King seconded the motion and it carried unanimously.

18. Adjournment: There being no further business to come before Council in the reconvened meeting held July 15, 2008, Mayor James Worrall adjourned the meeting.