

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
September 15, 2009
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 September 15, 2009 at 6:00 p.m.

2. Roll.

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

Elected Officials Absent: None.

Staff: City Manager Lee Gilmour and City Attorney John Walker.

City Departmental Staff: Brenda King – Director of Administration, Ronnie Jones – Director of Public Works, Mike Beecham – Director of Community Development, Joni Ary - Recording Secretary.

Guests/Speakers: Mr. Wayne Morris.

Press/Media: Ms. Charlotte Perkins – Houston Home Journal, Ms. Kristen Berryhill – ComSouth and Mr. Marlon Walker – Macon Telegraph.

3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro-Tempore Riley Hunt gave the invocation and led the pledge of allegiance to the flag.
4. Special Guests/Presentations:

Mayor James Worrall presented Mr. Lee Gilmour – City Manager a pin for his 10 years of service. Mayor Worrall thanked Mr. Gilmour for all his years of service and for the outstanding job he has done. Mr. Gilmour thanked the Council and the citizens of Perry.

Perry – Houston County Airport Authority – Mr. William Jerles presented to Council an update on the Airport Authority. The Airport Authority is currently tearing up the old taxi runway and moving it over 50 – 100 feet to have the instrument landing system installed and is also adding a corporate taxi lane. The reconstruction of Airport Road has started and all the hangers at the airport are full and there is a waiting list. On November 14th and 15th there will be B-17, P-51, ME 262 and B-24 aircraft at the airport for a show. The Airport new website is www.pxairport.com.

5. Citizens with Input. Mr. Wayne Morris spoke to Council about not being consistently informed about bids on the replacement of City vehicles and the servicing of vehicles and parts

for the vehicles. Mr. Morris also requested to have the decals on City vehicles removed. Council Member Joe Kusar stated that the City has a local dealer preference. City Manager Lee Gilmour stated that if the vendor meets the criteria of the bid, then they are sent the bid packet information. City Manager Lee Gilmour stated that he would get the bid records and dates and forward the information to Council with a copy to Mr. Morris. Mr. Morris stated that he would like to have the opportunity to bid on vehicles and also service them.

6. PUBLIC HEARING CALLED TO ORDER AT 6:25 P.M.: Mayor James Worrall called to order a public hearing at 6:25 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. Perry Land Development Ordinance Section 106 - Signs.

Staff Report: Mike Beecham, Director of Community Development reviewed with Council the new sign ordinance. Mr. Beecham stated that the existing signs would be grandfathered in. Mr. Beecham stated that under the new sign ordinance signs can not be banned in residential areas due to regulating signs based on content. Mr. Beecham stated that animated signs could not change its message but every six (6) hours. Council Member Joe Kusar asked if temporary signs are still prohibited. Mr. Beecham stated that temporary signs are prohibited. Mayor James Worrall asked Mr. Beecham if there was an ordinance about murals on the side of a building. Mr. Beecham stated that he would get the information back to Council. Mayor Pro-Tempore Riley Hunt asked about the process of getting a sign removed. Mr. Beecham stated if an individual is asked to remove a sign and they do not, then the matter is taken to Municipal Court. City Attorney David Walker stated that the City Code states that an individual can be penalized per violation with up to a \$500.00 fine and up to (30) days in jail. Council Member Charles Lewis asked about delivery trucks with signs on them. Mr. Beecham stated that vehicles are exempt.

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

In Favor: None.

Opposition: None.

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 – Minutes of September 1, 2009 work session and regular meeting. Mayor Pro-Tempore Riley Hunt motioned to approve. Council Member Willie King seconded the motion and it carried unanimously.
8. Old Business: Mayor James Worrall.

- 8a. Petition for Special Exception Application No. SE-09-02. Mrs. Kate Schell, applicant; the request to operate an animal shelter utilizing pet grooming and training as a residential business in an R-2 District. The property is located at 316 Lee Street.
Note: This item was tabled at the last City Council Meeting.

Director of Community Development Mike Beecham reviewed with Council the request to operate an animal shelter utilizing pet grooming and training as a residential business in an R-2 District. Mr. Beecham showed photographs of the property to Council. Mrs. Kate Schell, application; stated that it is not a business it would be a foster home for the animals and she is licensed by the Department of Agriculture. Council Member Joe Kusar stated that under the City Nuisance Ordinance a resident is only permitted to have six (6) animals at a residence. Mrs. Schell stated that at this time she has (8) animals at her residence. Council Member Joe Kusar motioned to allow the Special Exception for six (6), but allow a six (6) month period for the applicant to reduce the number of animals to six (6). Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

- 8b. Ordinances for Second Reading/Consideration of Adoption: City Manager Lee Gilmour.

1. Adoption of Ordinance 2009-21: City Manager Lee Gilmour gave the second reading of an Ordinance to amend the Perry Code by deleting Sec. 15-131 (1) (Permitted locations) in its entirety and adding a new Sec. 15-131 (1). Council Member James Moore motioned to adopt the ordinance. Council Member Charles Lewis seconded the motion and it carried unanimously. (*Ordinance 2009-21 has been entered in the City's official book of record*).

- 8c. Alcohol License Second Reading/Consideration of Adoption: Presented by City Manager Lee Gilmour.

1. Deferred application for alcohol license for BEER/WINE/MIXED DRINKS consumed on premises for Jalisco Grill located at 273 Perry Parkway, Ste. A. (Paradise Shopping Center). City Manager Lee Gilmour stated that the applicant for the alcohol license is not present, and recommended to have the application deferred to the next City Council meeting. All members concurred.

9. Any Other Old Business Matters: None.

10. New Business: Mayor James Worrall.

- 10a. Authorize to participate in the federal Systematic Alien Verification for Entitlements (SAVE) Program. City Manager Lee Gilmour presented for Council's consideration a request to authorize the City to participate in the federal Systematic Alien Verification for Entitlements (SAVE) Program. Council Member Joe Kusar motioned to authorize the City to participate in the federal Systematic Alien Verification for Entitlements (SAVE) Program. Council Member Phyllis Bynum-Grace seconded the motion and it carried unanimously.

- 10b. Authorized blocking off Main Street at the corner of Ball and Jernigan Street on September 18th beginning at 6pm until September 19th at 6pm. The Perry Area Chamber of Commerce will be hosting a Chili Cook-Off Celebration. City Manager Lee Gilmour presented for Council's consideration a request to authorize blocking off Main Street at the corner of Ball and Jernigan Street on September 18th at 6pm until September 19th at 6pm. Council Member Charles Lewis motioned to authorize blocking off Main Street at the corner of Ball and Jernigan Street on September 18th at 6pm until September 19th at 6pm. Council Member Willie King seconded the motion and it carried unanimously.
- 10c. Approved acceptance of \$100,000 grant for Big Indian Creek Trail Phase 2. City Manager Lee Gilmour presented for Council's consideration a request to accept a \$100,000 grant for Big Indian Creek Trail Phase 2. Council Member Phyllis Bynum-Grace moved to approve the acceptance of a \$100,000 grant for Big Indian Creek Trail Phase 2. Council Member Willie King seconded the motion and it carried unanimously.
- 10d. Selection of engineering firm for the Sandefur Road sewer main relocation. City Manager Lee Gilmour presented for Council's consideration a request to select an engineering firm for the Sandefur Road sewer main relocation. Mayor Pro-Tempore Riley Hunt motioned to authorize the selection of Intergrated Science Engineering, Inc for the Sandefur Road sewer main relocation. Council Member Joe Kusar seconded the motion and it carried unanimously.
- 10e. Award of Bids: Consideration of Award -

1. Award of replacement of A/C unit for City Hall.

<u>Vendor</u>	<u>Basic</u>	<u>Total</u>
Sullivan Heating & Cooling	\$6,380.00	\$6,380.00
Pruett Air Conditioning Associates	\$4,740.00	\$4,740.00
Hoke's Heating & Air	\$4,200.00	\$4,200.00

City Manager Lee Gilmour suggested to Council to accept the recommended bid from Hoke's Heating & Air in the amount of \$4,200.00. Council Member Willie King motioned to accept the recommended bid. Council Member Charles Lewis seconded the motion and it carried unanimously.

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

- 11a. Authorized application for Tourism Grant per request of DDA. City Manager Lee Gilmour presented for Council's consideration a request to authorize the application for the Tourism Grant per request of DDA. Council Member Joe Kusar motioned to authorize the application for Tourism Grant per request of DDA. Council Member Willie King seconded the motion and it carried unanimously.

Item recommended from work session to Council.

1. Authorize final plat approval for Sutton Place Subdivision subject to a \$41,300.00 certified check be provided by the developer to complete the installation of the generator and any other work associated at the lift station. City Manager Lee Gilmour stated that this item was reviewed in work session and recommended to Council to approve. Council Member Joe Kusar motioned to authorize to the final plat approval for Sutton Place Subdivision subject to a \$41,300.00 certified check be provided by the developer to complete the installation of the generator and any other work associated at the lift station. Council Member Willie King seconded the motion and it carried unanimously.

12. Department Head Items.

Public Safety Department – Captain Bill Phelps: No.

Fire Department – Captain Jeff Patterson: No.

Director of Community Development – Mike Beecham: No.

Director of Public Works – Ronnie Jones: Received draft approval from EPD for ground withdrawal will receive permit after 30 days.

Director of Parks and Recreation – Rick Kilgore: No.

Director of Administration – Brenda King: Introduced Ms. Vickie Graham to Council and she has started work in the Tax and License Department.

13. Council Member Items.

Attorney David Walker – No.

Council Member Willie King – No.

Council Member James Moore – No.

Mayor Pro-Tempore Riley Hunt – No.

Council Member Charles Lewis – No.

Council Member Joe Kusar – Stated that on Sam Nunn Boulevard grass is overgrown at gas station and the hotel next to Applebee's.

Council Member Phyllis Bynum-Grace – No.

13. Executive Session entered at 7:24 p.m.: Council Member Willie King moved to adjourn regular meeting and enter into an Executive Session for the purpose of personnel and pending litigation. Council Member James Moore seconded the motion and it carried unanimously.

14. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held September 15, 2009 and reconvened into the regular meeting.
15. Adopted Resolution No. 2009-39 stating purpose of Executive Session held September 15, 2009 was to discuss personnel and pending litigation. Council Member Joe Kusar moved to adopt a resolution stating the purpose of the Executive Session held on September 15, 2009 was to discuss personnel and pending litigation. Mayor Pro-Tempore Riley Hunt seconded the motion and it carried unanimously. (*Resolution 2009-39 has been entered in the City's official book of record*).
16. Adjournment: There being no further business to come before the Council in the reconvened meeting held September 15, 2009, Council Member Charles Lewis motioned to adjourn the meeting. Council Member Willie King seconded the motion and it carried unanimously.