

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
September 16, 2008
6:00 P.M.

1. Call to Order: Mayor James Worrall, Presiding Officer called to order the regular meeting held September 16, 2008 at 6:00 p.m.

2. Roll:

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

Elected Official Absent: Council Member Riley Hunt.

Staff: City Manager Lee Gilmour. City Attorney David Walker. City Departmental Staffing: George Potter – Director of Public Safety, Brenda King – Director of Administration, 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, Dianne Abney – Secretary Public Works Department, Deborah Hamlin - IT Manager and Annie Warren-Riley – Recording Secretary.

Guests/Speakers: Mr. Wolf and Ms. Tish Chase.

Press: Natasha Smith – Macon Telegraph and Krystal Riner – 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.

Not listed on Agenda: Mayor Worrall presented William and Bridget Huvier of France with honorary citizenship of Perry, Georgia.

4. Citizens with Input. Mr. Wolfe – 411 Yorktown Drive. The City of Perry does not recycle plastics. Plastic is a major part of the waste stream. Does the City of Perry have any plans for recycling? Mayor Worrall advised Mr. Wolfe that the City of Perry has received a proposal from a company about recycling everything not just plastic and we are interested in seeing what they have to offer.

5. PUBLIC HEARING CALLED TO ORDER AT 6:05 P.M. Mayor James Worrall called to order of a public hearing at 6:05 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. Amendment to Perry Land Development Ordinance #A-010-0808 - Denial of Certificate of Occupancy. Mayor James Worrall presented a letter of recommendation from the Perry Planning Commission dated August 26, 2008, as follows:

*“Re: Amendment to Perry Land Development Ordinance
Section 41.2.3 – Denial of Certificate of Occupancy.
#A-010-0808*

Dear Mayor and Council:

On August 25, 2008, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance –Section 41.2.3 – Denial of Certificate of Occupancy.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to the Mayor and City Council for the approval of Section 41.2.3.

Sincerely,

*Martin Beeland, Chairman
Perry Planning Commission”.*

Staff Report: Mr. Mike Beecham, Director of Community Development advised the Council that in the second paragraph the new language requires everything on the project to be completed before issuing a Certificate of Occupancy.

Public Input: Mayor Worrall called for any public input for or opposed to the amendment.

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

Public Hearing Adjourned at 6:10 p.m. Mayor James Worrall closed the public hearing at 6:10 p.m.

6. Consent Agenda Items: Mayor James Worrall.

6a. Council Consideration –

1. Minutes of September 2, 2008 work session and regular meeting. Council Member Willie King motioned to approve. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

7. Old Business: Mayor James Worrall.

7a. Ordinances for Second Reading/Consideration of Adoption: City Manager Lee Gilmour.

1. Denial of adoption of an ordinance to rezone 0.427 acres from City of Perry R3 to City of Perry LC for property at 1207 Swift Street as presented in Petition R-08-009. City Manager Lee Gilmour gave the second reading of an ordinance to rezone 0.427 acres from City of Perry R3 to City of Perry LC for property at 1207 Swift Street as presented in Petition R-08-009. The City Manager advised Council that the recommendation from the Perry Planning Commission was to deny the petition. Council Member Joe Kusar motioned follow the

recommendation of the Perry Planning Commission and to deny the request of rezoning 0.427 acres from City of Perry R3 to City of Perry LC for property located at 1207 Swift Street. Council Member Willie King seconded the motion and it carried unanimously.

8. Any Other Old Business Matters: None.
9. New Business: Mayor James Worrall.
 - 9a. Alcohol License First Readings - Applications: Presented by City Manager Lee Gilmour.
 1. **First Reading:** Application for Beer and Wine Packaged-To-Go Alcohol License for Publix Super Markets, Inc. #1233, located at 275 Perry Parkway. License in the name of Trent N. Loseke. (*No Action required – First Reading only*).
 2. **First Reading:** Application for Beer and Wine Packaged-To-Go Alcohol License for PIX Convenience Store #3405, located at 285 Perry Parkway. License in the name of Trent N. Loseke. (*No Action required – First Reading only*).
 - 9b. Ordinances for First Reading and Introduction: Presented by City Manager Lee Gilmour.
 1. **First Reading** of an ordinance to amend the Perry Land Development Ordinance - #A-010-0808. (*No action – First Reading only*).
 - 9c. Resolutions for Consideration. City Manager Lee Gilmour.
 1. Adoption of Resolution No. 2008-41 to amend the City of Perry fee schedule. City Manager Lee Gilmour presented for Council’s consideration a Resolution authorizing the City to change the transient business license and site license fee for produce stands to \$410 per year and \$200 per half year. The second aspect of the recommendation was to amend the fee ordinance to add a \$30 per visit building permit re-inspection when the inspectors have to go out to a site for a third time to correct a particular problem. Council Member Joe Kusar moved to table the transient business license and site license fee for produce stands until the Downtown Development Authority meets and decides if they intend to waive their fee if the vendor pays the City fee. Council Member James Moore seconded the motion and it carried unanimously. Council Member Joe Kusar moved to adopt the building permit re-inspection fee. Council Member James Moore seconded the motion and it carried unanimously. (*Resolution 2008-41 has been entered in the City's official book of record.*)
 2. Adoption of Resolution No. 2008-42 accepting and requiring City to adhere to Natural Gas Operations and Maintenance Procedures – Priority 3. City Manager Lee Gilmour presented for Council’s consideration a Resolution accepting and requiring the City to adhere to Natural Gas Operations and Maintenance

Procedures – Priority 3. Council Member Joe Kusar moved to adopt the Resolution accepting and requiring the City to adhere to Natural Gas Operations and Maintenance Procedures – Priority 3. Council Member Charles Lewis seconded the motion and it carried unanimously. (*Resolution 2008-42 has been entered in the City's official book of record.*)

3. Adoption of Resolution No. 2008-43 authorizing City to accept Georgian Mill at the Woodland Subdivision, Phase 1, Section 1. City Manager Lee Gilmour presented for Council's consideration a Resolution authorizing the City to accept Georgian Mill at the Woodland Subdivision, Phase 1, Section 1 for public maintenance. Council Member Willie King moved to adopt the Resolution authorizing the City to accept Georgian Mill at the Woodland Subdivision, Phase 1, Section 1 for public maintenance. Council Member James Moore seconded the motion and it carried unanimously. (*Resolution 2008-43 has been entered in the City's official book of record.*)

4. Adoption of Resolution No. 2008-44 accepting \$10,000 from State of Georgia new animal shelter facility. City Manager Lee Gilmour presented for Council's consideration a Resolution authorizing the City to accept \$10,000 from the State of Georgia for new animal shelter facility. Mayor Pro-Tempore Phyllis Bynum-Grace moved to adopt the Resolution authorizing the City to accept \$10,000 from the State of Georgia for a new animal shelter facility. Council Member James Moore seconded the motion and it carried unanimously. (*Resolution 2008-443 has been entered in the City's official book of record.*)

9d. Big Indian Creek Park Waterway Trail.

1. Adoption of Resolution No. 2008-45 approving naming portion venue of trails Rotary Centennial Park Trail, Main Street Water Treatment Facility and Big Indian Creek Waterway Trail. City Manager Lee Gilmour presented for Council's consideration a power point presentation of Big Indian Creek Waterway Trail project and a Resolution to name the designated park venues Rotary Centennial Park Trail, Main Street Water Treatment Facility and Big Indian Creek Waterway Trail. Council Member Joe Kusar moved to adopt the Resolution naming the designated park venues Rotary Centennial Park Trail, Main Street Water Treatment Facility and Big Indian Creek Waterway Trail. Council Member Charles Lewis seconded the motion and it carried unanimously. (*Resolution 2008-45 has been entered in the City's official book of record.*)

2. Presentation of marketing video. Ms. Tish Chase - DDA Manager presented a video of Big Indian Creek Waterway Trail along with brochures to Council and the public. Ms. Chase informed everyone this is only one phase of the Big Indian Creek Waterway Trail and more is to come as the project progresses.

9e. Approved waiver for Houston County Health Department building fees: City Manager Lee Gilmour presented for Council's consideration a request to waive the building fees for Houston County Health Department building. Council Member Joe Kusar motioned

to waive the building fees for the Houston County Health Department building. Council Member James Moore seconded the motion and it carried unanimously.

- 9f. Authorized application for GATEway grant subject to DDA provision of necessary support documents. City Manager Lee Gilmour presented for Council's consideration an application for GATEway grant program provide through the Georgia Department of Transportation. City Manger Lee Gilmour advised the Council that the application for the grant has to be done by a County or City and Ms. Tish Chase – Manager of the Downtown Development Authority has approached the City. The recommendation from the City Manager to Council to authorize DDA to make the necessary preparations to submit on the behalf of the City for the GATEway grant. Mayor Pro-Tempore Phyllis Bynum-Grace moved to authorized DDA to make the necessary preparations to apply for the GATEway grant on the behalf of the City. Council Member Willie King seconded the motion and it carried unanimously.
- 9g. Approved proposal of Ocumlgee for landscaping plan for Cherokee/Yorktown greenspace improvements. City Manager Lee Gilmour presented for Council's consideration two proposals for the Cherokee/Yorktown greenspace improvements. jB+a Park Design Studio proposal for the pre-design was \$8,780 and Ocmulgee proposal for the landscaping plan was \$1,500. Administration recommendation to Council to accept the proposal of Ocmulgee. Council Member Charles Lewis motioned accept the proposal of Ocmulgee. Council Member Joe Kusar seconded the motion and it carried unanimously.
- 9h. Approved unanimously all the recommendations of the Public Works Oversight Committee (from their meeting held September 4, 2008). Chairman of Public Works Oversight Committee Riley Hunt.
1. Adopted Resolution No. 2008-46 accepting certain subdivisions where warranty has expired.

Council Member Joe Kusar made the motion to Adopt Resolution No. 2008-46 accepting certain subdivisions where the warranty has expired. Council Member Willie King seconded the motion and it carried unanimously.
(Resolution 2008-46 has been entered in the City's official book of record.)
 2. Approved process for addressing soil erosion in delinquent subdivisions.

Council Member Joe Kusar made the motion to accept the recommendation of the Committee. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.
 3. **Item Tabled / Will be reviewed in next work session** - Require sewer service for Go Fish visitors' center.

Council Member James Moore made the motion to table this item; to be reviewed in next work session. Council Member Joe Kusar seconded the motion and it carried unanimously.

4. Authorized to accept bid low bid of Southern Champion Construction in the amount of \$1,971,500 for Wastewater Treatment Plant Phase 2, Part 1.

Council Member Joe Kusar made the motion to accept the recommendation of the Committee. Council Member Charles Lewis seconded the motion and it carried unanimously.

- 9i. Approved unanimously all the recommendations of the Public Safety Oversight Committee (from their meeting held September 11, 2008). Chairman of Public Works Oversight Committee James Moore.

1. Approved not allowing low speed vehicles on State highways/City streets with speed limit that exceeds 35 mph and direct Administration to examine alternatives.

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

2. Approved providing animal shelter adopters with coupon for spaying/neutering instead of the bid process.

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

3. Approved a business forfeiting its alcoholic beverage license for one year if:

1. Determine gaming machines were involved in gambling.
2. Determine at location gaming machines were not reported to City.

Council Member James Moore made the motion to accept the recommendation of the Committee. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

4. Authorized pursuing with hiring of Stevenson and Palmer Engineering, Inc. site survey/concept engineering for public safety training center and to prepare and obtain necessary documents from regulatory agencies to permit use of site for public safety training center.

Council Member James Moore made the motion to accept the recommendation of the Committee. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously.

10. Other Business/Supplemental Agenda. None.

11. Council Committee Reports. Reports were made in the work session.

12. Department Reports.

George Potter, Director of Public Safety – No sir.

Joel Gray, Deputy Fire Chief – No sir.

Michael Beecham, Director of Community Development – No sir.

Ronnie Jones, Director of Public Works – No sir.

Rick Kilgore, Director of Parks and Recreation – Fall baseball kicks off Saturday with our seniors (high school). Football and soccer is currently going on, we will be kicking off adult softball within a week. The gymnasium is open. Wendy Phelps at Perry Middle School is in charge of the honor society and they have agreed to do a book reading club with our youth and doing the tutorial part. They have agreed to take on the task of keeping our natural walking is clean.

Brenda King, Director of Administration – No sir.

13. Executive Session entered at 7:16 p.m.: Council Member James Moore moved to adjourn regular meeting and enter into an Executive Session for the purpose of discussing land acquisition and attorney client privilege. Council Member Willie King seconded the motion and it carried unanimously.

14. Executive Session adjourned; regular meeting reconvened. Council adjourned the Executive Session held September 16, 2008 and reconvened into the regular meeting.

15. Adopted Resolution No. 2008-47 stating purpose of Executive Session held September 16, 2008 was to discuss land acquisition and attorney client privilege. Council Member Joe Kusar moved to adopt a resolution stating the purpose of the Executive Session held on September 16, 2008 was to discuss land acquisition and attorney client privilege. Mayor Pro-Tempore Phyllis Bynum-Grace seconded the motion and it carried unanimously. (*Resolution 2008-47 has been entered in the City's official book of record*).

16. Adjourn. There being no further business to come before the Council in the reconvened meeting held September 16, 2008, Mayor James Worrall adjourned the meeting.