

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**FEBRUARY 20, 2007**

1. Call to Order: Mayor James Worrall, Presiding Officer called the regular meeting held February 20, 2007 at 6:05 p.m.

2. Roll.

Elected Officials Present: Mayor James Worrall. Mayor Pro-Tempore: Joe Kusar. Council Members: Brian Bowen, Riley Hunt, Bobby Glover and James Moore.

Elected Officials Absent: Council Member Phyllis Bynum-Grace.

Staff/Guests/Press: City Manager Lee Gilmour. City Attorney David Walker. City Staff: Steve Howard, Director of Community Development, George Potter, Director of Public Safety, Deputy Fire Chief Joel Gray and Brenda King, Finance Director. Absent: Rick Kilgore and Jeff West. Other: Community Member Bob Hubbard. Adult Leadership Perry Chair Chris Kinnas and the 2007 Adult Leadership Perry Class. Citizens with Input: Ms. Mary Lynn Dukes. Press: Ms. Ayanna McPhail - Writer, Macon Telegraph and Ms. Charlotte Perkins - Writer, The Houston Journal.

3. Invocation and Pledge of Allegiance to the Flag: Council Member Riley Hunt gave the invocation and led the pledge of allegiance to the flag.

4. Special Guests/Recognition's:

4a. Introduction: Leadership Perry Chairperson(s) and the Adult Leadership Perry Class 2007. Mayor James Worrall recognized the special guests in attendance.

5. Citizens with Business:

5a. Mr. Bob Hubbard, 1046 Greenwood Drive: Reminded the City of the upcoming Homebuilders Association meeting on February 28, 2007 on Impact Fees. Telephone number is **328.7006**.

6. PUBLIC HEARING CALLED TO ORDER AT 6:09 P.M.- DISCLOSURE NOTICE AND CALL TO ORDER: Mayor James Worrall call to order and disclosure notice to those persons addressing the Perry City Council in the Public Hearing forum:

*“Any person who wishes to speak for or in opposition to the proposed rezoning application and/or special exception application is advised that, if within the past two years you have made any campaign contribution totaling \$250.00 or more to any local government official considering this application for rezoning/special exception, you must have filed a written disclosure of that campaign contribution in accordance with O.C.G.A. Sec. 36-67A-3 at least five (5) days prior to this hearing. Any person who fails*

to comply with this disclosure requirement shall be guilty of a misdemeanor as provided by O.C.G.A. Sec. 36-67A-4”.

- 6a. **Amendment to the Perry Land Development Ordinance #A-057-1206** Tree Preservation and Replacement Ordinance: Mayor James Worrall read aloud a letter dated January 23, 2007 as follows:

*“Dear Mayor and Council:*

*On January 22, 2007, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance – Appendix “A” – Tree Ordinance.*

*The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to the Mayor and City Council for the approval of Appendix “A”.*

*Sincerely,  
Martin Beeland, Chairman.”*

Departmental review: Mr. Steve Howard reviewed in detail the ordinance.

Public Input called: Mr. Bob Hubbard asked Mr. Howard what a "tree unit" as described in the ordinance is? Mr. Howard advised that this is a tree of at least 2 inches in trunk diameter.

There was no other public input.

- 6b. **Amendment to the Perry Land Development Ordinance -#A-058-1206 Section 81.7** - LC, Limited Commercial District. Mayor James Worrall read aloud a letter dated January 23, 2007 as follows:

*“Dear Mayor and Council:*

*On January 22, 2007, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance – Section 81.7 – LC, Limited Commercial District.*

*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 81.7.*

*Sincerely,  
Martin Beeland.”*

Department review: Mr. Steve Howard, Director of Community Development reviewed the ordinance advising this gives more detail than the Commercial District.

Public Input: There was no public input. The City Manager reviewed that this additional *LC District* comes on the heels of the Houston Lake Road - Davis/Davis zoning, wherein Council instructed that the City ask the Perry

Planning Commission to review and develop a zoning that was more restrictive than the commercial uses in the standard commercial zoning.

- 6c. **Amendment to the Perry Land Development Ordinance - # A-059-0107**  
**Section 127** - Recording of Final Plat. Mayor Worrall read aloud a letter dated January 23, 2007 as follows:

*"Dear Mayor and Council:*

*On January 22, 2007, the Perry Planning Commission reviewed the above referenced amendment to the Perry Land Development Ordinance – Section 127 – Recording of Final Plat.*

*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 127.*

*Sincerely,  
Martin Beeland."*

Department review: Mr. Steve Howard, Director of Community Development reviewed the amendment proposed to Section 127, Recording of Final Plat which adds the requirement to allow the City to record a Final Plat if the owner or agent has not done so after thirty calendar days.

Public Input: None.

**Public Hearing Adjourned at 6:19 p.m.**

**7. Consent Agenda Items:**

- 7a. Council unanimously approved meeting Minutes: Council Members reviewed meeting minutes of February 6, 2007 work session and regular meetings. Council Member Riley Hunt moved to approve the meeting minutes. Council Member James Moore seconded the motion and it carried unanimously.

**8. Old Business:**

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

1. Adopted Ordinance No. 2007-08 to amend the Official City of Perry Zoning Map: City Manager Lee Gilmour gave the second reading of an ordinance to rezone .023 acre from City of Perry R-3 to City of Perry C2 as presented in Petition R-006-032 - Jada Harris Northcut for a beauty salon to be located at 1309 W.F. Ragin Drive. Council Member James Moore moved to approve. Council Member Bobby Glover seconded the

motion and it carried unanimously. (Ordinance 2007-08 has been placed in the City's official book of record.)

8b. Alcohol License/Second Readings: Presented by City Manager

1. Council approved alcohol license application for Cox d/b/a New Perry Restaurant & Tavery, location is 800 Main Street. License in the name of Christopher Scott East: City Manager Lee Gilmour gave the second reading of an application for beer, wine and mixed drinks (to be consumed on premises) alcohol license in the name of Cox d/b/a New Perry Restaurant and Tavery. Council Member Joe Kusar moved to approve the license application. Council Member Riley Hunt seconded the motion and it carried unanimously.

9. New Business:

9a. Ordinances for First Reading and Introduction: (No action required - for introduction only) Mr. Lee Gilmour, Presenter gave the first readings, as follows☺:

1. **First Reading** of an ordinance to amend the PLDO - **#A-057-1206** Tree Preservation and Replacement Ordinance.
2. **First Reading** of an ordinance to amend the PLDO -**#A-058-1206 Section 81.7** - LC, Limited Commercial District.
3. **First Reading** of an ordinance to amend the PLDO - **# A-059-0107 Section 127** - Recording of Final Plat.
4. **First Reading** of an ordinance to amend the salary for Mayor and Council: City Manager Lee Gilmour.

9b. Award of Bids: Consideration of Award -

1. 2007-07 - Animal Control Vehicle - Department of Public Safety - **purchase approved.** Mr. George Potter: Bid 2007-07 memorandum was reviewed as follows:

Vendor	Bid Price
Allan Vigil Ford	\$ 33,081.00
Wayne Morris Ford	\$ 34,328.95
Hamby Automotive	No response
Jeff Smith Dodge	No response
Peach County Ford	No response

City Manager Lee Gilmour reviewed staff recommendation to allow the low bidder preference to the local policy and if no response to the guidelines of the low bidder preference - award to apparent low bidder Allan Vigil Ford. Council Member Joe Kusar moved to approve as recommended by staff - giving the local vendor the opportunity to meet the low bid in the time allowed or award to low bidder. Council Member Brian Bowen seconded the motion and it carried unanimously.

9c. Request for event street closures and request for Waiver of Parade and Procession Fee in connection with the 19<sup>th</sup> Annual Perry Dogwood Festival:

1. Council unanimously approved the request from Perry Area Chamber of Commerce for street barricades/blocking to hold the 19<sup>th</sup> Annual Perry Dogwood Festival scheduled for Saturday and Sunday, April 14 and 15, 2007 from 8 p.m. Friday evening until 6 p.m. Sunday evening April 15. Request also includes provision for City security for said event and City assistance in the provision of water and power. Council Member Riley Hunt moved to approve. Council Member Joe Kusar seconded the motion. Mr. George Potter, Director of Public Safety reviewed the City's Public Safety's commitment to the event.

9d. Resolutions for Consideration:

1. **Adopted Resolution No. 2007-09** - Council approved and adopted a resolution authorizing the City entering into a Lease Supplement Agreement for the financing of the Public Safety vehicles and the Public Works equipment through the GMA Lease Purchase Program. City Manager Lee Gilmour added to the Council's consideration that the Department of Community Development vehicles are added to the lease document along with the Public Safety vehicles. Council Member James Moore moved to authorize the City entering into the lease purchase program for the financing of outlined equipment and vehicles. Council Member Riley Hunt seconded the motion and it carried unanimously. (Resolution No. 2007-09 has been placed in the City's official book of record.)

9e. Authorized waiver of fees for Perry Volunteer Outreach Spring Fling: City Manager Lee Gilmour presented for Council's consideration a request to waive the fee for the April 19, 2007 Perry Volunteer Outreach Spring Fling at the Rozar Park Community Center. Council member Joe Kusar moved to approve the waiver of the fee. Council Member James Moore seconded the motion. Council Members Bobby Glover, James Moore, Joe Kusar and Brian Bowen voted in favor of the motion. Council Member Riley Hunt abstained vote in the matter. The motion carried with four in favor and one abstaining vote. (Council Member Bynum-Grace was absent from the meeting).

9f. Council reconsidered the City's position concerning widening of Lake Joy Road and approved motion to include the widening project: Council Member Riley

Hunt moved and urged Council to reconsider its position on the widening in the future of Lake Joy Road. Council Member Hunt advised that in conversations with Mr. Tommy Stalnaker, Houston County Public Works Director and the Honorable Larry Walker, DOT Board member, he'd been shown that the widening should be allowed for the future growth of the community. Council Member Bobby Glover seconded Mr. Hunt's motion. Ms. Mary Lynn Dukes asked the City what the time frame for said widening would be and if this were deemed a top priority? The Council advised they didn't know the time frame. Council Member Joe Kusar inquired if the funding for this project would be with use of City SPLOST funds or County SPLOST funds. Council Member Riley Hunt advised that he understood that this would be County SPLOST funding. Mayor Worrall called for a vote to the motion to approve the Lake Joy Road widening project. Council Members unanimously approved the motion.

- 9g. Authorized amending contract with ESG to provide for grit removal in the old aeration basin: City Manager Lee Gilmour: Council Member Riley Hunt moved to approve contracting with ESG for the provision of grit removal in the old aeration basin. Council Member Bobby Glover seconded the motion and it carried unanimously.
- 9h. Denied request to extend payment of property tax: City Manager reviewed with the Council a request from a property owner to allow a payment delay period for his tax due to the City of Perry. The Manager advised the administration does not recommending allowing this option for the taxes due. Council Member Brian Bowen moved to deny the request and advise the property owner the taxes are due. Council Member James Moore seconded the motion and it carried unanimously.
- 9i. Council members consider and in vote of 3 - 2 approved adjusting contract fee for residential solid waste collection fee to allow a CPI for 2007 and another adjusted CPI for 2008: City Manager Lee Gilmour reviewed with the Council a request from the Advanced Disposal company to adjust their contract to increase the monthly charge for residential garbage collection from the present \$7.19 per container to \$9.00 per container to alleviate a shortfall in their costs to collect. Council Member Joe Kusar advised that while he had issue with the request the City could consider the CPI which was included in the commercial contract, but that was not included in the residential contract, as a compromise to offer some relief. Council Member Joe Kusar moved the City allows the CPI calculated for the 2007 fiscal year of \$7.94 per container from the \$7.19 per container, and allows an additional CPI calculation in the 2008 fiscal year collection fee. Council Member Brian Bowen seconded the motion. Council Member Bobby Glover stated that he did not feel that this was a good business practice and did not think the City should make any concessions to the request. Council Member Riley Hunt pointed out that no one could have predicted the surge in gas prices and that this gesture is an effort to keep the same service level for the customers. Mayor Worrall called for a vote to the motion. Council Members Riley Hunt, Brian Bowen, Joe Kusar voted in favor of allowing the CPI for the 2007 fiscal year and another CPI in 2008. Council Members Bobby Glover and James Moore

were opposed to the motion. The motion carried with three in favor and two opposed.

- 9j. Council consideration to possibly accept maintenance of Moss Oaks Road: Council Member Joe Kusar moved to decline the offer for the City to take over the maintenance of Moss Oaks Road. Council Member James Moore seconded the motion and it carried unanimously.

10. Other Business.

10a. Supplemental Agenda Item(s): City Manager Lee Gilmour

1. First reading given: City Manager Lee Gilmour presented for a First Reading an application for beer and wine packaged to go Alcohol License for Chevron Filler's #28 at 2390 Houston Lake Road in the name of Henry Edward Chapman, Jr. (Back ground check approved).
2. Council approved request for waiver of parade and procession fee for the 5K walk/run sponsored by the Perry Hospital - to be held in conjunction with the Perry Dogwood Festival - April 14, 2007. Request for waiver of fee and approval of event. Council Member Riley Hunt moved to approve the request to waive the fee. Council Member Bobby Glover seconded the motion and it carried unanimously.

11. Council Committee Reports.

- 11a. Council Member Riley Hunt - Chairman of the Public Works Oversight Committee advised that he'd attended the Public Works Expo held at the Georgia National Fairgrounds and found it to be a good turnout. He also noted that the participants and guests were very impressed with the accommodations offered in Perry at the Agricenter.
- 11b. Council Member Bobby Glover - Requests City Council to look into the City's retirement plan further. Mayor James Worrall advised Council Member Glover that the City would get the information together for the Committee's review (Council Member Joe Kusar's Administrative and Finance Committee Overview).

Council Member Bobby Glover's Recreation and Parks Oversight reminded of the Thursday, February 22, 2007 meeting of their Committee at the Rozar Park Community Center.

- 11c. Council Member James Moore praised the Department of Community Development for their research and content in the Tree Ordinance drafted for the City.

Council Member Moore also inquired what has become of the development on Perimeter Road that involved a large clear cut of trees? Mr. Howard, Director of Community Development, advised Mr. Moore that the development may be being

sold, however, no matter who eventually develops, the tree planting will be applicable to the owner's responsibility in meeting the City's Tree Ordinance guidelines.

Council Member Moore further encouraged the Council members to consider taking an Incident Command System course. Public Safety Director George Potter advised that the City's Public Safety personnel have been staying up to date on their training in this regard. City Manager Lee Gilmour pointed out that the information has also been given to the City's Director of Public Works for his departments training.

12. Department Reports - None.

Adjournment: There being no further business to come before the Council during the February 20, 2007 meeting, Mayor James Worrall adjourned the meeting at 6:50 p.m.