

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
August 2, 2011  
**6:00 P.M.**

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held August 2, 2011 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor James E. Faircloth, Jr., Presiding Officer. Mayor Pro-Tempore Randall Walker. Council Members Willie King, Riley Hunt, Phyllis Bynum-Grace, William Jackson and Joe Posey.

Elected Official Absent: None.

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

City Departmental Staffing: Brenda King – Director of Administration, George Potter – Director of Public Safety, Rick Kilgore – Director of Public Safety, Mike Beecham – Director of Community Development and Annie Warren - Recording Secretary.

Guests/Speakers: Rev. Leland Collins - Swift Creek Baptist Church and Director of Georgia Christian Council and Ms Shirley Hammock.

Press/Media: Ms. Jessica Clark – Houston Home Journal, Ms. Christina Wright – Macon Telegraph and Mr. Mike Baker - Comsouth.

3. Invocation and Pledge of Allegiance to the Flag: Rev. Leland Collins of Swift Creek Baptist Church gave the invocation and Mayor Faircloth led the pledge of allegiance to the flag.

4. Presentation/Special Recognitions:

Mr. George Potter presented Lt. Bruce Hamm with his 25 years service pin, a gift certificate and thanked him for all he does for the City. Lt. Hamm thanked Mayor and Council. Mayor Faircloth, Council and City Attorney Walker thanked Sgt. Hamm for all of his hard work.

Mr. Rick Kilgore provided an overview of the baseball/softball/t-ball camp program and a breakdown of the costs associated with each program.

5. Citizens with Input.

Ms. Shirley Hammock, 614 Hillcrest Avenue advised Council of a problem with the drainage ditch that is filled with debris that overflows onto her property. Mayor Faircloth advised Ms. Hammock that he will have the City Manager research and follow up with her regarding this issue.

Mr. Rick Kilgore presented Mr. George Potter a check on the behalf of the Perry Exchange Club.

6. Consent Agenda Items: Mayor James E. Faircloth, Jr.

6a. Council Consideration – Minutes of July 18, 2011 work session and July 19, 2011 pre council meeting and July 19, 2011 regular council meeting. Council Member Bynum-Grace motioned to approve the minutes. Council Member King seconded the motion and it carried unanimously.

7. Old Business: Mayor James E. Faircloth, Jr.

7a. Ordinances for Second Reading and Adoption: Mayor James E. Faircloth Jr.

1. **Second Reading** on an ordinance to amend the Perry Code by deleting Sec. 15-173(1)e in its entirety and adding a new Sec. 15-173(1)e.

Adoption of Ordinance 2011-20. Mayor James E. Faircloth, Jr. gave the second reading of an ordinance to amend the Perry Code by deleting Sec. 15-173(1)e in its entirety and adding a new Sec. 15-173(1). Council Member Hunt motioned to adopt the ordinance. Council Member King seconded the motion and it carried unanimously. (*Ordinance 2011-20 has been entered in the City's official book of record*).

8. Any Other Old Business Matters:

- 8a. Mayor James E. Faircloth, Jr. – None.
- 8b. Others.

Adopted Resolution 2011-27 amending the resolution for Sunday sales of packaged alcoholic beverages. City Attorney David Walker advised Mayor and Council of the need to establish an effective date relative the resolution for the referendum for Sunday sales of packaged alcoholic beverages. Mayor Faircloth recommended amending the resolution to establish the effective date as of the date of the election's certification. Council Member King motioned to adopt the resolution amending the resolution for Sunday sales of packaged alcoholic beverages to establish the effective date as the date of the election's certification. Council Member Hunt seconded the motion and it carried unanimously.

9. New Business: Mayor James E. Faircloth, Jr.

9a. Alcohol License for First Reading and Introduction:

1. **First Reading:** Application for 2011 Alcohol License (Beer/Wine/Mixed Drinks) on Premises for New Perry Hotel, located at 800 Main Street. License will be in name Southern Charm of Perry LLC d/b/a The Tavery, manager name Helen Dianne Phillips. (*No Action required at first reading*).

Ms. Patty Johnson introduced herself to Mayor and Council and advised that she and her husband are in the process of purchasing the New Perry Hotel. Ms. Johnson advised that the grand opening will be October, 2011.

9b. Matter referred from August 1, 2011 work session and August 2, 2011 pre council meeting.

1. Authorized preceding with the design/build/option for headworks improvements at the wastewater treatment plant. City Manager Lee Gilmour advised Council of the need to make improvements for headworks at the wastewater treatment plant. Administration recommended to Council to precede with the design/build/option for headworks improvements. Council Member Hunt motioned to precede with the design/build/option for headworks improvements at the wastewater treatment plant. Council Member Jackson seconded the motion and it carried unanimously.
2. Authorized subject to usual conditions for advancement up to 45 days of sick leave for Mr. Ronnie Jones per City policy. Administration recommended to Council subject to usual conditions for advancement up to 45 days of sick leave for Mr. Ronnie Jones per City policy. Council Member King motioned subject to usual conditions for advancement up to 45 days of sick leave for Mr. Ronnie Jones per city policy. Council Member Jackson seconded the motion and it carried unanimously.
3. Approved request from Grace Church for wavier of fees for use of Creekwood Park pavilion or Rozar Park pavilion subject to availability for youth event this weekend. Mayor Faircloth advised Council of a request from Grace Church to waive fees for use of Creekwood Park pavilion or Rozar Park pavilion subject to availability for a youth event. Council Member Bynum-Grace motioned to authorize waiver of the fees for use of Creekwood Park pavilion or Rozar Park pavilion relative Grace Church for a youth event. Council Member King seconded the motion and it carried unanimously.

9c. Resolutions for Consideration.

1. Adopted Resolution No. 2011-28 to amend the City of Perry Personnel Management System. Mayor James E. Faircloth, Jr. reviewed with Council the resolution to amend the City of Perry Personnel Management System. Administration recommended to Council to adopt the amendment to the City of Perry Personnel Management System. Council Member Hunt motioned to adopt the resolution amending the City of Perry Personnel Management System. Council Member Jackson seconded the motion and it carried unanimously. *(Resolution 2011-28 has been entered in the City's official book of record).*
2. Adopted Resolution No. 2011-29 to amend the City of Perry Fee Schedule to provide for adjustment per State law. Mayor James E. Faircloth, Jr.

reviewed with Council the resolution amending the City of Perry Fee Schedule to provide for adjustment per State law. Administration recommended to Council to adopt the resolution to amend the City of Perry Fee Schedule provide for an adjustment per State law. Mayor Pro Tempore Walker motioned to adopt the resolution to amend the City of Perry Fee Schedule to provide for an adjustment per State law. Council Member Hunt seconded the motioned and it carried unanimously. *(Resolution 2011-29 has been entered in the City's official book of record).*

10. Department Head Items.

George Potter, Director of Public Safety advised Council that 70 applications were received for the part time secretary position and an offer of employment will made this week. There are three police vacancies and those vacancies will be filled this week

Michael Beecham, Director of Community Development reported that Community Development has been contacted by an engineering firm representing Kroger and Walmart concerning remodeling.

Rick Kilgore, Director of Parks and Recreation advised Council of the cook-out, DJ, and water slides for the participants of the youth summer camp program; the back to school function hosted by Ms. Brenda Howard, Dr. Clarington, "Nature Boys" and Perry Parks and Recreation Department last Saturday at Creekwood Park; and the football program participant positions are sold out. Mr. Kilgore advised Council Member Hunt that he found an eagle scout to help build the project discussed last evening concerning the tennis courts.

Brenda King, Director of Administration – No report.

City Manager Lee Gilmour – No report.

City Attorney David Walker – No report.

11. Council Members and General Public Items.

Council Member Willie King – No report.

Council Member William Jackson – No report.

Council Member Riley Hunt – No report.

Mayor Pro-Tempore Randall Walker – No report.

Council Member Joe Posey – No report.

Council Member Phyllis Bynum-Grace – No report.

General Public Items:

Mr. Steve Edwards of Advanced Disposal Inc. and a member the Sugar Hill City Council praised Mayor and Council on their professionalism.

Council Member King advised Council that he attended "Al Thornton's Give Back" at A.D. Redmond Park last Saturday and the function at Creekwood Park.

12. Mayor Items.

Mayor Faircloth recognized Boy Scout Scott Maner. Mr. Maner advised Mayor and Council that he is working on his star rank and several merit badges.

13. Adjournment: There being no further business to come before Council in the meeting held August 2, 2011, the meeting was adjourned at 6:47p.m.

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:

1.

By deleting Sec. 15-173(1)e in its entirety.

2.


By adding a new Sec. 15-173(1)e as follows:

e. Macon Road beginning at the intersection of Macon Road and Main Street and extending north along both sides of Macon Road to the intersection of Macon Road and Perimeter Road.

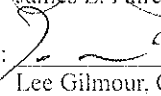
SO ENACTED this 2nd day of August, 2011.

CITY OF PERRY, GEORGIA

By:

  
James E. Paircloth, Jr., Mayor

Attest:

  
Lee Gilmour, City Clerk

1<sup>st</sup> Reading: July 19, 2011

2<sup>nd</sup> Reading: August 2, 2011

A RESOLUTION TO AMEND  
THE CITY OF PERRY  
PERSONNEL MANAGEMENT SYSTEM  
TO ADJUST FOR BUDGETARY REDUCTION  
IN FORCE, HEALTH RELATED LOSS OF JOB  
REQUIREMENTS AND VEHICLE POLICY

**WHEREAS**, several policy areas should be incorporated in the City of Perry Personnel Management System;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES** that the City of Perry Personnel Management System be amended as follows:

Section I. Article XI Separation, Section 4 Reduction in Force is amended by adding the following:

“The priority for a position or positions closed due to lack of funds shall be:

1. Fund
2. Cost center
3. Job Classification
4. Employee Evaluation
5. Seniority

At the request of the department head and with the approval of the City Manager an affected employee may be shifted to a different cost center resulting in another employee being laid off. This process can only take place if the overall budget adopted by Council is not negatively impacted. Such substitution shall be prioritized as follows:

- Job Classification
- Employee Evaluation
- Seniority

Job classification in this process shall be prioritized based on career track.”

Section II. Article XI Separation, Section 5 Loss of Job Requirement is amended by adding:

“Any City employee who is unable to adequately fulfill the requirements of his/her position as a result of health issue(s) shall be:

1. Offered an unfilled position for which the affected employee is mentally and physically able to meet the minimum job criteria demands and possess the skill sets required for the position.
2. Offered the opportunity to retire through the standard process if he/she qualifies.
3. Placed on leave using accumulated sick and annual leave while quarterly assessments are conducted.
4. Offered a disability retirement.

Unless approved by Council no employee’s job requirement impaired status shall last longer than nine (9) months without progress reports.”

Section III. Article V Conditions of Employment is amended to add Section 16 Vehicle Assigned Policy

“Section 16 Vehicle Assigned Policy

Each department shall develop its own policy relative to vehicle assigned to an employee authorized to be taken home. Those policies shall meet or exceed the following guidelines:

1. No City owned vehicle shall be assigned to an employee for take home use unless that employee is assigned a first responder.
2. No City owned vehicle shall be assigned as take home to any employee residing more than thirty (30) minutes from his/her normal reporting location.
3. No City owned vehicle shall be used for personal use unless approved by Council.
4. Any employee assigned a take home vehicle must abide by the current Federal Internal Revenue Service reporting requirements.
5. City vehicles shall not be used for the transportation of family members when going to or returning from job site.
6. Vehicles shall be operated in a safe, effective manner including but not limited to:
  - a. Obeying traffic control and posted speed limits.
  - b. Wearing of seat belts.
  - c. No operation of the vehicle when impaired for any cause.
  - d. No use of personal communications devices prohibited by State law.
  - e. Protection of vehicle from theft and damage.
  - f. Limited use of idling.
7. No additional communication equipment, decals, signage, special license plates, gadgets or other equipment shall be added to the vehicle other than what is allowed by City or department policy.
8. Employee assigned a vehicle shall be responsible for checking the vehicle each time it is used for proper tire pressure, water/oil levels, signals working, brake lights operating, headlights work, wipers operate, proper fuel level and any other standard safety check items.
9. Employee assigned vehicle shall be responsible for the vehicle's appearance both interior and exterior.
10. Vehicle shall only carry equipment assigned to it.
11. Any vehicle involved in an accident shall have it reported immediately to the operator's supervisor.
12. The employee assigned a vehicle shall be responsible for scheduling any servicing or repairs through the Department of Public Works – Vehicle Maintenance Division. Emergency repairs shall follow department policy. No employee shall schedule repair services on his/her own.

Should a vehicle need to be taken to the shop or vendor the employee, if directed, shall deliver the vehicle. Arrangements are to be made so the employee stays no more than twenty (20) minutes at the service location."

SO RESOLVED THIS 2<sup>nd</sup> DAY OF AUGUST, 2011.


CITY OF PERRY:

(CITY SEAL)

BY:

  
JAMES E. FAIRCLOTH, JR., MAYOR

ATTEST:

  
LEE GILMOUR, CITY MANAGER

**RESOLUTION**

WHEREAS, the Official Code of Ga. Ann. § 3-3-7 authorizes the governing authority of a Georgia municipality that desires to permit and regulate package sales by retailers of malt beverages, wine and distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m. to so provide by resolution or ordinance; and

WHEREAS, the Mayor and Council of the City of Perry wish to call for such a referendum in conjunction with the city's November 8, 2011 regular election.

NOW THEREFORE, BE IT RESOLVED that the Governing Authority of the City of Perry hereby calls for a referendum for the purpose of determining whether or not the powers authorized by the Official Code of Georgia Annotated §3-3-7(q)(1) shall be exercised; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the City Election Superintendent to issue the call for an election for the purpose of submitting the question of permitting and regulating packaged sales by retailers of malt beverages, wine and distilled spirits on Sundays for approval or rejection and to conduct the election on November 8, 2011; and

BE IT ALSO FURTHER RESOLVED that the City Election Superintendent shall cause the date and purpose of the election to be published in the official legal organ of the County once a week for four weeks immediately preceding the date thereof and shall hold and conduct the election and certify the result thereof to the Secretary of State; and

BE IT ALSO FURTHER RESOLVED that the ballot shall have written or printed thereon these words:

"( ) YES  
( ) NO

Shall the governing of the City of Perry, Georgia be authorized to permit and regulate package sales by retailers of malt beverages, wine and distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m.?"

BE IT FINALLY RESOLVED that all persons desiring to vote for approval of retail package sales of alcohol on Sunday shall vote "YES," and those persons desiring to vote for rejection of retail packages sales of alcohol on Sunday shall vote "NO." If more than one half of the votes cast on the question are for approval of retail sales of alcohol on Sunday, retail package sales of alcohol on Sunday by licensees shall be permitted and regulated effective as of the date the election results are certified. Otherwise, such retail package sales of alcohol on Sunday shall not be permitted.

SO RESOLVED this 2<sup>nd</sup> day of August, 2011.

**CITY OF PERRY, GEORGIA**

By:   
James E. Faircloth, Jr., Mayor

Attest:   
Lee Gilmour, City Clerk

A RESOLUTION  
TO AMEND THE CITY OF PERRY  
FEE SCHEDULE TO ADJUST FOR  
STATE IMPOSED RESTRICTION

WHEREAS, the State of Georgia restricts the level of certain fees;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY  
HEREBY RESOLVES that the Fee Schedule of the City of Perry is  
amended as follows:

Section 1. B. Charges For Services, 2. Public Safety a. Police Services  
3. Records (b) expungement is amended as follows:

From	To
\$ 27.00/each	\$25.00/each (1)

SO RESOLVED THIS 2<sup>nd</sup> DAY OF AUGUST, 2011.

CITY OF PERRY:

BY:

  
\_\_\_\_\_  
JAMES E. FAIRCLOTH, JR.

(SEAL)

ATTEST:

  
\_\_\_\_\_  
LEE GILMOUR, CITY MANAGER