

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
February 5, 2013

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer called the meeting to order at 6:00pm.

2. Roll.

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

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

City Departmental Staffing: Fire Chief Joel Gray – Perry Fire & Emergency Services, Mike Beecham – Director of Community Development, Chief Steve Lynn – Perry Police Department, Brenda King – Director of Administration, Mary Beth Bass – Economic Development Coordinator and Christine Sewell - Recording Secretary.

Guests/Speakers: Rev. Leland Collins – Swift Creek United Methodist Church, Ms. Vickie Graham, Mr. Penrose Wolfe, Mr. & Mrs. Walton Wood, Ms. Charisse Neal, Mr. James Joiner, Mr. Mike Baker, Mr. Marty Myers, Mr. Parth Patel, and Mr. Corey Mallinson.

Press/Media: Mr. John Birdsong - WRWR, Ms. Christina Wright – Macon Telegraph, Ms. Jessica Clark – Houston Home Journal and Ms. Sarah Joiner – ComSouth.

3. Invocation and Pledge of Allegiance to the Flag: Rev. Leland Collins – Swift Creek United Methodist Church gave the invocation and Mayor Pro Tempore Posey led the pledge of allegiance to the flag.

4. Appointment(s) to Housing Authority of the City of Perry: Mayor Faircloth advised a request had been received from the Housing Authority Chairman to re-appoint Ms. Charisse Neal. Council Member Bynum-Grace motioned to re-appoint Ms. Charisse Neal to the Perry Housing Authority; Council Member King seconded; all in favor and was unanimously approved.

Mr. Penrose Wolfe of the Perry Housing Authority introduced Ms. Neal to Council, along with Executive Director Mr. James Joiner and thanked both for their work and support of the Housing Authority.

5. Citizens with Input. – None

6. Public Hearing: Mayor James E. Faircloth Jr.

The purpose of this Public Hearing is 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).

Mayor Faircloth opened the public hearing at 6:08pm.

- 6a. Petition for Rezoning Application No R-12-06. Mr. Marty Myers, request to rezone .44 acres from City of Perry, C-2 General Commercial District to R-1, Single Family Residential District. The property is located at 1301 Forest Hill Road.

Staff Report: Director of Community Development Mr. Mike Beecham reviewed with Council the recommendation of the Perry Planning Commission on the rezoning submitted, which was for approval, as the property is being expanded and utilized as a private residence.

Public Input: Mayor Faircloth called for any public input for or opposed to the rezoning application; there being none the hearing was closed at 6:10pm.

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

- 7a. Council Consideration – Minutes of January 3, 2013 work session meeting, January 14, 2013 work session, January 15, 2013 pre council meeting and January 15, 2013 regular meeting.

Council Member Bynum-Grace motioned to approve the minutes as submitted; Council Member Jackson seconded; resulting vote was 5-0 for approval with Council Member Walker abstaining from vote on work session minutes of January 14, 2013 and January 15, 2013 pre council and regular meeting minutes.

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

- 8a. Ordinances for Second Reading and Adoption.

1. **Second Reading** of an ordinance to de-annex 2.0 acres from City of Perry R-1, Single Family Residential District to Houston County R-AG. The property is located at 2127 Kings Chapel Road.

Adopted Ordinance 2013-02 to de-annex 2.0 acres from City of Perry R-1, Single Family Residential District to Houston County R-AG. The property is located at 2127 Kings Chapel Road. Mayor Pro Tempore Posey motioned to adopt an ordinance to de-annex 2.0 acres from City of Perry R-1, Single Family Residential District to Houston County R-AG for the property located at 2127 Kings Chapel Road; Council Member Jackson seconded; all in favor and was unanimously approved. (*Ordinance No. 2013-02 has been entered into the City's official book of record*).

2. **Second Reading** of an ordinance to rezone 1.44 acres from R-3, Multi-Family Residential District to IN, Institutional District. The property is located at 1115 Forest Street.

Adopted Ordinance 2013-03 to rezone 1.44 acres from R-3, Multi-Family Residential District to IN, Institutional District. The property is located at 1115 Forest Street. Council Member Bynum-Grace motioned to adopt an ordinance to rezone 1.44 acres from R-3, Multi-Family Residential District to IN, Institutional District for the

property located at 1115 Forest Street; Council Member King seconded; all in favor and was unanimously approved. (*Ordinance No. 2013-03 has been entered into the City's official book of record*).

3. **Second Reading** of an ordinance to amend Perry Land Development Ordinance Section 75 – Storage and Parking of Trailers, Recreational Vehicles and Commercial Vehicles.

Adopted Ordinance 2013-04 to amend Perry Land Development Ordinance Section 75 – Storage and Parking of Trailers, Recreational Vehicles and Commercial Vehicles.

Council Member Walker motioned to adopt an ordinance to amend Perry Land Development Ordinance Section 75 – Storage and Parking of Trailers, Recreational Vehicles and Commercial Vehicles; Council Member Hunt seconded; all in favor and was unanimously approved. (*Ordinance No. 2013-04 has been entered into the City's official book of record*).

4. **Second Reading** of an ordinance to amend the Perry Code by deleting the first paragraph under Section 22-10(d) Service Charges and Subsection (1) under said section and adding a new first paragraph.

Adopted Ordinance 2013-05 to amend the Perry Code by deleting the first paragraph under Section 22-10(d) Service Charges and Subsection (1) under said section and adding a new first paragraph. Council Member Jackson motioned to adopt an ordinance to amend the Perry Code by deleting the first paragraph under Section 22-10(d) Service Charges and Subsection (1) under said section and adding a new first paragraph; Council Member Walker seconded; all in favor and was unanimously approved. (*Ordinance No. 2013-05 has been entered into the City's official book of record*).

5. **Second Reading** of an ordinance to amend the Perry Code by deleting the definition of “Brown bagging” in Section 3-1 in its entirety and adding a new definition.

Council Member Walker motioned to table the ordinance to amend the Perry Code by deleting the definition of “Brown bagging” in Section 3-1 in its entirety and adding a new definition until Council's February 19, 2013 meeting; Council Member Hunt seconded; all in favor.

8b. Alcohol License for Second Reading and Adoption:

1. **Second Reading:** Application for Alcohol License for Beer/Wine Packaged To Go for new owner Alliya Food Inc. d/b/a Speedy #3 located at 1542 Houston Lake Road. Owner/Applicant name is Parth Patel.

Council approved Application for Alcohol License for Beer/Wine Packaged To Go for new owner Alliya Food Inc. d/b/a Speedy #3 located at 1542 Houston Lake Road. Owner/Applicant name is Parth Patel. Mayor Faircloth gave the second reading for the application for Alcohol License for Beer/Wine Packaged To Go for new owner Alliya Food Inc. d/b/a Speedy #3 located at 1542 Houston Lake Road. Owner/Applicant name is Parth Patel. Council Member King motioned to approve the application as submitted;

Council Member Hunt seconded; all in favor and was unanimously approved.

2. **Second Reading:** Application for Alcohol License for Beer/Wine Packaged to Go for new owner G Town Food Inc. d/b/a Speedy #4 located at 101 Marshallville Road. Owner/Applicant name is Parth Patel.

Council approved application for Alcohol License for Beer/Wine Packaged to Go for new owner G Town Food Inc. d/b/a Speedy #4 located at 101 Marshallville Road. Owner/Applicant name is Parth Patel. Mayor Faircloth gave the second reading for the application for Alcohol License for Beer/Wine Packaged to Go for new owner G Town Food Inc. d/b/a Speedy #4 located at 101 Marshallville Road. Owner/Applicant name is Parth Patel. Council Member King motioned to approve the application as submitted; Council Member Walker seconded; all in favor and was unanimously approved.

9. Any Other Old Business Matters:

- 9a. Mayor James E. Faircloth, Jr. – None
- 9b. Council/Manager/Attorney – None

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

- 10a. Matters referred from February 4, 2013 work session and February 5, 2013 pre council meeting.

1. Resolution adopting an alternate transportation policy.

Adopted Resolution 2013-04 adopting an alternate transportation policy. Council Member Walker motioned to adopt the resolution adopting an alternate transportation policy; Council Member King seconded; all in favor and was unanimously approved. (*Resolution No. 2013-04 has been entered in the City's official book of record*).

2. Resolution appointing Ms. Mary Beth Bass Director of Economic Development.

Adopted Resolution 2013-05 appointing Ms. Mary Beth Bass Director of Economic Development. Council Member Bynum-Grace motioned to adopt the resolution appointing Ms. Mary Beth Bass as Director of Economic Development; Council Member King seconded; all in favor and was unanimously approved. (*Resolution No. 2013-05 has been entered in the City's official book of record*).

3. Fee waiver delegation policy.

Mr. Gilmour advised the policy authorizes the City Manager the right to waive parade and City facilities rental fees as per guidelines established.

Council Member Walker motioned to adopt the fee waiver delegation policy; Council Member King seconded; all in favor and was unanimously approved.

4. Approval of bid for downtown electrical work

Mr. Gilmour advised as discussed in pre Council request was sought for approval of electrical work on Main Street for future downtown events; three bids had been received and is was recommended to proceed with the low bidder MBE Electric in the amount of \$4,270.00.

Council Member King motioned to approve low bidder MBE Electric in the amount of \$4,270.00 for electrical work on Main Street; Council Member Walker seconded; all in favor and was unanimously approved.

10b. Ordinances for First Reading and Introduction.

1. **First Reading** of an ordinance to rezone .44 acres from City of Perry , C-2 General Commercial District to R-1, Single Family Residential District. The property is located at 1301 Forest Hill Road. (*No action required by Council*).

10c. Alcohol License for First Reading and Adoption:

1. **Application for Manager Change:** Application for manager change at Kroger #407, 1367 Sam Nunn Boulevard on Alcohol License. New manager name is Corey C. Mallinson.

Council Member Hunt motioned to approve the application for manager change at Kroger #407, 1367 Sam Nunn Boulevard on Alcohol License. New manager name is Corey C. Mallinson; Council Member King seconded; all in favor and was unanimously approved.

10d. Award of Bids.

1. Bid No. 2013-10 Storage Building.

Ms. King advised several companies were sent the bid request, only one responded Backyard Basics in the amount of \$7,095.00; the building will replace the current building housing records for the Police Department.

Council Member King motioned to approve Bid No. 2013-10 in amount of \$7,095.00 to Backyard Basics; Council Member Hunt seconded; all in favor and was unanimously approved.

10e. Consideration of fee waiver request from Adams Lodge #734 for use of Worrall Community Center on April 20, 2013 for community prayer breakfast.

Council Member King motioned to approve the fee waiver request from Adams Lodge #734 for use of Worrall Community Center on April 20, 2013 for community prayer breakfast; Council Member Hunt seconded; all in favor and was unanimously approved.

10f. Consider approval of necessary repairs to Hwy 341 well.

Mr. Gilmour advised per a memorandum received from ESG Operations, Inc. the well is in need of an immediate motor repair with a cost of \$15,660.28, which will be funded from the Water & Sewer fund.

Council Member Hunt motioned to authorize ESG Operations, Inc. to proceed with the necessary Hwy 341 well repairs in the amount of \$15,660.28; Mayor Pro Tempore Posey seconded; all in favor and was unanimously approved.

10g. Cancel fire station impact fee effective March 1, 2013.

Mr. Gilmour advised it was the recommendation of Administration to cancel the fire impact fees being collected effective March 1, 2013 as the new Davis Farm Station was expected to be completed by the end of February.

Council Member Jackson motioned to cancel the fire station impact fee effective March 1, 2013; Mayor Pro Tempore seconded; all in favor and was unanimously approved.

11. Department Head Items.

Mr. Beecham advised (8) new single family permits were issued for the month of January; (61) total for the fiscal year to date.

Chief Gray provided an update on the fire station construction.

Ms. Bass thanked Mayor and Council for her appointment as Director of Economic Development; industry visits would be in March; reminder Thursday, February 7th at 5:30pm the Chamber of Commerce and Board of Education would be honoring the star student and teacher at the Go Fish Education Center.

12. Council Member and General Public Items. Ms. Theresa Duncan inquired if the fee waiver request for the Old Field Baptist Church had been approved; Mayor Faircloth advised it had not as it did not meet the City's guidelines for waiver.

13. Mayor Items. Reminder of next Walk with Mayor & Council on February 26th @ 5:30pm; route to be determined.

Executive Session entered at 6:38 p.m.: Council Member Hunt motioned to adjourn the regular Council meeting and enter into Executive Session for the purpose of personnel. Mayor Pro Tempore Posey seconded the motion and it carried unanimously.

Executive Session Adjourned and regular Council meeting reconvened at 7:04 p.m.: Council adjourned the Executive Session held February 5, 2013 and reconvened into the regular Council meeting at 7:04pm.

Adopted Resolution No. 2013-06 stating purpose of Executive Session held February 5, 2013 was to discuss personnel. Council Member Walker moved to adopt a resolution stating the purpose of the Executive Session held on February 5, 2013 was to discuss personnel. Council

Member King seconded the motion and it carried unanimously. (*Resolution 2013-06 has been entered in the City's official book of record*).

14. Adjournment: There being no further business to come before Council in the reconvened meeting held February 5, 2013, Council Member King motioned to adjourn the meeting at 7:05 p.m. Council Member Hunt seconded the motion and it carried unanimously.