

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
April 16, 2013
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 April 16, 2013 at 6:15 p.m.

2. Roll.

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

Elected Official Absent: None.

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

City Departmental Staffing: Fire Chief Joel Gray – Perry Fire and Emergency Services, Chief Steve Lynn – Perry Police Department, Mike Beecham – Director of Community Development, Mary Beth Bass – Economic Development Director, Brenda King – Director of Administration, Ricky Kilgore – Director of Parks and Recreation, Cyndi Houser - Recording Secretary.

Guests/Speakers: Bill Camp – Raymond James, John Pannell, Chad McMurrian, Ryan Bode and Grady Shirey - ESG Operations, Inc.; Troy Rowell, and Shanta A. Maneklal Patel.

Press/Media: Mr. John Birdsong – WRWR.

3. Invocation and Pledge of Allegiance to the Flag: Rev. Roland Fall, Perry United Methodist Church, gave the invocation and Council Member Randall Walker led the pledge of allegiance to the flag.

4. Appointments/Proclamation: Mayor James E. Faircloth, Jr.

- Mr. Graham Lavender, Perry Houston County Airport Authority: Mayor Faircloth entertained a motion to appoint Mr. Graham Lavender to the vacancy created by the resignation of Mr. Bill Lavender. Council Member Jackson, so moved; Council Member King seconded the motion; all in favor and unanimously approved.
- Appointment to Perry Area Convention and Visitors Bureau Authority – Council Member Phyllis Bynum-Grace: Council Member Bynum-Grace appointed Ms. Catrelsa Ragin-Benjamin to the Perry Area Convention and Visitors Bureau Authority.

5. Citizens with Input. Mr. Ryan Bode, Mr. Grady Shirey and Mr. Chad McMurrian were present on behalf of ESG Operations, Inc. Mr. McMurrian was pleased to make the Mayor and Council aware that ESG has received several awards for the plant operations. ESG won Water Plant of the Year for district 5, and won a platinum award for perfect compliance 5 years in a row.

They also received a gold award for perfect compliance for the wastewater plant. In addition, they entered the “Top Ops” competition where Grady Shirey took first place for water plant operator and Travis Falcione for wastewater plant operator. Mayor Faircloth expressed his appreciation for the great job ESG is doing on behalf of the City.

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

- 6a. Council Consideration – Minutes of April 1, 2013 work session meeting, April 2, 2013 pre council meeting and April 2, 2013 regular meeting.

Council Member Bynum-Grace motioned to approve the minutes. Council Member Jackson seconded the motion; five voted in favor with Council Member Walker abstaining due to missing the meetings, and minutes were approved.

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

- 7a. Ordinance for Second Reading and Adoption

Adopted Ordinance No. 2013-10 of a supplemental ordinance to provide for the issuance of the City of Perry Water and Sewerage Refunding Bonds, Series 2013, to finance the costs of refunding and redeeming the City’s outstanding Water and Sewerage Refunding and Improvement Revenue Bonds, Series 1998 and the City’s outstanding Water and Sewerage Revenue Bond, Series 2005. (*Ordinance No. 2013-10 has been entered into the City’s official book of record*).

Ms. King introduced Mr. Bill Camp of Raymond James and Mr. John Pannell, bond counsel. Mr. Camp provided background information and the schedule for closing on the new bond series. Mr. David Walker and Mr. Pannell will assist with the mid-May closing of the new bonds and bond validation. Payments will begin October 1st and the final payment will be October 1, 2023 which is the same ending date as the existing debt. Bond yield is 1.92% for the 10-year term. Mr. Camp explained there are actually 2 items being done: Paying off a current call on the 1998 Series and advance refunding on the 2005 Series. The overall view is that the City will lower its payments and still pay off the bonds on time while saving the customers money.

Mr. John Pannell explained the original bond ordinance must be amended. This includes a validation process required by the State of Georgia through a hearing in Superior Court. After the hearing, the 1998 bonds are paid off, monies are set aside to pay off the 2005 bonds, and the payments begin for the new bonds. The bond ordinance authorizes the Mayor to sign a bond placement agreement between Raymond James and the City until the closing.

Mayor Faircloth entertained a motion to approve the supplemental ordinance. Council Member Jackson moved, Council Member King seconded; all in favor and approved unanimously.

7b. Alcohol License for Second Reading and Introduction:

1. **Second Reading:** Application for Alcohol License for Beer/Wine Packaged To Go for new owner SHIVANI 12, LLC D/B/A Discount Tobacco located at 719 Carroll Street. Applicant name is Shanta A. Maneklal Patel.

Council Member Bynum-Grace motioned; Council Member Hunt seconded; all in favor and approved unanimously.

8. Any Other Old Business Matters:

8a. Mayor James E. Faircloth, Jr. - None

8b. Council/Manager/Attorney - None

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

9a. Matters referred from April 16, 2013 pre council meeting.

1. Consider a waiver of fees for EMICC.

Administration recommended to Council to approve a waiver of tax fees and charges for EMICC which did not receive their tax notices when the address was changed by the Houston County Tax office without the owner's knowledge and went to a vacant lot. They would still be responsible for the actual taxes. Council Member Jackson motioned; Council Member Hunt seconded the motion; all in favor and unanimously approved.

9b. Alcohol License for First Reading and Introduction.

1. **First Reading:** Application for Alcohol License for Beer Consumed on Premises for new restaurant, Hibachi Buffet, located at 1406 Sam Nunn Boulevard. Applicant name is Ichiban Hibachi Buffet D/B/A Hibachi Buffet. (*No Action required at first reading*).

9c. Consider proposal for additional landfill closure and methane monitoring tasks.

1. Mr. Beecham reviewed the history of the 2003 landfill closure located on Toomer Road. As part of the closure, methane remediation was required when some of the wells exceed the 5% allowed. TTL consultants recommended a modification of the plan and to close a portion of the landfill that was never officially closed. The proposed plan would cost \$26,921 including \$2,375 to close a portion never completed per EPD requirements. Council Member Posey asked if there were any other options. Mr. Beecham stated there were none according to EPD standards and requirements. If approved, Mr. Gilmour stated Solid Waste Revenue fund would be used to pay for the project.

Council Member Posey motioned to adopt the remediation plan recommended by TTL at a total cost of \$26,921 including \$2,375 to close a portion never completed in 2003

per EPD requirements. Council Member Hunt seconded the motion; all in favor and unanimously approved.

9d. Award of Bid

1. Bid No. 2013-19 – Valley Drive Drainage Improvements. Mayor Faircloth presented for Council's consideration award of bid for drainage improvements along Valley Drive. Staff recommended to Council to accept the low bid of \$61,525.00. Council Member Walker motioned to accept the low bid of \$61,525.00 from LeClay Construction, Inc. Council Member Hunt seconded the motion and it carried unanimously.

10. Department Head Items.

Chief Lynn and Chief Gray did not have any reports.

Mr. Beecham provided an update from the last meeting concerning a cargo container that was overdue for pickup from the temple on Mason Terrace; it has now been taken away.

Mr. Kilgore advised that Phase 2 of the playground project of new equipment has been installed in Rozar Park and Phase 3 of finishing picnic tables that will also be installed in Rozar Park. Adult softball and youth and senior boys' baseball have started or will start soon. Soccer is in full swing. Mr. Kilgore will attend a pool directors meeting on Wednesday, April 17th in Tifton.

Ms. Bass reminded Mayor and Council that Industry Appreciation Night will be held at the Go Fish facility Thursday Night at 5:30. Ms. Bass advised the DDA and Farmers Market have moved their Chick-Fil-A Spirit Night to May 14, 2013 from 5pm – 8pm. The Affair on the Square will be May 11th and the downtown merchants are excited about the event. Artists will be able to sell their wares and food will be available.

Ms. King advised that the software program will be going live with the general ledger and financial units, training will be conducted next week and then begin set up for utility billing. Mayor requested that he be allowed access for inquiry to the financials; Ms. King will follow up.

11. Council Member and General Public Items.

No reports from Council Members

Mr. Gilmour noted that the new biometric time clock is running parallel with the old system during a test period.

Nor report from City Attorney David Walker.

12. Mayor Items.

Mayor Faircloth noted the following: The next Walk with the Mayor will on April 23 at 5:30 pm in District 3 and Council Member Walker is planning the route. The Farmers Market will start May 4th and will be open from 8 am – 12 pm. The Dogwood Festival was very successful and the vendors seemed pleased with the turnout even with the rain on Sunday.

14. Adjourn. There being no further business to come before Council Mayor Faircloth adjourned the April 16, 2013 Council meeting at 6:50 pm.