

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
August 6, 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 August 7, 2013 at 6:07 p.m.

2. Roll.

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

Elected Officials Absent: Council Member William Jackson.

Staff: City Manager, Lee Gilmour and Assistant City Attorney, John 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 – Director of Economic Development, Ricky Kilgore – Director of Department of Recreation, Brenda King – Director of Administration and Nancy Graham – Recording Secretary.

Guests/Speakers: Mr. Joe Shuttlesworth, Ms. Jorlyn Pfeil, Ms. Michelle Lynn Bamhill McCrea Mr. Beckham and Dr. Brad Brady.

Press/Media: Ms. Jessica Clark and Ms. Ashleigh Lewis – Houston Home Journal, Ms. Christine Wright – Macon Telegraph, and Ms. Allison Boutwell- ComSouth,

3. Invocation and Pledge of Allegiance to the Flag: Dr. Brad Brady, Perry United Methodist Church gave the invocation and Council Member Hunt led the pledge of allegiance to the flag.

4. Recognition(s):

Mayor and Council recognized:

- Perry Recreation Senior Baseball Team for their winning season with Coach Steve Giles.
- Ms. Samantha Mullins, Perry Music Festival Student Art Contest Winner.
- Ms. Brenda King, recipient of the Government Finance Officers Association Award.

5. Citizens with Input. – None

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

- 6a. Council Consideration – Minutes of July 9, 2013 special meeting, July 16, 2013 pre council meeting July 16, 2013 council meeting and July 29, 2013 special meeting. Council Member Bynum-Grace motioned to approve minutes of July 9, 2013 special meeting. Motion seconded by Council Member King. Council Member Walker abstained; motion carried.

Council Member Hunt motioned to approve minutes of July 16, 2013 Pre-Council Meeting. Motion seconded by Council Member King. Council Member Walker abstained; motion carried.

Council Member Hunt motioned to approve minutes of July 16, 2013 Council Meeting. Motion seconded by Council Member King. Council Member Walker abstained; motion carried.

Council Member King motioned to approve minutes of July 29, 2013 Special Meeting. Motion seconded by Council Member Hunt. Council Members Bynum-Grace and Posey abstained; motion carried.

Mayor James E. Faircloth advised the abstentions were due to absences.

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

7a. Ordinance(s) for Second Reading and Adoption:

- 1 **Second Reading** of ordinance to rezone approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, General Commercial District. The property is located on Perry Parkway.

Adoption of Ordinance No. 2013-19 to rezone approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, general Commercial District. The property is located Perry Parkway. Council Member Hunt made a motion to adopt an ordinance to rezone approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, General Commercial District. The property is located on Perry Parkway. Council Member King seconded the motion; all in favor and carried unanimously.

- 2 **Second Reading** of ordinance to annex approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, General Commercial District. The property is located on Perry Parkway.

Adoption of Ordinance No. 2013-20 to annex approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, General Commercial District located on Perry Parkway. Mayor Pro Tempore Posey made a motion to adopt an ordinance to annex approximately 18.43 acres from Houston County R-AG, Residential Agricultural District, to City of Perry C-2, General Commercial District. The property is located on Perry Parkway. Council Member King seconded the motion; all in favor and carried unanimously.

7b. Alcohol License for Second Reading and Adoption:

- 1 **Second Reading:** Application for new Alcohol License for Beer/Wine Packaged To Go for new owner/operator H & P 247, LLC located at 1501 Sam Nunn Boulevard. Applicant's name is H & P 247, LLC d/b/a LuLu's Marathon #3, manager's name is Jorlyn Pfeil.

Council approved application for new Alcohol License for Beer/Wine Packaged To Go for new owner/operator H & P 247, LLC located at 1501 Sam Nunn Boulevard. Applicant's name is H & P 247, LLC d/b/a LuLu's Marathon #3, manager's name is Jorlyn Pfeil. Mayor Faircloth gave the second reading for the application for new Alcohol License for Beer/Wine Packaged To Go for new owner/operator H & P 247, LLC located at 1501 Sam Nunn Boulevard. Applicant's name is H & P 247, LLC d/b/a LuLu's Marathon #3, manager's name is Jorlyn Pfeil. Council Member King motioned to approve request as submitted. Council Member Hunt seconded; all in favor and carried unanimously.

8. Other Old Business :

- 8a. Mayor James E. Faircloth - None
- 8b. Council/Manager/Attorney - None

9. New Business: Mayor James E. Faircloth

- 9a. Matters referred from the August 5, 2013 work session and August 6, 2013 pre council meeting.

GDOT Road Maintenance Agreement: Council Member King motioned to approve GDOT Road Maintenance Agreement in which the City of Perry would provide maintenance (mowing and litter control) along certain state routes in the City, excluding the right-a-way on I-75. Motioned seconded by Council Member Walker. All in favor, carried unanimously.

Renewal Health/Dental Prescription Insurance Coverage with Option Plan

Mr. Gilmour advised the health and dental cost premiums are going down. Council Member Bynum-Grace motioned to approve the renewal of the Health/Dental Prescription Insurance Coverage with Option Plan. Motion seconded by Council Member King and carried unanimously.

Carroll Street/Commerce Street Parking Lot/Sidewalk. Mayor Faircloth entertained a motion to accept the only bid submitted. It was submitted by PaverCraft, Inc. for \$6047.00.(New sidewalk and landscaping, an access route between the Commerce Street parking lot and Carroll Street) Council Member Hunt motioned to accept bid for \$6047.00 submitted by PaverCraft, Inc. Council Member King seconded and motion carried unanimously. Source of funding is the Downtown Development Account.

- 9b. Ordinance(s) for First Reading and Adoption:

1. **First Reading** of an ordinance amending the Perry Code by deleting Sec. 17-61 in its entirety and adding a new Sec. 17-61 – Occupying the driver’s seat of a motor vehicle while intoxicated. (*No action required by Council*)

9c. Award of Bid (s):

Bid No. 2013 -28 – Employee Building Remodeling. Mayor Faircloth presented for Council’s consideration award of bid for remodeling employee building at Public Works Barn. Staff recommended to Council to accept the low bid of \$27,857.00. Mayor Faircloth entertained a motion to accept lowest bid of \$27,857.00 from Pinnacle 1 Group LLC. Council Member King motioned to accept; Mayor Pro Tempore Posey seconded the motion and it carried unanimously.

Bid No. 2012 – 29 – Carroll Street Wheelchair Ramp Improvements. Mayor Faircloth present for Council’s consideration award of bid for Carroll Street Wheelchair Ramp Improvements. Staff recommended to Council to accept the low bid of \$80,375.00. Mayor Faircloth entertained a motion to accept lowest bid of \$80,375.00 from LaKay Enterprises Inc. Council Member Bynum-Grace motioned to accept; Council Member King seconded the motion and it carried unanimously.

Mayor Faircloth asked Mr. Gilmour as to what would be the source of funding. Response, SPLOST 12 Construction Fund.

9d. Requests relative to 2013 Perry Music Festival:

Blocking Certain Streets: Council Member King motioned to approve blocking portions of certain streets (Martin Luther King, Jr. Dr., Main Street, Carroll Street, Jernigan Street, and Ball Street) for the 2013 Perry Music Festival scheduled for September 21, 2013. Council Member Walker seconded the motion and it carried unanimously.

Special event alcoholic beverage permit: Council Member Walker motioned to approve Special Event Alcoholic Beverage Permit to Site 1 (Rotary Centennial Park) and Site 2 (Ball, Main, Carroll, and Jernigan Streets) between 5:00 pm – 11:00 pm. Mayor Pro Tempore Posey seconded the motion and it carried unanimously.

9e. Consider Letter of Credit request for Pepo’s #7 located at 1521 Macon Road

Mr. Beecham advised why the temporary certificate of occupancy was denied to Pepo’s #7. They are as follows: Parking lot lights are not installed (10,200.00), rain garden not completed (\$40,000) and a donation of \$36,432.00 for Tree Fund has not been received, which is in lieu of planting trees.

Council Member Walker motioned to deny Pepo’s #7 request for temporary certificate for occupancy based upon the Letter of Credit outlined by Mr. Beecham and the Certificate of Occupancy is not to be given until work is completed to the satisfaction of Community Development Department. Mayor Pro Tempore Posey seconded the motion and carried unanimously.

9f. Approval of \$6,000.00 from Hotel/Motel Tax Fund balance for Artisan Center

Mr. Gilmour advised \$6000.00 was appropriated in January but due to a change in fiscal year, a reauthorization is necessary.

Mayor Pro Tempore Posey motioned to approve \$6000.00 from Hotel/Motel Tax Fund balance for Artisan Center. Council Member King seconded the motion. Council Member Walker abstained; motion carried.

Council Member Walker stated his abstention was due to being a member of the board.

9g. Request authorization to call the Letter of Credit for Cameron Court, Phase 2

Mr. Beecham advised Mayor and Council in the past had approved a Letter of Credit to Cameron Court Phase 2 so that the new apartments could be occupied. As outlined on the memo, there are still deficiencies after an inspection was conducted by Community Development.

Council Member King motioned to authorize Community Development to call the Letter of Credit for Cameron Courts Phase II as needed with the next 25 days if the contractor does not complete the items to be repaired. Motion seconded by Mayor Pro Tempore Member Posey and carried unanimously.

10. Other Business – Supplemental Agenda Items

- 10a **Second Reading:** Application for new alcohol application (Beer & Wine Packaged to Go) for new owner/applicant, Michelle Lynn Bamhill McCrea, business located at 517 North Perry Parkway, Shamsha Perry LLC d/b/a Perry Truck Stop.

Council approve application for new alcohol application (Beer & Wine Packaged to Go) for new owner/applicant, Michelle Lynn Bamhill McCrea, business located at 517 North Perry Parkway, Shamsha Perry LLC d/b/a Perry Truck Stop. Mayor Faircloth gave the second reading for the application for a new application (Beer & Wine Packaged to Go) for new owner/application, Michelle Lynn Bamhill McCrea, business located at 517 North Perry Parkway, Shamsha Perry LLC d/b/a Perry Truck Stop. Council Member Bynum-Grace motioned to approve the request as submitted. Council Member King seconded; all in favor and motion carried unanimously.

- 10b. Adopted Resolution No. 2013 – 28 authorizing the City of Perry to contract funding for GDOT Transportation Enhancement Agreement for PI 0009095 Commerce Street Corridor Improvements; Adopted Resolution No. 2013-29 authorizing the City of Perry to contract funding for GDOT Transportation Enhancement Agreement for PI 0009149 General Courtney Hodges Boulevard Improvements:

- Commerce Street Corridor Improvement (PI 0009095)
Sidewalk and lighting improvements between Macon Rd and W.F. Regan
- General Courtney Hodges Boulevard Pedestrian Lighting (PI 0009149)

Pedestrian lighting on both sides of the street and sidewalk improvements

Council Member Hunt motioned to adopt Resolution No. 2013-28 authorizing the City of Perry to contract funding for GDOT Transportation Enhancement Agreement for PI 0009095 Commerce Street Corridor Improvement; Adopted Resolution No. 2013-29 authorizing the City of Perry to contract funding for GCOT Transportation Enhancement Agreement for PI 0009149 General Courtney Hodges Boulevard Improvements. Motion seconded by Council Member King and carried unanimously.

11. Department Head Items:

Chief Lynn – No report

Chief Gray – No report

Mr. Beecham – Advised grass has been cut at the library and the solar panel school sign on Kings Chapel Road is now working (needed reprogramming)

Mr. Kilgore – Recognition of Nancy Graham for a great job with the Summer Camp and football registration ends August 9, 2013.

Ms. Bass – Reminder of Perry Chamber of Commerce’s legislative appreciation event at Go Fish on August 22, 2013 at 5:30 p.m. and requested support of Farmer’s Market which will continue through September 28, 2013.

Ms. King – Thank you for the support in recognition of the GFOA award. She advised this is the 13th GFOA award.

12. Council Member and General Public Items:

Mr. Gilmour – No report

Council Member Bynum-Grace – No report

Council Member Posey – No report

Council Member Walker – No report

Council Member Hunt – A thank you to Mr. Gilmour relative to Ms. King’s award

Council Member King – No report

Ms. Mary Lou Simon asked if money have been found for sidewalks at Creekwood. Mayor Faircloth replied, yes through the stormwater utility district receipts. He advised the priority is the stormwater issue. It has to be addressed first. Mr. Gilmour advised the sidewalk specifications are complete, the basic stormwater work is complete, however modifications have to be made on running stormwater down Winchester Circle through an easement to get it to Big Indian Creek. After the specifications are complete, it will go out to bid and then will come before Council for approval.

Football fee increase: Mayor Faircloth advised fees were adjusted to projected operation cost in addition to replacing football helmets (\$2000.00). Mayor also stated the fees must be charged to cover cost.

Ms. Simon asked if funds are available to those who can't afford the current fee. Mayor Faircloth directed Ms. Simon to contact Mr. Kilgore in relative to program available to those who can't afford the current fee for football.

13. Mayor Items:

Mayor Faircloth – Eggs and Issues Breakfast meeting August 15, 2013
Board of Election/Qualifying for Office of Mayor – District 1, 2, and 3.

14. Adjourn. There being no further business to come before Council, Mayor Faircloth adjourned the August 6, 2013 Council meeting at 7:12 p.m.