

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
September 3, 2013

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer called to order the regular meeting of the Perry City Council held September 3, 2013 at 6:07pm.

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, William Jackson and Willie King.

Elected Officials Absent: None

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

City Departmental Staffing: Fire Chief Joel Gray – Perry Fire & Emergency Services, Capt. Bill Phelps – Perry Police Department, Mike Beecham – Director of Community Development, Mary Beth Bass – Director of Economic Development, Rick Kilgore – Director of Recreation, Brenda King – Director of Administration and Christine Sewell – Recording Secretary.

Guests: Mr. Don Norris, Mr. & Mrs. Rudolph Luther, Mr. Tommy Wood, and Mr. Jimmy Harrell.

Press: Ms. Ashleigh Lewis – Houston Home Journal and Ms. Shantika Ogletree – ComSouth

3. Invocation and Pledge of Allegiance to the Flag: Rev. Willie King of Faith Bible Fellowship Church gave the invocation and Mr. Tommy Wood of the American Legion led the pledge of allegiance to the flag.

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

- Proclamation – “The American Legion Day”

Mayor Faircloth read the proclamation and thanked those in attendance Mr. Don Norris, Mr. & Mrs. Rudolph Luther, Mr. Tommy Wood, Mr. Rick Kilgore and Council Members Riley Hunt and Willie King for their service to our country and community.

5. Citizens with Input. None

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

6a. Council Consideration – Minutes of August 19, 2013 work session meeting, August 20, 2013 pre council meeting, August 20, 2013 council meeting and August 26, 2013 special meeting.

Council Member Bynum Grace motioned to approve the minutes as submitted; Council Member Jackson seconded; all in favor with Council Member Hunt abstaining from vote.

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

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

1. **Second Reading** of an ordinance amending the Perry Land Development Ordinance – Section 99 – Solar Energy Systems.

Adoption of Ordinance No. 2013-22 amending the Perry Land Development Ordinance Section 99 – Solar Energy Panels. Council Member Walker motioned to approve ordinance as submitted; Council Member King seconded; all in favor and was unanimously approved. (*Ordinance 2013-22 has been entered in the City's official book of record*).

2. **Second Reading** of an ordinance to amend the Perry Code to adjust special event permit license to allow non-city license to vendors.

Adoption of Ordinance No. 2013 -23 amending the Perry Code to adjust special event permit license to allow non-city license to vendors. Council Member King motioned to approve ordinance as submitted; Mayor Pro Tempore Posey seconded; all in favor and was unanimously approved. (*Ordinance 2013-23 has been entered in the City's official book of record*).

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

8a. Mayor James E. Faircloth, Jr.

Mayor Faircloth stated concerns have been raised regarding the upcoming Perry Music Festival on September 21<sup>st</sup> and the process of the special event alcohol license. This year two areas have been designated for open containers, Rotary Centennial Park beginning at Noon and the Downtown area stage beginning at 6pm. Letters requesting local vendors for the festival had been sent to all City licensed alcohol vendors with no response; an outside vendor has been contacted and will participate in the event. Discussion ensued on the concerns and regulations for the event. Mayor and Council agreed upon the following guidelines for the event: 1). Based on City ordinance outside alcohol vendor will set up at Rotary Centennial Park with wristbands provided indicating proper identification has been provided to obtain beverage, the same will be for the downtown area with alcohol sales beginning at 6pm and the vendor set up location will be on Jernigan Street approximately half way between Main and Carroll Street, 2). Coolers will be allowed, but outside alcoholic beverages will not be and coolers are subject to search.

8b. Council/Manager/Attorney – None

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

9a. Matters referred from the September 3, 2013 pre council meeting. – None

9b. Alcohol License for First Reading and Introduction:

1. **First Reading:** Application for Alcohol License (Beer & Wine Packaged To Go) for new owner DIPA, LLC d/b/a Circle 9 located at 423 General Courtney Hodges Boulevard. Applicant name is Dipaben Rasikbhai Patel. *(No Action required at first reading).*

9c. Resolution(s) for Consideration and Adoption:

1. Adopted Resolution No. 2013-37 to amend the City of Perry Fee Schedule for special event alcoholic beverage caterer license. Council Member King motioned to adopt resolution; Council Member Jackson seconded; all in favor and was unanimously approved. *(Resolution No. 2013-37 has been entered in the City's official book of record)*
2. Adopted Resolution No. 2013-38 to support the City's application for the Georgia Initiative for Community Housing. Council Member Hunt motioned to adopt resolution; Council Member Walker seconded; all in favor and was unanimously approved. *(Resolution No. 2013-38 has been entered in the City's official book of record)*

9d. Authorize tax anticipation borrowing for land purchases.

Mr. Gilmour sought approval for opportunities that occasionally arise for the City to purchase parcels for use as greenspace, parks, etc. and to assist the cash flow balance, monies can be borrowed and at the end of December paid back with interest using property taxes received, process would be for capital purchases only.

Council Member King motioned to approve the recommendation of Administration; Council Member Hunt seconded; all in favor and was unanimously approved.

10. Other Business/Supplemental Agenda Item(s):

10a. Award of Bid(s):

1. Bid No. 2014-01 Side by Side Utility Vehicle

Mr. Gilmour advised funding would be through the GMA lease purchase program and the actual budgeted amount for purchase was \$35,000.00.

Council Member King motioned to award bid to Ocmulgee Outdoors in the amount of \$19,859.00; Council Member Jackson seconded; all in favor and was unanimously approved.

11. Department Head Items.

Ms. Bass advised the Chamber of Commerce would be recognizing ComSouth as business of the month, as well celebrating their 100 years in service. Thursday, September 12<sup>th</sup> the Chamber's Business Expo at the Art Center; and the Farmers Market has a few more weeks left in the season.

Ms. King advised with the software upgrade E-bills could now be received and currently two customers have signed on.

12. Council Member and General Public Items.

Council Member King inquired if the Toomer Road firing range could be utilized by the general public; Mayor Faircloth advised at this time per an agreement with the County it could not be.

Mr. Jimmy Harrell addressed Council and voiced concern on the following: 1). Against churches being taxed to staff new fire station, 2). Funding resources should be considered by issuing citations for motorists not using turn signals, 3). New convenience store on Macon Road and the requirements of the Tree Ordinance, 4). Vial of Life program, and 5). Consideration of mascot for City.

13. Mayor Items.

Mayor Faircloth congratulated Mayor Pro Tempore Posey and Council Members Bynum Grace and Walker on their successful reelection to office with no opposition. Mayor Faircloth also recognized Council Members Hunt, King, and Jackson on their continued service; Mayor Faircloth commended all members of Council for their service to the community.

Mayor Faircloth entertained a motion to enter into an executive session for personnel.

14. Executive Session entered at 7:10p.m.: Council Member Walker moved to adjourn the regular meeting and enter into Executive Session for the purpose of personnel. Council Member Hunt seconded the motion and it carried unanimously.

15. Executive Session adjourned; Council regular meeting reconvened. Council adjourned the Executive Session held September 3, 2013 and reconvened into the Council regular meeting.

16. Adopted Resolution No. 2013-39 stating purpose of Executive Session held September 3, 2013 was to discuss personnel. Council Member Jackson moved to adopt a resolution stating the purpose of the Executive Session held on September 3, 2013 was to discuss personnel. Council Member Walker seconded the motion and it carried unanimously. (*Resolution 2013-39 has been entered in the City's official book of record*).

17. Adopted Resolution No. 2013-40 authorizing City Manger to proceed with implementing the directives of Council from its September 3, 2013 Executive Session. Council Member Jackson motioned to approve adoption of resolution; Council Member Hunt seconded and it carried unanimously. (*Resolution 2013-40 has been entered in the City's official book of record*).

18. Adjournment: There being no further business to come before Council in the reconvened meeting held September 3, 2013, Mayor Pro Tempore Posey motioned to adjourn the meeting at 7:30p.m. Council Member Walker seconded the motion and it carried unanimously.