



Where Georgia comes together.

REGULAR MEETING OF THE PERRY CITY COUNCIL  
September 6, 2016  
**6:00 P.M.**

1. Call to Order: Mayor James E. Faircloth, Jr, Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.
4. Community Partner(s) Update(s):
5. Public Hearing: Mayor Pro 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).

- 5a. Amendment to Perry Land Development Ordinance Section 80.1.12 and 80.6.2 – Article VIII – Use Requirements by District.
- 5b. Consider maintaining 2016 Maintenance and Operations property tax millage rate at 14.050 mills.
6. Citizens with Input.
7. Consent Agenda Items: Mayor James E. Faircloth, Jr.
  - 7a. Council's Consideration – Minutes of the August 15, 2016 work session, August 16, 2016 special meeting, August 16, 2016 pre council meeting, August 16, 2016 council meeting, August 29, 2016 special meeting and August 30, 2016 special meeting.
8. Old Business: Mayor James E. Faircloth, Jr.
  - 8a. Ordinance(s) for Second Reading(s) and Adoption:
    1. **Second Reading** of an ordinance rezoning 80 acres from Houston County M-2 to City of Perry M-2, Industrial District. The land is located at 401 Airport Road.

2. **Second Reading** of an ordinance annexing 80 acres from Houston County M-2 to City of Perry M-2, Industrial District. The land is located at 401 Airport Road.
9. Any Other Old Business: Mayor James E. Faircloth, Jr.
  - 9a. Mayor James E. Faircloth, Jr.
  - 9b. Council Members
  - 9c. City Manager Lee Gilmour
  - 9d. City Attorney David Walker
10. New Business: Mayor James E. Faircloth, Jr.
  - 10a. Matters referred from September 6, 2016 pre council meeting.
  - 10b. Ordinance(s) for First Reading(s) and Introduction:
    1. **First Reading** of an ordinance amending the Perry Land Development Ordinance Section 80.1.2 and 80.6.2 – Article VIII – Use Requirements by District. *(No action required by Council).*
    2. **First Reading** of an ordinance Authorizing and Adopting Post Issuance Compliance Policies and Procedures for Governmental Tax-Exempt Bonds and Tax Credit Bonds. *(No action required by Council).*
  - 10c. Consider forgiving past due property taxes for Lot 9, Block “A”, Yorktown of Perry Subdivision.
  - 10d. Award of Bid(s):
    1. Consider award for court room HVAC System.
  - 10e. Request from the Perry Downtown Merchants Association for the 4<sup>th</sup> Annual Sweets and Treats on Downtown Streets on October 31<sup>st</sup>.
    - Closure of Jernigan Street between Commerce Street and Main Street;
    - Closure of Carroll Street between Jernigan Street and Washington Street
    - Three (3) on duty police officers to assist with the event
11. Department Head Items.
12. Council Members Items:
13. General Public Items:
14. Mayor Items:
15. Adjourn.



**Where Georgia comes together.**

Department of Community Development

**Public Hearing  
Sept. 06, 2016  
Tuesday @ 6:00 PM**

August 9, 2016

The Honorable James E. Faircloth, Jr.  
Perry City Council  
Post Office Box 2030  
Perry, Georgia 31069

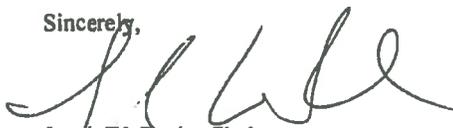
Re: Amendment to Perry Land Development Ordinance  
Section 80.1.2 and 80.6.2 – Article VIII – Use Requirements by District

Dear Mayor and Council:

On August 08, 2016 the Perry Planning Commission reviewed the above referenced amendments to the Perry Land Development Ordinance.

The Perry Planning Commission respectfully submits this letter as our formal and favorable recommendation to Mayor and Council for the approval of the changes as provided for the referenced sections of the Perry Land Development Ordinance

Sincerely,



Jacob W. Poole, Chairman  
Perry Planning Commission

JP/cs

P.O. Box 2030 | Perry, Georgia 31069-6030  
478-988-2720 | Facsimile 478-988-2725  
<http://www.perry-ga.gov/community-development/>

**ARTICLE VIII  
USE REQUIREMENTS BY DISTRICTS**

**Section 80. Residential Districts.**

**80.1. R-1, Single-Family Residential Districts.**

**80.1.1. Intent of District.** This district is intended to be used for single-family residential areas with low population density. Additional permitted uses, by special exception include related non-commercial, recreational, religious, and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from encroachment of uses not performing a function necessary to the residential environment.

**80.1.2.** Within R-1 Single-Family Residential Districts, the following uses are permitted:

- (1) Single-family dwellings.
- (2) Accessory building and uses when located on the same lot or parcel of land as the main structure and customarily incidental thereto and provided the requirements in Section 102 are met.
- (3) Fall-out shelters provided the requirements in Section 103 are met.
- (4) Home swimming pools provided the location is not closer than ten (10) feet to any property line and the pool is enclosed by a wall or fence of at least four (4) feet in height. ~~and providing approval from the Houston County Health Department has been obtained.~~
- (5) Public utility structures and buildings provided that the installation is properly screened. No office shall be permitted and no equipment shall be stored on the site.
- (6) Dogs and cats provided the requirements in Section 117 are met.
- (7) Satellite dish antennas provided the requirements in Section 108 are met.
- (8) Home Offices are provided in section 104. Sec. 80.1.2.(8)-Rev.8.20.02

**80.1.3.** The following uses may be permitted as special exceptions by the Council in accordance with Section 172:

- (1) Residential businesses are provided in Section 104.
- (2) Farm Winery

Sec. 80.5.3.(2) - Rev.8.20.02

**80.2.4. Conservation Subdivision Option.** Any proposed residential development within this district may be submitted for review and approval in compliance with the Conservation Subdivision Option provisions specified in Section 119 of this Ordinance.

**80.5. R-AG, Agricultural-Residential District.**

**80.6.1. Intent of District.** This district is established to protect rural areas against the blight and depreciation which can result from premature development; to encourage the development of rural areas in a coordinated and orderly manner; to protect the use of land adjoining roads passing through the rural portions of the city against strip development which can lead to traffic congestion and traffic hazards.

**80.6.2. Permitted Uses.** Within an R-AG Agricultural District, the following uses are permitted:

- (1) Single-family dwellings.
- (2) Accessory buildings and uses when locate on the same lot or parcel of land as the main structure and customarily incident thereto and provided the requirements in Section 102 are met.
- (3) Home swimming pools provided the location is not closer than ten feet (10') to any property line and the pool is enclosed by a wall or fence of at least four feet (4') in height. ~~and provided approval from the Houston County health Department has been obtained.~~

Agriculture, forestry, livestock and poultry production, provided that the area available for said operation is not less than ten (10) acres in area, and that no structure containing poultry or livestock and no storage of manure or odor or dust producing substance or use shall be located within two hundred (200) feet of a property line. Provided, however, there shall be no more than one (1) horse, cow or pig or combination thereof per one (1) acre, no more than one (1) goat or sheep or combination thereof per one-half (1/2) acre and no more than ten (10) fowl or rabbits or combination



Where Georgia comes together.

TO: Perry Planning Commission  
FROM: Christine Sewell – Administrative Assistant   
DATE: July 26, 2016  
RE: PLDO Amendment

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During a recent review of Article VIII – Use Requirements by Districts it was noticed by Mr. Howard in Section 80.1.2 and 80.6.2 it was referenced residential swimming pools required approval from the Houston County Health Department. This is not required for residential swimming pools above or in-ground.

Therefore, both sections need to be amended. Copies of the sections are attached with the language highlighted in ~~red and strikethrough~~.

Should you have any questions, please let me know. Thank you.

## 2016 Proposed Millage Rate

### Public Hearing

#### 2015 Property Tax Data

Net Digest	\$428,271,547
Millage Rate	14.05
Tax Income Projected	\$ 6,017,200
Actual	\$ 6,122,784

#### 2016 Property Tax Data

Net Digest	\$442,760,852
Percent Reassessment	.23%
Net Digest Growth	\$ 14,489,305
Percentage Reassessment	7.05%
Millage Rate Reassessment	14.02
Tax Income	\$ 6,207,500
Current Millage Rate	14.05
Tax Income	\$ 6,220,800

**MINUTES**  
**WORK SESSION MEETING**  
**August 15, 2016**  
**5:00 P.M.**

1. Call to Order: Mayor Pro Tempore Randall Walker, Presiding Officer, called to order the work session meeting of the Perry City Council held August 15, 2016 at 5:00 p.m.

2. Roll.

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

Elected Official Absent: None

Staff: City Manager Lee Gilmour, City Attorney David Walker and Recording Clerk, Annie Warren.

City Departmental Staffing: Fire Marshal David Stanton – Perry Fire and Emergency Services Department, Battalion Chief – Kirk Crumpton, Brenda King – Director of Administration, Kevin Dye – Director of Leisure Services, Decius Aaron – Director of Public Works, Chief Steve Lynn – Perry Police Department, Robert Smith – Economic Development Director, Ellen Palmer – Digital Communications Manager and Catherine Edgemon – Main Street Coordinator.

Guests/Speakers: Joe Brownlee, Charlie Griffis, Kirk Eckerman, and Zaldy Palaypaton.

Press/Media: Jake Jacobs and Cheri Adams – Houston Home Journal, and Shannon Lilly – WGXA TV.

Mayor Pro Tempore Walker deviated from the agenda.

4. Other Business/Supplemental Agenda: Mayor Pro Tempore Randall Walker

4a. Discuss closing of Perry's Georgia Power office – Council Member Hunt. Mr. Joe Brownlee advised Mayor and Council that the Perry office will not close but as of October 2016 payments will not be accepted at the office. Mr. Brownlee stated various payment options will be made available to customers.

3. Items of Review/Discussion: Mayor Pro Tempore Randall Walker.

3a. Discussion of CHIPS Special Conditions Certification, Outreach Plan and Contractor Affidavit – Mr. R. Smith. Mr. Smith reviewed three documents Council must agree to in order to proceed with the grant process. Council concurred with the documents and Mayor Faircloth stated this item will be placed on tomorrow's council agenda for a vote.

- 3b. Review bid specifications for first responder vehicle and establish official color for Perry Fire and Emergency Services – Mr. L. Gilmour. Mr. Gilmour advised this is a follow up from the budget process. Mayor and Council concurred with the replacement vehicle in the standard color red.

Mayor Faircloth arrived at 5:23 p.m. and presided over the meeting.

3c. Quarterly reports:

- Department of Administration - Ms. King presented a PowerPoint relative to the department's accomplishments/statistics for the last quarter.
- Perry Police Department – Chief Lynn presented a recap of FY16's events, financials and statistics.
- Department of Economic Development – Mr. Smith reviewed the FY16 highlights for the Department of Economic Development.
- Department of Leisure Services – Mr. Dye provided a year in review to Mayor and Council.

- 3d. Review proposed improvements for Perry Police Department at the Public Safety Building – Chief S. Lynn. Chief Lynn presented for Mayor and Council's consideration a listing of proposed security improvements for the Perry Police Department's Public Safety Building.

- 3e. Review proposed amendments to position (job) classification schedule – Mr. L. Gilmour. Mr. Gilmour reviewed a memo to Mayor and Council dated August 5, 2016 recommending amendments to the 2017 position (job) classification schedule. Administration recommended Council approve the proposed amendments to the 2017 position (job) classification schedule. This item will be placed on tomorrow's council agenda for a vote.

- 3f. Proposed fee adjustment for fire inspections – Mr. L. Gilmour. Mr. Gilmour reviewed the proposed fee adjustment matrix for fire inspections. Administration recommended preparing a resolution for Mayor and Council to review at the next meeting.

- 3g. Consider approving design concept for 706 Carroll Street – Mr. L. Gilmour. Mr. Gilmour reviewed with Mayor and Council drawings relative to the stabilizing of the former Ms. Peggy's building. Administration recommended proceeding with said concepts outlined in the memo dated August 16, 2016 to Mayor and Council. Council concurred to proceed with the bid specifications outlined in the memo.

- 3h. Discuss 2016 property tax millage rate – Mr. L. Gilmour. Administration recommended to Mayor and Council to retain the current millage rate of 14.050. It was the consensus of Council to leave the millage rate as 14.050.

- 3i. Consider cancellation of Council's September 5<sup>th</sup> work session – Mayor Faircloth. Council concurred to cancel September 5<sup>th</sup> work session.

4b. Parrish Construction canine facility presentation. Mr. Charlie Griffis presented for Mayor and Council consideration the final design concept for the canine facility. Administration recommended proceeding with the project and Council concurred.

5. Council Member Items:

Council Member Jones wished Mr. Gilmour and Council Member Jackson a Happy Birthday.

Mayor Pro Tempore Walker and Council Members Bynum-Grace, King, Hunt and Jackson had no reports.

Mr. Gilmour and Attorney Walker had no reports.

6. Department Head Items:

No reports from Department Heads

Mayor Faircloth entertained a motion to enter into executive session for the purpose of real estate and personnel.

7. Executive Session entered at 7:04 p.m.: On a motion by Council Member King, seconded by Council Member Jones and carried unanimously, Council went into Executive Session for the purpose of real estate and personnel.

8. Executive Session adjourned; Council's work session reconvened. Council adjourned the Executive Session held August 15, 2016 and reconvened into Council's work session.

9. Adopted Resolution No. 2016-35 stating purpose of the executive session held on August 29, 2016 was for the purpose of real estate and personnel. On a motion by Council Member Hunt, seconded by Council Member Jackson and carried unanimously adopted Resolution No. 2016-35 stating the purpose of the Executive Session held on August 15, 2016 was for personnel. (*Resolution No. 2016-35 has been entered in the City's official book of record*).

10. Adjournment: On a motion by Council Member Bynum-Grace, seconded by Council Member King and carried unanimously, the reconvened work session of Council held August 15, 2016 was adjourned at 7:04 p.m.

MINUTES  
SPECIAL MEETING  
OF THE PERRY CITY COUNCIL  
August 16, 2016  
5:00 p.m.

1. Call to Order: Mayor James E. Faircloth, Jr, Presiding Officer, called to order the special meeting of the Perry City Council held August 16, 2016 at 5:00 p.m.

2. Roll.

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

Elected Official Absent: None

Staff: City Manager Lee Gilmour, City Attorney David Walker and Recording Clerk Cyndi Houser.

City Departmental Staffing: Battalion Chief Robbie Rowell – Perry Fire and Emergency Services, Robert Smith– Director of Economic Development and Kevin Dye – Director of Leisure Services

Guests: None.

Press/Media: Jake Jacobs and Cheri Adams – Houston Home Journal

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

3a. Ordinance(s) for First Reading(s) and Introduction:

1. First reading of an ordinance amendment to correct the first interest payment date for Water and Sewerage Bond refinancing. Attorney Walker explained that an error was noted in the original bond language for the first payment date. The date should be April 1, 2017. *(No action required by Council.)*

4. Council Member Items:  
No reports.

5. Department Head Items:  
No reports.

6. Adjourn. There being no further business to come before Council, Council Member Jones moved to adjourn the August 16, 2016 special meeting at 5:04 p.m. Council Member Hunt seconded and the motion carried unanimously.

**MINUTES**  
**PRE COUNCIL MEETING**  
**OF THE PERRY CITY COUNCIL**  
August 16, 2016  
**5:05 P.M.**

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the pre council meeting of the Perry City Council held August 16, 2016 at 5:05 p.m.

2. Roll.

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

Elected Official(s) Absent: None

Staff: City Manager Lee Gilmour, City Attorney David Walker, and Recording Clerk Cyndi Houser

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Battalion Chief Robbie Rowell – Fire and Emergency Services Department, Fire Marshal David Stanton – Fire and Emergency Services Department, Robert Smith – Economic Development Director, Brenda King – Director of Administration, Ellen Palmer – Digital Communications Manager, Decius Aaron – Director of Public Works and Kevin Dye – Director of Leisure Services

Guest(s)/Speaker(s): None

Media: Jake Jacobs and Cheri Adams – Houston Home Journal

3. Items of Review/Discussion: Mayor James E. Faircloth, Jr.

- 3a. Discussion of August 16, 2016 council meeting agenda.

7. Public Hearing(s): Mayor James E. Faircloth, Jr.

7a. Petition for Re-zoning & Annexation Application No. 4-16-02. Mr. Gilmour advised this was a follow-up on selling additional property to Sandler which will be opening soon. They are already planning to expand from the “spec” building and the property will need to be annexed in order to connect to City utilities.

11a. Matters referred from August 17, 2016 work session and August 16, 2016 pre council meeting.

1. Resolution authorizing the City to fulfill certain program conditions Mr. Smith advised Council had already approved the CHIP grant documents, but the program also required a resolution to authorize the Mayor to sign certain documents.

2. Resolution amending the City of Perry Personnel Management System FY17 Job (Position) Classification Schedule. Mr. Gilmour stated these are title changes and will not impact the budget.
3. Second Reading of an ordinance amendment to correct the first interest payment date for Water and Sewerage Bond refinancing. Attorney Walker noted the payment date error was in the original bond language, which should have been April 1, 2017 instead of October 1, 2016. Mayor Faircloth advised Council he would ask for a separate vote to suspend the rules of waiting until the next meeting and then a vote would be taken for the actual ordinance.

11c. Perry Music Festival Items:

1. Approval to block a portion of Martin Luther King Jr. Drive. This annual item was reviewed by both the Police and Fire Departments.
2. Approval of a special event alcoholic beverage permit. Chief Lynn advised the Police Department had reviewed the application and recommended approval.

11d. Approval of the health and dental coverage plans with Administrative Solutions, Inc.

Mr. Gilmour stated the premium had increased slightly and Administration recommended approval.

12a. Resolution(s) for Consideration and Adoption:

1. Resolution removing moratorium on historical structures. Mr. Gilmour reminded Council they had requested a survey be done on the historical buildings and no action be taken until it was completed. The survey is now completed and Administration recommended removing the moratorium. This would allow property owners to apply for a certificate of appropriateness if they wanted to demolish a structure.

4. Department Head Items:

Ms. King, Mr. Aaron, Fire Marshal Stanton, Battalion Chief Rowell and Mr. Dye had no reports

Chief Lynn announced there will be two events on the old courthouse lawn on September 9<sup>th</sup>: 8:30 am will be a service honoring 9/11/01 victims and a prayer vigil will be held at Noon.

Mr. Smith noted that Perry Housing Week will be observed September 11<sup>th</sup>-17<sup>th</sup>.

Ms. Palmer announced the City's Facebook page would be launching sometime next week.

5. Council Member Items:

Council Members – No reports

Mayor Faircloth - No report

6. Adjournment: With no other business to come before Council, Council Member Jackson moved to adjourn the pre council meeting held August 16, 2016 at 5:27 p.m. Council Member Bynum-Grace seconded and the motion carried unanimously.

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**August 16, 2016**  
**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 16, 2016 at 6:00 p.m.

2. Roll.

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

Elected Official(s) Absent: None

Staff: City Manager Lee Gilmour, City Attorney David Walker and Recording Clerk Cyndi Houser

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Major William Phelps – Perry Police Department, Battalion Chief Robbie Rowell and Fire Marshal David Stanton – Fire and Emergency Services Department, Brenda King – Director of Administration, Decius Aaron – Director of Public Works, Kevin Dye - Director of Leisure Services, Annie Warren – City Clerk and Ellen Palmer – Digital Communications Manager.

Guest(s)/Speaker(s): Lt. Bruce Ham, Ms. Crystal Ham, and other family members of Lt. Bruce Ham, Captain James Buck, Major William Phelps and other members of the Police Department, Mr. Jim Taylor – Middle Georgia Regional Commission, and Ms. Darlene McLendon – Perry Area Chamber of Commerce.

Media: Jake Jacobs and Cheri Adams, Houston Home Journal and Kelly McWilliams – Com South 100

3. Invocation and Pledge of Allegiance to the Flag: Council Member Jones rendered the invocation and Council Member Bynum-Grace led the pledge of allegiance to the flag.

4. Community Partner(s) Update(s):

Mr. Taylor provided a review of the inaugural program of the Middle Georgia Regional Commission's Leadership program. He noted that five (5) people were chosen from the Perry area, more than most of the other communities and counties which are part of the Commission. He gave examples of the projects participants were assigned including an inventory of their county's or community's assets which will provide a model for growth for the whole region.

5. Recognition(s)/Presentation(s): Mayor James E. Faircloth, Jr.

Chief Lynn introduced the two newest officers. Ms. Maria Arnold, a recent graduate of the Savannah academy, was sworn in earlier in the day. Mr. Brian Smith was hired as a part-time officer and has a background in IT and twenty years of experience.

Chief Lynn, Major Phelps and Captain Buck recognized Lt. Bruce Ham upon his retirement from the Perry Police Department after 30 years of service. He was presented with several citations and gifts from the Police Department as well as good wishes from Mayor and Council.

6. Appointments to Boards, Authorities and Commissions. Mayor James E. Faircloth, Jr.

6a. Consider appointment(s) to WRATS Citizens Advisory Committee to replace Joe Hamilton. No names were presented and the Mayor requested the remaining vacancy continue on the agenda until filled.

7. Public Hearing: Mayor James E. Faircloth, Jr.

PUBLIC HEARING CALLED TO ORDER AT 6:23 P.M. Mayor James E. Faircloth Jr. called to order a public hearing at 6:23 p.m. 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).

7a. Petition for Re-zoning and Annexation Application No. R-16-02. Applicant, Houston County Development Authority requests to rezone and annex 80 acres from Houston County M-2 to City of Perry M-2 Industrial District. The land is located at 401 Airport Road (Sandler).

Staff Report: Mr. Gilmour advised the annexation was a part of the agreement with Sandler in order for them to expand. An informational hearing was conducted by the Perry Planning Commission and they recommended approval. There have been no objections from the Houston County Commissioners.

Public Input: Mayor Faircloth called for any public input for or opposed to the amendment.

For: None

Against: None

Public Hearing Closed at 6:26 p.m. Mayor James E. Faircloth Jr. closed the public hearing at 6:26 p.m.

8. Citizens with Input.

None

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

9a. Council's Consideration – Minutes of August 1, 2016 work session, August 2, 2016 pre council meeting and August 2, 2016 council meeting. Mayor Pro Tempore Walker

motioned to accept the minutes as submitted; Council Member Jones seconded the motion, and it carried unanimously.

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

- 10a. Mayor James E. Faircloth, Jr – None
- 10b. Council Members – None
- 10c. City Manager Lee Gilmour – None
- 10d. City Attorney David Walker - None

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

11a. Matters referred from August 15, 2016 work session and August 16, 2016 pre-council meeting.

1. Adopted Resolution 2016-36 authorizing the City to fulfill certain program conditions. Mr. Smith explained that another portion of accepting the CHIP grant was to authorize the Mayor to execute any documents required to clear certain general conditions; to establish procedures to encourage the use of minority and women's business enterprises in the HOME assistance housing projects; and verify it is in compliance with the provisions of O.C.G.A. 13-10-91 (E-Verify). Council Member William Jackson moved to adopt a resolution authorizing the Mayor to execute any documents required to clear certain conditions; to establish procedures to encourage the use of minority and women's business enterprises in the HOME assistance housing project; and verify it is in compliance with the provisions of O.C.G.A 13-10-91 (E-Verify). Council Member King seconded and the motion carried unanimously. *(Resolution 2016-36 has been entered into the City's official book of record.)*
2. Adopted Resolution 2016-37 amending the City of Perry Personnel management System FY17 Job (Position) Classification Schedule. Mr. Gilmour explained this will correct several job titles, but does not impact the budget. Mayor Pro Tempore Walker moved to adopt a resolution amending the City of Perry Personnel Management System FY17 Job (Positon) Classification Schedule. Council Member Jones seconded and the motion carried unanimously. *(Resolution 2016-37 has been entered into the City's official book of record.)*
3. Second Reading of an ordinance amendment to correct the first interest payment date for Water and Sewerage Bond refinancing. Mayor Faircloth entertained a motion to suspend the normal rule of waiting until the next scheduled meeting to vote on a second reading. Mayor Pro Tempore Walker moved to suspend the waiting period for second reading for the proposed ordinance amendment to correct the first interest payment date for Water and Sewerage Bond refinancing. Council Member Hunt seconded the motion and it carried unanimously.

Adopted Ordinance 2016-14 to amend ordinance 2016-13 to correct the first interest payment date for Water and Sewerage Bond refinancing. Council

Member Hunt moved to adopt an ordinance to correct the first interest payment date from October 1, 2016 to April 1, 2017 for Water and Sewerage Bond refinancing. Council Member Jones seconded and it carried unanimously. *(Ordinance 2016-14 has been entered into the City's official book of record.)*

11b. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance re-zoning 80 acres from Houston County M-2 to City of Perry M-2, Industrial District. The land is located at 401 Airport Road. *(No action required by Council.)*
2. **First Reading** of an ordinance annexing 80 acres from Houston County M-2 to City of Perry M-2, Industrial District. The land is located at 401 Airport Road. *(No action required by Council.)*

11c. Perry Music Festival Items

1. Approval to block a portion of Martin Luther King, Jr. Drive. Ms. Warren spoke on behalf of the Perry Music Festival committee noting that the request was the same as presented in the previous years. Chief Lynn and Battalion Chief Rowell had no issues with the request and recommended approval. Council Member Jones moved to approve the blocking of a portion of Martin Luther King, Jr., Drive for the 7<sup>th</sup> annual Perry Music Festival on September 17<sup>th</sup>, 2016. Council Member King seconded the motion and it carried unanimously.
2. Approval of a special event alcoholic beverage permit. Ms. Warren explained that Harmon Enterprises from Bibb County would be serving alcoholic beverages during the Perry Music Festival. They have submitted the request and it has been reviewed by the police department. The license has been verified by the police department and they recommended approval. Council Member King moved to approve the special event alcoholic beverage permit for Harmon Enterprises. Council Member Jones seconded the motion and it carried unanimously.

11d. Approval of the health and dental coverage plans with Administrative Solutions, Inc.

Mr. Gilmour advised Council the premium for the health and dental coverage with Administrative Solutions, Inc. showed a very slight increase amounting to about a penny per employee per month. Administration recommended approval of the premium payment. Council Member Hunt moved to approve the health and dental coverage premium from Administrative Solutions, Inc. Ms. Bynum-Grace seconded the motion and it carried unanimously.

12. Other Business/Supplemental Agenda: Mayor James E. Faircloth, Jr.

12a. Resolution(s) for Consideration and Adoption:

1. Adopted Resolution 2016-38 removing the moratorium on historical structures. Mr. Gilmour reminded Council that a moratorium had been adopted several months ago pending a survey of historic properties. The survey is now completed

and the resolution would allow property owners to apply for removal or destruction through a Certificate of Appropriateness. Council Member King moved to adopt a resolution removing the moratorium on historical structures. Council Member Hunt seconded the motion and it carried unanimously. *(Resolution 2016-38 has been entered into the City's official book of record.)*

13. Department Head Items:

Ms. King, Fire Marshal Stanton, Mr. Dye, Chief Lynn and Battalion Chief Rowell had no reports.

Chief Lynn thanked Council for allowing the purchase of the armor and helmets. He then announced the department had received a \$2,500 grant from Flint Energies for the animal shelter to assist with spaying and neutering costs.

Mr. Smith announced Perry Housing Week will take place from September 11-17 with several activities planned at Willie Teonate Williams Park, 909 Jeanne Street, including a kick off celebration and a neighborhood cleanup and cookout. Flyers will be available in the front lobby with details.

14. Council Members Items:

Mr. King asked if the special meetings tentatively scheduled for next week could be changed as he had a prior obligation during one of the meetings. After a discussion, it was determined the meetings would be held on August 29<sup>th</sup> & 30<sup>th</sup> beginning at 5 pm. Personnel will contact the candidates to re-schedule.

Council Member Jones passed on a message from Westfield administration complimenting Mayor and Council on their good work.

Mayor Pro Tempore Walker, Council Members Hunt, Jackson and Bynum-Grace had no reports.

Mr. Gilmour – No report  
Attorney Hulbert – No report

15. General Public:

None

16. Mayor Items:

- August 23<sup>rd</sup> will be the Walk with Mayor and Council in District 2 off Kings Chapel Road.
- August 25<sup>th</sup> - Chamber of Commerce's Legislative Appreciation dinner will be held at "Go Fish" Educational Center.
- The 7<sup>th</sup> Annual Perry Music Festival will be September 17<sup>th</sup> beginning at noon in Rotary Centennial Park.
- The next regular meeting will be September 6<sup>th</sup> at 6:00 pm.

17. Adjourn: There being no further business to come before Council in the regular council meeting held August 16, 2016, Council Member King motioned to adjourn at 6:45 p.m.; Council Member Hunt seconded the motion and it carried unanimously.

MINUTES  
SPECIAL MEETING  
OF THE PERRY CITY COUNCIL  
August 29, 2016  
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the special meeting of the Perry City Council held August 29, 2016 at 5:00 p.m.

2. Roll.

Elected Officials Present: Mayor James E. Faircloth, Jr. Mayor Pro Tempore Randall Walker. Council Members Bynum-Grace, Riley Hunt, Robert Jones, Willie King and William Jackson.

Elected Official Absent: None

Staff: City Manager Lee Gilmour

Mayor Faircloth entertained a motion to enter into executive session for the purpose of personnel.

3. Executive Session entered at 5:10 p.m.: On a motion by Mayor Pro Tempore Walker, seconded by Council Member Jones and carried unanimously, Council went into Executive Session for the purpose of personnel.

4. Executive Session adjourned; Council's special meeting reconvened. Council adjourned the Executive Session held August 29, 2016 and reconvened into Council's special meeting.

5. Adopted Resolution No. 2016-39 stating purpose of the executive session held on August 29, 2016 was for the purpose of personnel. On a motion by Council Member Hunt, seconded by Council Member Bynum-Grace and carried unanimously adopted Resolution No. 2016-39 stating the purpose of the Executive Session held on August 29, 2016 was for personnel. (*Resolution No. 2016-39 has been entered in the City's official book of record*).

6. Adjournment: On a motion by Council Member Jackson, seconded by Council Member King and carried unanimously, the reconvened special meeting of Council held August 29, 2016 was adjourned at 7:55 p.m.

MINUTES  
SPECIAL MEETING  
OF THE PERRY CITY COUNCIL  
August 30, 2016  
5:15 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the special meeting of the Perry City Council held August 30, 2016 at 5:15 p.m.

2. Roll.

Elected Officials Present: Mayor James E. Faircloth, Jr. Mayor Pro Tempore Randall Walker. Council Members Bynum-Grace, Riley Hunt, Robert Jones, Willie King and William Jackson.

Elected Official Absent: None

Staff: City Manager Lee Gilmour

3. Discussion of proposed City lapel pin and coins designs. Mayor and Council discussed proposed City lapel pin and coin designs. Council concurs with proposal from Ms. Warren.

Mayor Faircloth entertained a motion to enter into executive session for the purpose of personnel.

4. Executive Session entered at 5:20 p.m.: On a motion by Council Member King, seconded by Council Member Hunt and carried unanimously, Council went into Executive Session for the purpose of personnel.

5. Executive Session adjourned; Council's special meeting reconvened. Council adjourned the Executive Session held August 30, 2016 and reconvened into Council's special meeting.

6. Adopted Resolution No. 2016-40 stating purpose of the executive session held on August 30, 2016 was for the purpose of personnel. On a motion by Council Member Jackson, seconded by Council Member Jones and carried unanimously adopted Resolution No. 2016-40 stating the purpose of the Executive Session held on August 30, 2016 was for personnel. (*Resolution No. 2016-40 has been entered in the City's official book of record*).

7. Adjournment: On a motion by Council Member Bynum-Grace, seconded by Mayor Pro Tempore Randall Walker and carried unanimously, the reconvened special meeting of Council held August 30, 2016 was adjourned at 8:30 p.m.

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS as follows:**

**WHEREAS, proper application to annex property to the City of Perry, Georgia has been made by Houston County Development Authority, the owner of the land hereinafter described; and**

**NOW THEREFORE, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504 the following described land is annexed to the City of Perry and the precinct boundary is changed accordingly:**

**All that tract or parcel of land situate lying and being in Land Lot 5 of the 9<sup>th</sup> Land District and Land Lots 12 and 13 of the 10<sup>th</sup> Land District, Houston County, Georgia and being 80.00 acres as shown on a plat of survey prepared by Marty A. McLeod, Registered Land Surveyor, and recorded in Plat Book 78, Page 45, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.**

**This annexation shall become effective for ad valorem tax purposes on December 31, 2016 and for all other purposes shall become effective on September 6, 2016.**

**SO ENACTED this     day of September, 2016.**

**CITY OF PERRY, GEORGIA**

**BY: \_\_\_\_\_  
JAMES E. FAIRCLOTH, MAYOR**

**ATTEST: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK**

**1st Reading: August 16, 2016**

**2nd Reading:**

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from Houston County M-2 to City of Perry M-2 and the city's zoning map is amended accordingly relative to property of Houston County Development Authority described as follows:**

**All that tract or parcel of land situate lying and being in Land Lot 5 of the 9<sup>th</sup> Land District and Land Lots 12 and 13 of the 10<sup>th</sup> Land District, Houston County, Georgia and being 80.00 acres as shown on a plat of survey prepared by Marty A. McLeod, Registered Land Surveyor, and recorded in Plat Book 78, Page 45, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.**

**SO ENACTED this     day of September, 2016.**

**CITY OF PERRY, GEORGIA**

**BY: \_\_\_\_\_  
JAMES E. FAIRCLOTH, MAYOR**

**ATTEST: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK**

**1st Reading: August 16, 2016**

**2nd Reading:**



**Where Georgia comes together.**

Department of Community Development

**Public Hearing  
August 16, 2016  
Tuesday @ 6:00 PM**

July 26, 2016

The Honorable James E. Faircloth, Jr.  
Perry City Council  
Post Office Box 2030  
Perry, Georgia 31069

Re: Rezoning and Annexation Application #R-16-02  
401 Airport Road #HC016-025

Dear Mayor and Council:

On July 25, 2016 the Perry Planning Commission reviewed the above referenced petition for a rezoning and annexation request as submitted by the Development Authority of Houston County.

The request was for the rezoning and annexation of (80) acres from Houston County M-2 to City of Perry M-2, Industrial District.

The Perry Planning Commission recommended approval of the application as submitted.

Sincerely,

Jacob W. Poole, Chairman  
Perry Planning Commission

JWP/cs

# STAFF REPORT

## **CASE NUMBER: R-16-02**

**APPLICANT:** Houston County Development Authority

**REQUEST:** Rezone and annex a portion of Parcel 16- 25. An 80 acre parcel fronting Perry Parkway and Airport Road.

**LOCATION:** Land is adjacent to 401 Airport Road (Sandler). The tract will be approximately 80 acres in size. The tract is currently part of a 652.6 acre tract, Houston County Tax parcel 16-25.

### **ADJACENT ZONING/LANDUSES:**

Parcel: HC M-2	Vacant Land
North: HC M-2	Vacant Land
South: HC RAG	Farm
East: City of Perry M-2	Sandler Corporation
West: HC M-2	Vacant Land

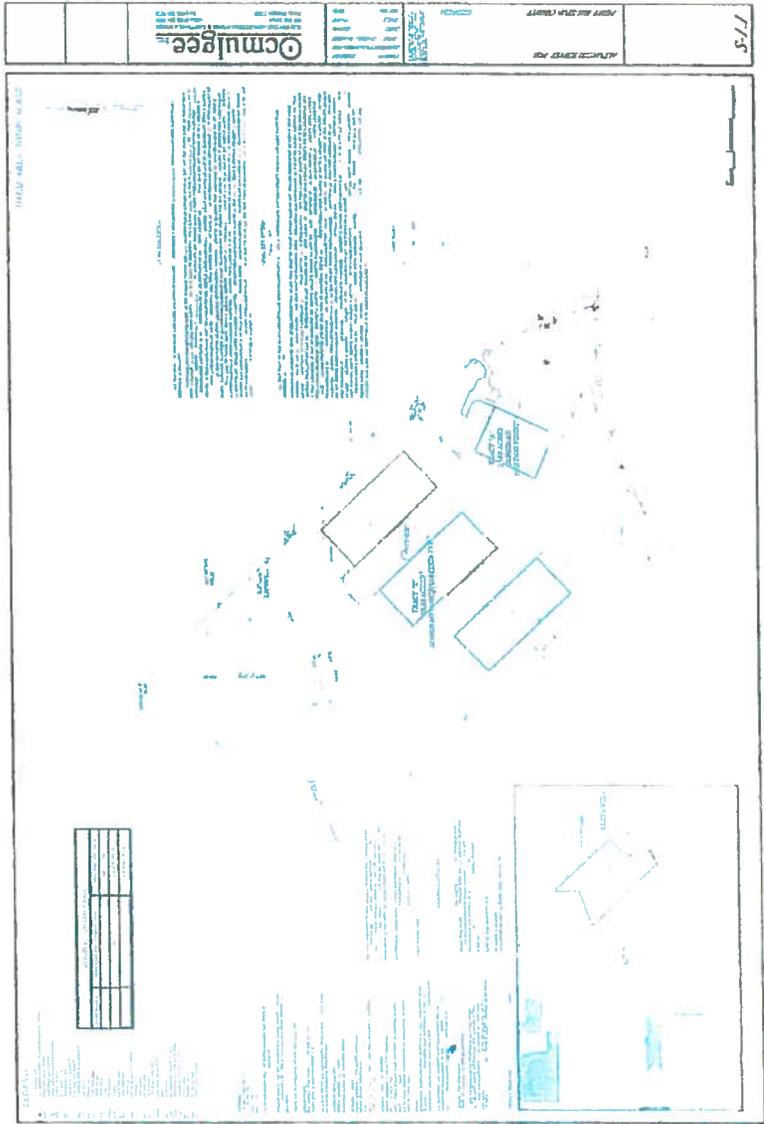
### **STANDARDS GOVERNING ZONE CHANGES:**

1. *The suitability of the subject property for the zoned purposes.* The property is currently zoned Houston County M-2. The parcel is being annexed into the City for Manufacturing Development
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* Staff believes the current zoning does diminish the property values. Without annexation and rezoning the property will not be able to connect to City utilities. Without those utilities development of the property will continue to linger.
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.* The destruction of property values does not promote public welfare. There is no destruction of property values.
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* There is no hardship on the owner. The annexation will allow the parcel to tie into City utilities which is a gain to the public.
5. *Whether the subject property has a reasonable economic use as currently zoned.* The tract currently zoned Houston County M-2 has reasonable use.
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.* The property has been vacant for twenty plus years. The land has been used for agricultural use.

7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property:* The proposed use is suitable to the surrounding area. The annexation and rezoning allows the City to serve the site and continues the current M-2 manufacturing uses.
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The proposed rezoning should not adversely affect the nearby properties. The proposed rezoning is not expected to affect the usability of nearby properties. The surrounding uses will be able to continue.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The Character Area Map from 2007 depicts this area as Regional Activity Center. The proposed use is in keeping with the Regional Activity Center.
10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The proposal will not cause excessive or burdensome use of the streets, transportation facilities, utilities, or schools.
11. *Whether there is other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* The parcel will be used for future expansion of the existing manufacturer.

**STAFF CONCLUSIONS:**

The applicant is requesting annexation and rezoning of the parcel to City of Perry M-2. The current zoning is Houston County M-2. The uses allowed by the County's M-2 classification are the same as the City's M-2 classification. The request will allow future expansion to be regulated by the City of Perry who is the supplier of the utilities. Staff has no objections to the request.



Parcel ID	Area (Acres)	Owner
1	10.5	...
2	12.2	...
3	8.7	...
4	15.1	...
5	9.3	...

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY AUTHORIZING AND ADOPTING POST ISSUANCE COMPLIANCE POLICIES AND PROCEDURES FOR GOVERNMENTAL TAX-EXEMPT BONDS AND TAX CREDIT BONDS**

WHEREAS, the City of Perry (the “**Issuer**”) is a political subdivision and a municipality duly created and validly existing under the laws of the State of Georgia (the “**State**”); and

WHEREAS, the Issuer has previously issued or may in the future issue one or more series of governmental purpose bonds or other form of tax-exempt obligations (the “**Tax-Exempt Bonds**”), the interest on which is excluded from gross income of the owners thereof pursuant to §§ 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the “**Code**”); and

WHEREAS, the Issuer has previously issued or may in the future issue one or more series of governmental purpose tax credit bonds or other form of obligations (the “**Tax Credit Bonds**”) that entitle the Issuer, the owners of the Tax Credit Bonds, or any other permitted party to either a credit against federal income tax liability or a refundable credit from the United States Treasury; and

WHEREAS, the Tax-Exempt Bonds and the Tax Credit Bonds may be referred to collectively as the “**Tax-Advantaged Bonds**”; and

WHEREAS, in connection with the issuance of each series of Tax-Advantaged Bonds, the Issuer has executed or will execute covenants and certificates wherein the Issuer represents that it expects and intends to be able to comply with and will, to the extent permitted by law, comply with the provisions and procedures set forth in such covenants and certificates and will do and perform all acts and things necessary or desirable in order to assure either (i) that the interest on the series of Tax-Exempt Bonds to which such covenants and certificates relate will be excluded from gross income of the owners thereof for federal income tax purposes or (ii) that the Tax Credit Bonds to which such covenants and certificates relate will remain eligible for the applicable federal income tax credit; and

WHEREAS, upon recommendation of the Internal Revenue Service (the “**IRS**”), the Issuer has determined that it is advantageous and in the best interests of the Issuer and the owners of the Tax-Advantaged Bonds to adopt certain post issuance compliance policies and procedures (“**Post Issuance Procedures**”) substantially in the form set forth in this ordinance (this “**Ordinance**”) as may be supplemented from time to time as provided herein.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS, in a meeting properly and lawfully called and assembled, and IT IS ORDAINED HEREBY by authority of the same, as follows:

SECTION 1. Incorporation of Tax Closing Documents. This Ordinance shall be deemed to include and hereby incorporates all covenants, certificates, instructions, and information reporting documentation contained in the closing transcript or record of proceedings for any series of Tax-

Advantaged Bonds, whether executed in connection with the issuance of any such series of obligations or executed post closing (the “**Tax Closing Documentation**”) for each issue of Tax-Advantaged Bonds of the Issuer.

SECTION 2. Assignment of Responsibility. The Issuer hereby assigns the responsibility for post issuance compliance set forth in this Ordinance to the Issuer’s Finance Director. Such officer is hereby designated the Post Issuance Compliance Officer (the “**Compliance Officer**”). Some or all of the responsibilities of the Compliance Officer may be assigned by the Issuer to another officer or employee of the Issuer (together the “**Authorized Representatives**”).

SECTION 3. Documentation and Retention. The Compliance Officer will assemble and document to his or her satisfaction the location of all Tax Closing Documentation for each issue of Tax-Advantaged Bonds of the Issuer. All records shall be kept in paper or electronic form and shall include, among other things, (i) basic records relating to the transaction (including the bond documents, the opinion of bond counsel, etc.); (ii) documents evidencing the expenditure of the proceeds of the Tax-Advantaged Bonds; (iii) documentation evidencing the use of Tax-Advantaged Bonds financed property by public and/or private entities (e.g., copies of management contracts, leases, and research agreements); and (iv) documentation pertaining to any investment of Tax-Advantaged Bonds proceeds (including the purchase and sale of securities, SLG subscriptions, yield calculations for each class of investments, actual investment income received from the investment of the proceeds of the Tax-Advantaged Bonds, guaranteed investment contracts, and rebate calculations). All Tax Closing Documentation accumulated for each series of Tax-Advantaged Bonds shall be maintained for a period of three (3) years following the final maturity of the Tax-Advantaged Bonds.

SECTION 4. Rebate. At the time the Tax-Advantaged Bonds are issued, the Compliance Officer shall determine if he or she reasonably expects that one of the arbitrage rebate exceptions will be satisfied or that positive arbitrage will not be earned. If the arbitrage rebate exception relates to the time period over which the proceeds of the Tax-Advantaged Bonds are spent, the Compliance Officer shall verify that the appropriate expenditures have been made at each milestone. If one of the milestones is not satisfied or the Compliance Officer does not reasonably expect that one of the arbitrage rebate exceptions will be satisfied, an outside arbitrage rebate consultant shall be retained unless the Compliance Officer has determined that positive arbitrage will not be earned.

SECTION 5. IRS Correspondence and Audits. The Compliance Officer will consult with qualified bond counsel immediately upon receipt of any correspondence from, or opening of an examination of any type with respect to Tax-Advantaged Bonds of the Issuer by, the IRS.

SECTION 6. Periodic Review Requirements. The Compliance Officer will review the implementation of the Post Issuance Procedures set forth in this Ordinance with the Issuer at least annually during the term of any outstanding series of Tax-Advantaged Bonds.

SECTION 7. Training Requirements. The Compliance Officer will develop a training program that is designed to inform any successor Compliance Officer of the requirements of the Post Issuance Procedures and periodically train all the Authorized Representatives of their duties under

the Post Issuance Procedures. Such training program may be developed with internal materials and shall include a review of the Code and the IRS's website established for the use of the tax-exempt bond community located at <http://www.irs.gov/taxexemptbond/index.html?navmenu=menu1>.

SECTION 8. Continuing Disclosure Obligation. In connection with the issuance of each series of Tax-Advantaged Bonds, the Issuer may be obligated to execute a continuing disclosure certificate (the "**Disclosure Certificate**"). If the Issuer is obligated to execute a Disclosure Certificate, the Compliance Officer shall be responsible for annual compliance with such Disclosure Certificate or shall be responsible for hiring a Dissemination Agent (as defined in the Disclosure Certificate) to comply with such annual disclosure obligations.

SECTION 9. Approval and Adoption. The Issuer hereby approves and adopts the Post Issuance Procedures set forth in this Ordinance.

SECTION 10. Time is of the Essence. The Issuer hereby authorizes and directs the Compliance Officer and any designated Authorized Representatives to take such actions deemed necessary, appropriate or desirable to effect the implementation of the Post Issuance Procedures set forth in this Ordinance immediately.

APPROVED AND ADOPTED this \_\_\_\_\_, 2016.

CITY OF PERRY, GEORGIA

By: \_\_\_\_\_  
James E. Faircloth, Jr., Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

(City Seal)

1st Reading: \_\_\_\_\_

2nd Reading: \_\_\_\_\_

CITY CLERK'S CERTIFICATE

I, the undersigned City Clerk of the City of Perry, Georgia (the "City"), keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Council of the City in public meeting properly and lawfully assembled on \_\_\_\_\_, 2016, the original of which supplemental ordinance has been entered in the official records of the City under my supervision and is in my official possession, custody, and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

\_\_\_\_\_  
City Clerk



WALKER HULBERT GRAY & MOORE, LLP  
ATTORNEYS AT LAW

LARRY WALKER  
DAVID G. WALKER  
DAVID P. HULBERT, JR.  
MICHAEL G. GRAY  
KELLYE C. MOORE  
JOHN W. HULBERT  
MATTHEW C. HULBERT  
RYAN W. ENGLISH

909 BALL STREET  
P.O. Box 1770  
PERRY, GA 31069  
TELEPHONE: (478)987-1415  
FACSIMILE: (478)987-1077  
E-MAIL: mail@whgmlaw.com

August 23, 2016

Me. Lee Gilmour  
City Manager, City of Perry  
P.O. Box 2030  
Perry, Georgia 31069

**RE: Lot 9, Block "A", Yorktown of Perry Subdivision**

Dear Lee:

As I advised you in our meeting relative to the above, David Moore, attorney in Warner Robins, closed a transaction on May 31, 2013 wherein Warrick R. Pearson purchased the above referenced property. At that time, Mr. Moore was advised by the City of Perry that the taxes on the property were paid. In addition, there had been recorded at the Houston County Courthouse a fi. fa. against this property for the 2010 and 2011 taxes. However, the fi. fa. was satisfied of record. Base on this, Mr. Moore closed the transaction and wrote title insurance on the property.

In fact, the taxes had been paid by the holder at that time of the mortgage on the property. However, said mortgagee subsequently advised the city that the taxes were paid by mistake, and the city refunded the money to the mortgagee. This was done after the transaction wherein Mr. Pearson bought the property was closed and without knowledge of Mr. Moore.

Since the closing, Mr. Pearson has paid the taxes for 2012-2015. Because of the threat of the city to sell the property for the taxes which were not paid in 2010 and 2011, the current mortgagee, Wells Fargo Bank, paid the taxes plus penalty and interest in the amount of \$4,891.65 and has made a claim on the title insurance.

As stated above, there was no notice that there were any past due taxes on the property when the transaction closed. In fact, at the time of the closing, the taxes were paid and there were no past due taxes. As we discussed, I recommend that Wells Fargo be refunded in the amount of \$4,891.65, and that no further action be taken to adversely affect this property or to collect the taxes. The refund check should be sent to Wells Fargo and addressed as follows:

Wells Fargo  
Attn: Pamela Carron  
MAC F2302-03D  
1 Home Campus  
Des Moines, IA 50328-0001

It is unfortunate that the taxes were paid and the city refunded the money. However, I am of the opinion that neither Mr. Pearson, Wells Fargo or the title insurance company should be penalized now or in the future as a result of the taxes not now being paid.

If you have questions, please contact me. Otherwise, as we agreed, I will expect that Wells Fargo will be refunded its money and that no further action be taken in regard to this.

Very Truly Yours,

WALKER, HULBERT, GRAY & MOORE, LLP

A handwritten signature in blue ink that reads "David". The signature is written in a cursive style with a large, looping 'D' and a trailing flourish.

David G. Walker



Where Georgia comes together.

Department of Public Works

August 29, 2016

MEMORANDUM

TO: R. Lee Gilmour  
City Manager

FROM: *DTA* Decius T. Aaron  
Director of Public Works

DATE: August 29, 2016

REFERENCE: Court Room HVAC System

After receiving several complaints, John Schell met with representatives from Sullivan Heating and Cooling and Hoke's Heating and Air concerning the HVAC unit at the Court Room. Sullivan Heating and Cooling and Hoke's Heating and Air both agree the unit is not cooling properly and needs to be replaced due to age (14 years). Attached are quotes to replace the current unit. I recommend we go with the lowest quote of \$6,236.00 from Hoke's Heating and Air.

If additional information is needed, please advise.

Cc: John Schell, Buildings and Grounds Maintenance Supervisor

DTA:da

# Hoke's Heating and Air

500 Courtney Hodges Blvd.

Perry, GA 31069-3403

# Estimate

Date	Estimate #
8/19/2016	3745

Name / Address
City of Perry Purchasing Department 1211 Washington Street P. O. Box 2030 Perry, GA 31069

P.O. No.	Terms	Due Date	Project
		8/19/2016	

Item	Description	Qty	Cost	Total
Carrier.	<p>Courtroom</p> <p>4 Ton 14 SEER Carrier Split Heat Pump</p> <p>Price includes removal and disposal of old unit, installation of new air handler and 10 kW heat strips, new heat pump, flush line set, 2 new runs and 4 new supply grills, new thermostat, labor, materials, and taxes.</p>		6,236.00	6,236.00
			<b>Total</b>	\$6,236.00

Phone #	Fax #	E-mail	Web Site
(478) 988-4094	(478) 987-4028	hoke_hokes@comsouth.net	

# Proposal

## SULLIVAN Heating & Cooling

515 Gray Road • Perry, GA 31069 • (478) 987-5302



PROPOSAL SUBMITTED TO <b>City Of Perry</b>		PHONE	DATE <b>8-25-2016</b>
STREET <b>P.O. Box 2030</b>		JOB NAME <b>Court Room</b>	
CITY, STATE AND ZIP CODE <b>Perry Ga. 31069</b>		JOB LOCATION <b>City Hall</b>	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

**Removal of three ton split heat pump and ducts and grills. Installation of a Four ton split heat pump ducts and grills to replace the existing system to include.**

**1-4TWR4048 410A freon outdoor unit**

**1-TEM4AOC48 410A freon air handler**

**heater kit, thermostat, auxiliary drain pan, float switch, line set, necessary duct and electrical connections, all labor and materials.**

### WARRANTY

**5-years compressor**

**1-year parts and labor**

**We Propose** hereby to furnish material and labor—complete in accordance with above specifications, for the sum of:

**Seven Thousand Seven Hundred Thrity One Dollars.** \_\_\_\_\_ dollars (\$ **7,731.00** )

Payment to be made as follows:

**100% upon completion**

All material is guaranteed to be as specified. All work is to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within **30** days.

**Acceptance of Proposal** —The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_



Where Georgia comes together.

### City of Perry Special Events Application

#### Applicant and Sponsoring Organization Information

Name:	Perry Downtown Merchants Association (PDMA)
Name of individual representing sponsor organization:	Cory Jones
Street address:	910 Carroll Street
City/State/Zip code:	Perry, GA 31069
Mailing address if different from above:	
Cell phone:	229 938 4053
Email address:	cj8488@yahoo.com
If this event benefits a City of Perry non-profit organization, which one?	
Contact person on site for day of event:	Cory Jones
Cell phone:	229 938 4053
Is this a first time event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If held before, when and where?	Carroll Street / Downtown

#### Event Information

Type of event (Check all that apply): <input type="checkbox"/> Parade <input checked="" type="checkbox"/> Festival <input type="checkbox"/> Concert/Music <input type="checkbox"/> Other			
* For parades, races and block parties, please, request the event applications specific to those events.			
If other, specify:			
Event title:	Sweets and Treats on Downtown Streets		
Event date:	Monday October 31, 2016		
Event hours: Start:	4:00pm	End:	6:00pm
Set-up: Date:		Time:	
Break down: Date:		Time:	
Expected attendance: Participants:	20	Spectators:	1200

## Event Description

Briefly describe event and activities. Include the purpose of the event. Explain how it benefits the City of Perry and its residents. Attach any of the following that are applicable: site plan, including location of stage, restroom facilities, vendor booths, etc.

Downtown Merchants will set up on sidewalk in front of their businesses and give out candy to trick-or-treaters. Costume Contest will also be held.

I understand that only event activities outlined an approved in this application and approved by Perry City Council are permitted, and hosting additional activities that have not been approved may be grounds for the event permit to be revoked.  Yes  No

## Event Details

Attach schedule or brochure for all activities associated with event.

Will items or services be sold at the event?  Yes  No

If yes, describe:

Will event have amplified sound?  Yes  No

If yes, describe: Microphone at Costume Contest

Is the event free to the public?  Yes  No

Will vendors cook or heat food?  Yes  No

If yes, describe:

Will any areas be fenced off or barricaded?  Yes  No

If yes, describe:

If event is downtown, will downtown businesses be open during the event?  Yes  No

If event includes music, please, list names of bands and their websites or Facebook pages below:

## Insurance

A certificate of insurance must be filed with the City of Perry City Clerk at least 30 days before the event on a standard ACORD form. The City of Perry must be listed as an additional insured with respect to general liability and alcohol liability if alcohol will be served. Check the policy document for required general liability and alcohol liability minimum coverage amounts.

Insurance form(s) attached *Partnering with Mainstreet Promotions*

## Alcohol Permit Information

\* Serving beverages in glass bottles at events is prohibited. Event organizer will notify any participating restaurants not to allow glass bottles to leave their premises.

\* Event organizer will stop alcohol service one hour before the scheduled end of the event.

Does your event involve the sale of alcoholic beverages?  Yes  No

If yes, describe:

\* If alcoholic beverages are to be sold, a special event alcohol permit is required, and a copy of the state license must be sent to the City of Perry City Clerk at least 60 days before the event is to be held.

Name of business serving alcohol:

Street address of business serving alcohol:

City/State/Zip Code:

Mailing address if different from above:

Cell phone:

Email address:

Name of licensee:

License number:

Is a copy of the licensee's alcohol license attached?  Yes  No

Hours alcohol will be served at event:

Is alcohol serving area open to public?  Yes  No

Is this an open container request?  Yes  No

Is current alcohol liability insurance policy naming City of Perry as additional insured attached?  Yes  No

Is a copy of the special event alcohol permit from the City of Perry Police Department attached?  
 Yes  No

Terms & Conditions:

I hereby agree that as a condition to the issuance of a Special Event Alcohol Permit, the business owner/sponsor of the event shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the event. I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Special Event Alcohol Permit are true, and no false or fraudulent

statement or answer is made herein to procure the granting of such permit.	
I hereby state and understand that should a complaint be filed against the owner/sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issued for the event will immediately become void and will not be reissued for the same location.	
Licensee's name:	Date:
Licensee's signature:	
Sworn and attested before me on this _____ day of _____, 20 _____	
Signature of special event organizer/applicant:	
Name, signature and stamp of Notary Public:	
* The sale of alcohol/mixed drinks requires excise reporting.	

### Street Closure Requests

Names of streets to be closed:		
Street: <i>Corroll</i>	Between: <i>Jernigan</i>	and: <i>Washington</i>
Street: <i>Jernigan</i>	Between: <i>Commerce</i>	and: <i>Main</i>
Street:	Between:	and:
When are you requesting the street closure(s)? <i>3 pm - 6:30 pm</i>		
Why are you requesting the street closure(s)? <i>Heavy foot traffic / children</i>		
Type of street closure: <input checked="" type="checkbox"/> Complete <input checked="" type="checkbox"/> Rolling ( <i>either is fine</i> )		
If event includes a parade, describe the parade route:		
Parade assembly area:		Parade disbanding area:
The event organizer is responsible for notifying affected businesses and residents of street closures. Describe your notification plan and attach a copy with this application:		

## Restroom Facilities

Will event organizer provide portable restroom facilities?  Yes  No

## Tram/Shuttle Plan

Will event involve the use of a tram/shuttle plan?  Yes  No

How many trams/shuttles will be required?

Please, describe or provide an attachment of your tram/shuttle plan and route:

Please, describe your parking plan:

Parking is available surrounding downtown in public lots.

## Sanitation

Describe your clean-up plan for during and after the event:

Downtown Merchants will maintain sidewalks in front of their businesses.

## Electricity and Water

Will your event require access to electricity?  Yes  No

If so, where? Old Courthouse Lawn

What electrical load will you require?

Will your event require access to water?  Yes  No

If so, where?

I understand that I may incur an additional charge for use of City electricity and/or water:

Yes  No

## Police/Security

\* If police/security is required for event, off-duty officers may be hired at the rate at a rate set by the Chief of Police per hour for the duration of the event, with a minimum of three hours.

- \* Based on the event, the Police Department will determine how many officers will be required.
- \* An officer is required to be on duty at any event where alcohol is served on City of Perry property.

Number of officers requested: **3**

Total hours for officers requested: **3 hours (3:30pm - 6:30pm)**

### Fire and Emergency Medical Services

Describe your plan for providing emergency medical services:

\*If Emergency Medical or Fire Protection Services are required for the event, off-duty members can be hired at a rate set by the Chief of Fire and Emergency Services per officer per hour. The Chief of Fire and Emergency Services Department reserves the right to set the staffing minimums based upon the specifics of the event (including type of event, expected attendance, time of year and areas to be affected).

### Weather Emergency Procedures

\* When lightning and/or thunder occurs, advise participants to seek shelter in a car or building. Please, wait 20-30 minutes before proceeding.

**I understand that the City of Perry Chief of Fire and Emergency Services or his/her designee may determine that weather conditions are too dangerous and cancel the event at any time.**

Yes  No

### Health Department

**I understand that the City of Perry does not schedule Health Department inspections and will work with vendors to schedule any required inspections by the Houston County Health Department, 98 Cohen Walker Drive, Warner Robins, (478) 987-2020 at least two weeks before the event.**  Yes  No

### Event Publicity

**If you would like your event included in the upcoming FYI Newsletter, please, submit your news release to the City of Perry Digital Communications Manager at least one month before your event at [ellen.palmer@perry-ga.gov](mailto:ellen.palmer@perry-ga.gov).**

## Indemnification and Hold Harmless

Subject to the granting of all permits required by the City of Perry, the City of Perry authorizes PDMA (Special event organizer/applicant) to utilize the sites(s) known as Conrail St / Downtown for the purposes of conducting the activities described within the special events permit application.

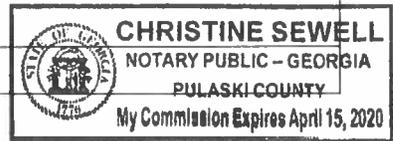
The special events organizer/applicant agrees that the City of Perry assumes no responsibility or liability for any defects or other conditions on the site of the event on City of Perry property, whether the conditions are known or unknown to either party and/or discoverable by either party. The special events organizer/applicant agrees to assume the risk for any and all defects and/or other conditions, whether these defects and or other conditions are dangerous and/or whether these defects or other conditions are discoverable by either party and/or known or unknown to either party.

The special events organizer/applicant shall indemnify and hold City of Perry and its officers, agents and employees harmless and free from any and all claims, including but not limited to personal injury, property damage, alleged to have arisen or resulted wholly or partially from the exercise of any of the rights granted herein to the special event organizer/applicant. This indemnification and hold harmless agreement includes, but is not limited to, the payment of all attorney fees, expenses, costs, judgment and other expenses that may be incurred by City of Perry, its officers, employees or agents as a result of any and all such claims.

Signature of special event organizer/applicant: [Signature]

Name, signature and stamp of Notary Public:  
Christine Sewell Christine Sewell

Date: August 09, 2016



## Agreement and Signature

An application processing fee is required at the time of the application's submittal to the City of Perry. If alcohol is being served, an additional special event alcohol permit is also required at time of the application's submittal. If the application is approved, fee will be rolled over into permit fee. An application must be submitted in time to be included on a Perry City Council meeting agenda for consideration at least 60 days before the proposed event or festival.

I, the undersigned representative, have read the rules and regulations referenced in this application and am duly authorized by the organization to submit this application on its behalf. The information herein is complete and accurate.

Printed name: Cary Jones

Signature: [Signature]

Date: 08/09/2016

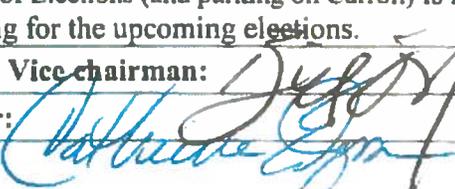
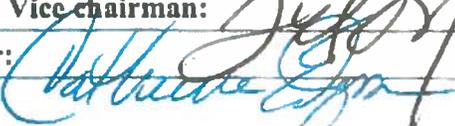
- Special event application fee enclosed
- Special event alcohol permit application section enclosed

Please, send completed application to:  
 City of Perry  
 Attn: City Clerk  
 P.O. Box 2030

**Perry, GA 31069**  
**(478) 988-2736**  
**(478) 988-2705 (fax)**  
**annie.warren@perry-ga.gov**

**Or hand-deliver application to:**  
**City Clerk at**  
**Perry City Hall**  
**1211 Washington Street**  
**Perry, GA 31069.**

**PERRY MAIN STREET PROMOTION COMMITTEE EVALUATION  
FOR DOWNTOWN EVENTS**

<b>Event organizer or sponsoring organization:</b> PDMA
<b>Name of individual representing sponsor organization:</b> Cory Jones
<b>Event title:</b> Sweets and Treats on Downtown Streets
<b>Event date:</b> Monday, Oct. 31, 2016
<b>Event hours:</b> Start: 4 p.m. End: 6 p.m.
<b>Expected attendance:</b> Participants: 20 businesses Spectators: 1,200 (kids and families)
<b>Event description:</b> Kids trick or treat on sidewalks at downtown businesses, and a costume contest will be held on the courthouse lawn.
<b>Will downtown businesses be open during the event?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will event benefit the Perry community?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Is the event free to the public?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Will event have a negative impact on, or are there concerns about:</b>
• <b>Public health, welfare and safety?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Surrounding businesses and residences?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Environment?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Public access to streets, sidewalks and facilities?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Potential conflicts with previously approved event?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Frequency of same or similar events?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• <b>Ability of event organizer to achieve goals set forth for special events and previous history in facilitating special events?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>The Perry Main Street Promotion Committee:</b>
<input type="checkbox"/> Has no objection to the event
<input checked="" type="checkbox"/> Has no objection to the event and recommends City of Perry support for the event
<input type="checkbox"/> Has no objection to the event but recommends additional conditions for the event
<input type="checkbox"/> Objects to the event
<b>Recommendations for City support for the event, conditions for event organizer to meet as condition for approval or reasons for objection to the proposed event:</b> Main Street Promotion Committee partners with PDMA on this annual event. In the past, the PDMA and City support for the event have done a good job with managing the event and crowd. The only concern is making sure access to the Board of Elections (and parking on Carroll) is not impeded until after 5 p.m. because of active voting for the upcoming elections.
<b>Signature of Committee Chairman or Vice chairman:</b> 
<b>Signature of Main Street Coordinator:</b>  <b>Date:</b> 8/17/16 