

MINUTES  
REGULAR MEETING OF THE PERRY CITY COUNCIL  
March 5, 2019  
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 March 5, 2019 at 6:00 p.m.

2. Roll.

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

Elected Officials Absent: None

Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, Assistant City Attorney Brooke Newby and Recording Clerk Annie Warren.

City Departmental Staffing: Departmental Staffing: Major William Phelps – Perry Police Department, Chief Lee Parker – Fire And Emergency Services Department, Brenda King – Director of Finance, Bryan Wood – Director of Community Development, Ashley Hardin – Economic Development Director, Mitchell Worthington – Assistant Finance Director, and Ellen Palmer – Digital Communications Manager.

Guest(s): Steve Brooks, Emily E. Macheski-Preston, Lauren Fox, Bill Camp, Jon Pannell, Darlene McLendon, Scott Cox, Debra Cox, Don Carter, Marc McInvale, Jack James, Steve Howard, Russell Walker, and Robbin Jackson

Media: Madeline Maynor – Houston Home Journal

3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.

Council Member King rendered the invocation and Council Member Jones led the pledge of allegiance to the flag.

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

Ms. Darlene McLendon

- Yearly Legislative Agenda
- Chamber's Puzzle Cube
- Dogwood Festival Event Cards

5. Citizens with Input. None

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

PUBLIC HEARING CALLED TO ORDER AT 6:05 P.M. Mayor James E. Faircloth, Jr. called to order a public hearing at 6:05 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).

- 6a. Special Exception -0001-2019. Applicant, Integrity Development Partners, LLC request a special exception to allow a 72-unit Multi-Family Development. The property is located at 1820 Macon Road; Tax Map No.: OP0400 015000 – Mr. B. Wood. **(Applicant requests a deferral to April 2, 2019 meeting.)**

Mr. Wood reviewed the special exception application, and site plan. Staff recommends approval of the special exception with the following condition:  
1. Development of a multi-family residential development on the subject property shall substantially comply with the information provided by the applicant in this application for special exception, including the site plan, dated January 2019. The Planning Commission recommended denial of the application based on noncompliance with standard #(5)(a) in Section 2-3.5(l) of the Land Management Ordinance.

Public Input: Mayor Faircloth called for any public input for or against the special exception application.

For:

Emily Macheski – Preston presented a letter “Notice of Constitutional Challenge” to Mayor and Council on the behalf of Integrity Development Partners, LLC.

Steve Brooks reviewed the updated site plan and provided a brief overview of the project. Mr. Brooks also reviewed conversations/emails he had with City staff.

Don Carter addressed drainage concerns that were mention at the Planning Commission meeting.

Opposed:

Marc McInvale voiced his concerns relative to traffic, storm water drainage, serenity and privacy, and investment in his home.

Jack James reviewed: 1) The ten standards that must be considered before granting a Special Exception Application and 2) The ten standards listed in the Land Management Ordinance that is used when reviewing an Application. (Addendum attached)

Steve Howard discussed traffic and stormwater concerns.

Russell Walker cited case laws relative to similar zoning applications.

Public Hearing closed at 7:49 p.m. Mayor James E. Faircloth, Jr. closed the Public Hearing at 7:49 pm.

7. Review of Minutes: Mayor James E. Faircloth, Jr.

- 7a. Council's Consideration – Minutes of the February 19, 2019 pre council meeting and February 19, 2019 council meeting. ***(Council Member King was absent from February 19, 2019 meetings.)***

Council Member Hunt motioned to accept the minutes as submitted; Council Member Jones seconded the motion and it carried with Council Member King abstaining from February 19, 2019 meeting.

8. Old Business:

- 8a. Mayor James E. Faircloth, Jr. - none  
8b. Council Members - none  
8c. City Manager Lee Gilmour - none  
8d. Assistant City Manager Robert Smith - none  
8e. Assistant City Attorney Brooke Newby - none

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

- 9a. Matters referred from March 4, 2019 work session and March 5, 2019 pre council meeting. None

- 9b. Special Exception Application -0001-2019. Mayor Pro Tempore Walker moved to table this item until the next work session meeting; Council Member Hunt seconded the motion. Mayor Pro Tempore Walker rescinded his motion to table until the next work session and Council Member Hunt rescinded his motion. Mayor Pro Tempore Walker motioned to table this item until the next regular council meeting; Council Member Hunt seconded the motion and it carried unanimously.

- 9c. Approval of lighting easement. Administration recommended approval of the lighting easement for the Swanson Restaurant. Mayor Pro Tempore Walker motioned to approve the lighting easement as stated; Council Member Jones seconded the motion and it carried unanimously.

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

1. Resolution authorizing the execution of an intergovernmental contract between the City of Perry and the Perry Public Facilities Authority relating to the issuance of the Series 2019 Bonds – Ms. B. King.

Adopted Resolution No. 2019-10 authorizing the execution of an intergovernmental contract between the City of Perry and the Perry Public Facilities Authority relating to the issuance of the Series 2019 Bonds. Ms. King presented for Council's consideration a resolution

authorizing the execution of an intergovernmental contract between the City of Perry and the Perry Public Facilities Authority relating to the issuance of the Series 2019 Bonds. Council Member Bynum-Grace motioned to adopt the resolution as submitted; Council Member Jones seconded the motion and it carried unanimously. (*Resolution 2019-10 has been entered into the City's official book of record.*)

2. Resolution opposing House Bill 302, Preemption of Local Building Design Standards – Mr. R. Smith.

Adopted Resolution No. 2019-11 opposing House Bill 302, Preemption of Local Building Design Standards. Mr. Smith presented for Council's consideration a resolution opposing House Bill 302, Preemption of Local Building Design Standards. Council Member Jones motioned to adopt the resolution as submitted; Mayor Pro Tempore Walker seconded the motion and it carried unanimously. (*Resolution 2019-11 has been entered into the City's official book of record.*)

- 9e. Approval of a mutual aid agreement between the City and the Houston County Board of Commissioners – Chief L. Parker.

Chief Parker stated it is standard practice every two years to renew the agreement, and recommended approval. Council Member Bynum-Grace motioned to approve the agreement as submitted; Council Member Jones seconded the motion and it carried unanimously.

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

- 10a. Alcohol License Application First Reading and Introduction:

1. **First Reading:** Application for Alcohol License (Beer/Wine Consumption On-Premise) for Oliver Hazards, LLC located at 901 Carroll Street. Manager name is Robert Chadwick Evans IV. – Mr. L. Gilmour. (*No action required at first reading*)

11. Council Members Items:

Council had no reports.

Mr. Gilmour, Mr. Smith, and Ms. Newby had no reports.

12. Department Heads/Staff Items.

Ms. King, Mr. Wood, and Ms. Warren had no reports.

Ms. Palmer announced the Your Perry App has launched.

Major Phelps reminded everyone of Coffee with a Cop on March 6 at Chick-fil-A, 8 a.m. – 10 a.m.

Chief Parker sent a crew to Talbot County to assist with the tornado damage.

Ms. Hardin reminded everyone of Mustache and BBQ Bash event on March 16, 4 p.m. – 8 p.m.

13. General Public Items:

Mr. Robbin Jackson inquired about an additional entrance for the Hilltop area.

14. Mayor Items:

- March 18, work session
- March 19, pre and council

15. Adjourn: There being no further business to come before Council in the regular council meeting held March 5, 2019 Council Member King motioned to adjourn the meeting at 8:05 p.m.; Council Member Hunt seconded the motion and it carried unanimously.