

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
August 7, 2018
6:02 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held August 7, 2018 at 6:02 p.m.

2. Roll.

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

Elected Officials Absent: None

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

City Departmental Staffing: Major Bill Phelps – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Brenda King – Director of Finance, Chad McMurrian – Lead Engineering Technician and Ansley Fitzner – Landscape Manager.

Guest(s): Sharon Kelly, Elizabeth Baker, Bo Sammons, Lora Ennis, Ginny Ledger, Cara MacInville, Alex Young, Melanie Murphy, Tina Holt, Cathy Talton, Carol Norris, Debbie Mullis, Gary Martin, Mark Closson, Lisa Hall, Shane Hall, Susan Duke, Angela Cuti, Debbie Mullis, Wayne Murphy, Janet Barrett and Gary Mathison.

Media: James Simpson, II - Houston Home Journal

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

Reverend Willie King of Faith Bible Fellowship Church rendered the invocation and Council Member Riley Hunt led the pledge of allegiance to the flag.

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

4a. Recognition of Ms. Sharon Kelly with ESG Operations – Mr. C. McMurrian: Mr. McMurrian recognized Ms. Kelly for receiving the Water Environment Federation William D. Hatfield Award at the GAWP Annual Conference in Savannah. This award recognizes outstanding performance and professionalism in operating water reclamation facilities. Mayor and Council congratulated Ms. Kelly on this accomplishment.

4b. Introduction of the City's weather station – Ms. A. Fitzner. Ms. Fitzner presented a PowerPoint illustration of the City's weather station.

5. Community Partner(s) Update(s): None

6. Citizens with Input: None

7. PUBLIC HEARING CALLED TO ORDER AT 6:11P.M. Mayor James E. Faircloth, Jr. called to order a public hearing at 6:11 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 Rezoning Application No. R-18-07. Applicant, Walter G. Sammons, Jr., requests the rezoning of property from R-3, Multi-family Residential District to OC, Office Commercial District. The property is located at 1401 Swift Street; Tax Map No.: 0P0200 001000 – Mr. B. Wood.

Staff Report: Mr. Wood reviewed the Petition for Rezoning Application No. R-18-07 and stated the Planning Commission recommended denial of the petition based on non-compliance with Standard #7, “*Whether the proposes rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.*” Staff also recommends denial of the application as it concludes that the OC zoning district is not appropriate for the subject property.

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

For:

Mr. Bo Sammons, applicant, spoke in favor of the petition.

Ms. Lora Ennis, property owner, spoke in favor of the petition.

Opposed:

Ms. Elizabeth Baker, 1306 Swift Street, spoke against the petition.

7b. Special Exception Application No. S-18-04. Applicant, Catherine and Alex Padgett, request a special exception to allow a Residential Business. The property is located at 605 Woodland Drive; Tax Map No. 0P0110 035000 – Mr. B. Wood. (**Note: Council may make a decision following the hearing.**)

Staff Report: Mr. Wood reviewed the Petition for Special Exception Application No. SE-18-04 and stated the Planning Commission and staff recommends approval with the following conditions: 1) The Special Exception shall be limited to a Residential Business conducted for pet grooming only; 2) The Special Exception shall be limited to the applicant, Catherine and Alex Padgett, and is not transferrable; 3) The applicant shall comply with the provisions of Section 4-4.3 of the Land Management Ordinance regarding Home Occupations and Residential Businesses, all applicable local, state and federal laws and regulations; and 4) No sign advertising the business shall be posted or displayed on the property.

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

For: Ms. Ginny Ledger spoke in favor of the petition.

Opposed: None

- 7c. Amendment to Land Management Ordinance. Applicant, The City of Perry, request a text amendment relating to Multi-family Uses and Neighborhood Meetings – Mr. B. Wood.

Staff Report: Mr. Wood reported this request is to establish zoning districts for Multi-family Uses and establish a provision for Neighborhood Meetings. The Planning Commission and staff recommend approval of the text amendment.

For:

Ms. Cara MacInville discussed the impact the text amendment would have on her family.

Opposed:

Mr. Alex Young spoke about revitalization of the area and the amendment would be counterproductive.

Ms. Melanie Murphy spoke against the amendment.

Ms. Tina Holt spoke against the amendment.

Ms. Cathy Talton, read a letter from her cousin Ruth in support of the Halo Group.

Ms. Debbie Mullis spoke against the text amendment.

Mr. Gary Martin spoke against the amendment.

Mr. Mark Closson spoke against the amendment.

Ms. Ginny Ledger spoke against the amendment.

Ms. Lisa Hall, who has a child with autism, spoke against the text amendment.

Mr. Shane Hall emailed a link to Mayor and Council relative to the text amendment.

Ms. Susan Duke, who has a high functioning child, spoke against the amendment.

Ms. Angela Cuti thanked Mayor and Council for listening to the Halo Group.

Mr. Wayne Murphy asked Mayor and Council to not leave people out of the conversation.

Ms. Janet Barrett spoke against the text amendment.

Public Hearing Closed at 7:35 p.m. Mayor Faircloth closed the public hearing at 7:35 p.m.

Mayor Faircloth explained the public hearing process for special exceptions and stated action could be taken the same night of the hearing.

Mayor Pro Tempore Walker motioned to approve the Petition for Special Exception No. SE-18-04 with the following conditions: 1) The Special Exception shall be limited to a Residential Business conducted for pet grooming only; 2)

The Special Exception shall be limited to the applicant, Catherine and Alex Padgett, and is not transferrable; 3) The applicant shall comply with the provisions of Section 4-4.3 of the Land Management Ordinance regarding Home Occupations and Residential Businesses, all applicable local, state and federal laws and regulations; and 4) No sign advertising the business shall be posted or displayed on the property. Council Member Bynum-Grace seconded the motion and it carried unanimously.

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

- 8a. Council's Consideration – Minutes of the July 16, 2018 work session, July 17, 2018 pre council meeting, and July 17, 2018 council meeting. **(Council Member Jones was absent from July 16 and 17 council meetings.)**

Council Member Bynum-Grace motioned to accept the minutes as submitted; Council Member Hunt seconded the motion and it carried with Council Member Jones abstaining from the July 16 and 17 council meetings.

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

9a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance to set certain controls for use of fireworks in City of Perry – Mr. L. Gilmour.

Adopted Ordinance No. 2018-16 to set certain controls for use of fireworks in City of Perry. Administration presented for Council's consideration an ordinance to set certain controls for use of fireworks in City of Perry. Council Member Jones motioned to adopt the ordinance as submitted; Council Member Hunt seconded the motion and it carried unanimously. *(Ordinance No. 2018-16 has been entered into the City's official book of record.)*

10. Any Other Old Business:

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

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

11a. Matters referred from August 6, 2018 work session, and August 7, 2018 pre council meeting.

1. Approval of position request adjustments. Administration recommended approval of position request adjustments. Mayor Pro Tempore Walker motioned to approve the position request adjustments as submitted;

Council Member Hunt seconded the motion and it carried unanimously.

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

1. **First Reading** of an ordinance for the rezoning of property from R-3, Multi-family Residential District to OC, Office Commercial District. The property is located at 1401 Swift Street; Tax Map No.: 0P0200 001000 – Mr. B. Wood. *(No action required by Council)*
2. **First Reading** of a text amendment relating to Multi-family Uses and Neighborhood Meetings – Mr. B. Wood. *(No action required by Council)*

11c. Resolution(s) for Consideration and Adoption:

1. Resolution amending the City's surplus equipment disposal process. Mr. L. Gilmour.

Adopted Resolution No. 2018-54 amending the City's surplus equipment disposal process. Administration presented for Council's consideration a resolution amending the City's surplus equipment disposal process. Council Member King moved to adopt the resolution as submitted; Council Member Jones seconded the motion and it carried unanimously. *(Resolution No. 2018-54 has been entered into the City's official book of record.)*

2. Resolution amending the City's Fee Schedule – Mr. L. Gilmour.

Adopted Resolution No. 2018-55 amending the City's Fee Schedule. Administration presented for Council's consideration a resolution amending the fee schedule to 1) Establish food truck permit fee, 2) Add building permit water consumption and 3) Streamline residential and non-residential wastewater consumption rates. Mayor Pro Tempore Walker moved to adopt the resolution as submitted; Council Member King seconded the motion and it carried unanimously. *(Resolution No. 2018-55 has been entered into the City's official book of record.)*

- 11d. Adjustment to FY 2019 Job Classification Schedule – Mr. L. Gilmour. Administration recommended an adjustment to FY 2019 Job Classification Schedule to correct an omission. Council Member Bynum-Grace moved to make an adjustment to FY 2019 Job Classification Schedule; Council Member Jones seconded the move and it carried unanimously.

11e. Special Events Application(s) – Major W. Phelps:

1. Request from the Perry Public Arts Commission for their 9th Annual Perry Music Festival on September 15, 2018 from 2 pm until midnight.

Street closure(s) requested:
Martin Luther King, Jr. Drive

Approval of special event alcohol permit license application.

Mayor Faircloth entertained a motion to table this item. Mayor Pro Tempore Walker motioned to table this item; Council Member Jones seconded the motion and it carried unanimously.

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

12a. Appointment to the Perry Public Facilities Authority – Mayor Tempore R. Walker.

Mayor Pro Tempore Walker appointed Mr. Joe Posey to the Perry Public Facilities Authority.

13. Council Members Items:

Council had no reports.

Mr. Gilmour and City Attorney Walker had no reports.

Mr. Smith reminded everyone of Food Truck Friday.

14. Department Heads/Staff Items:

Ms. King, Ms. Warren Mr. Wood, Major Phelps and Chief Parker had no reports.

15. General Public Items:

Mr. Greg Mathison had several questions relative to food trucks.

Mr. Wayne Murphy inquired about non-profits not being allowed to participate in Food Truck Friday.

16. Mayor Items:

- August 10, Food Truck Friday
- August 20, Work session
- August 21, Pre council and council

17. Adjourn. There being no further business to come before Council in regular meeting held August 7, 2018, Council Member Jackson motioned to adjourn the meeting at 7:52 p.m.; Council Member King seconded the motion and it carried unanimously.