



Where Georgia comes together.

**REGULAR MEETING OF THE PERRY CITY COUNCIL
October 2, 2018
6:00 P.M.**

1. Call to Order: Mayor Pro Tempore Randall Walker, Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro Tempore Randall Walker
4. Recognition(s)/Presentation(s): Mayor Pro Tempore Randall Walker
 - 4a. Introduction of new hires: Firefighters Brock Snyder, Darius Ingram, and Keanu Kirk - Chief L. Parker.

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

6. Citizens with Input:

7. Public Hearing: Mayor Pro Tempore Randall Walker

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).

- 7a. Petition for Rezoning Application No. R-18-08. Applicant, The City of Perry, request the rezoning of property from C-2, General Commercial District, to GU, Government Use District; and Remove DD, Downtown Development Overlay District. The property is located at 1600 Macon Road; Tax Map Nos. 0P0420 003000 (for zoning change); 0P0420 03A000, 0P0420 03B000; 0P0420 03C000; 0P0420 03D000 (for overlay district removal) – Mr. B. Wood.
- 7b. Alcohol License for Beer and Wine for Perry Players, Inc. located at 909 Main Street – Mr. L. Gilmour.
8. Review of Minutes: Mayor Pro Tempore Randall Walker
 - 8a. Council's Consideration – Minutes of the September 17, 2018 work session, September 18, 2018 pre council meeting, and September 18, 2018 council meeting.
9. Old Business: Mayor Pro Tempore Randall Walker
 - 9a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance establishing certain guidelines and criteria for Municipal Court of Perry – Mr. L. Gilmour.

10. **Any Other Old Business:**

- 10a. Mayor Pro Tempore Randall Walker
- 10b. Council Members
- 10c. City Manager Lee Gilmour
- 10d. Assistant City Manager Robert Smith
- 10e. City Attorney

11. **New Business:** Mayor Pro Tempore Randall Walker

- 11a. **Matters referred from October 1, 2018 work session and October 2, 2018 pre council meeting.**

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

1. **First Reading** of an ordinance rezoning property from C-2, General Commercial District, to GU, Government Use District; and Remove DD, Downtown Development Overlay District. The property is located at 1600 Macon Road; Tax Map Nos. oPo420 003000 (for zoning change); oPo420 03A000, oPo420 03B000; oPo420 03C000; oPo420 03D000 (for overlay district removal) – Mr. B. Wood. *(No action required by Council)*
2. **First Reading** of an ordinance relative to “Brunch Bill” – Mr. L. Gilmour. *(No action required by Council)*

11c. **Resolution(s) for Introduction and Adoption:**

1. Resolution re-adopting the five ethics principles to continue participation in the Georgia Certified City of Ethics program – Mr. L. Gilmour.

11d. **Award of Bid(s):**

1. Bid No. 2019-04 Landscape Maintenance – Ms. A. Fitzner

11e. **Alcohol License Application for Adoption:**

1. Application for Alcohol License for Beer and Wine for Perry Players, Inc. located at 909 Main Street – Mr. L. Gilmour.

- 11f. Consider approval of an intergovernmental agreement between the City and the Houston County Board of Commissioners for the establishment of the Houston County Land Bank – Mr. L. Gilmour.

12. **Council Members Items:**

13. **Department Heads/Staff Items:**

14. General Public Items:

15. Mayor Pro Tempore Items:

16. Adjourn.



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STAFF REPORT

August 27, 2018

CASE NUMBER: R-18-08
APPLICANT: The City of Perry
REQUEST: Rezone from C-2, General Commercial District, to GU, Government Use District; and Remove DD, Downtown Development Overlay District
LOCATION: 1600 Macon Road; Tax Map Nos. 0P0420 003000 (for zoning change); 0P0420 03A000, 0P0420 03B000; 0P0420 03C000; 0P0420 03D000 (for overlay district removal)

ADJACENT ZONING/LANDUSES:

Subject Parcel: C-2 and GU; Houston County Board of Education Office Annex and Perry High School
North: R-1; single-family residences
South: C-2 and R-2; U.S. Post Office and single family residences
East: GU; Perry High School
West: C-1 and C-2; Optometrist office and convenience store

BACKGROUND INFORMATION: The Houston County Board of Education recently purchased and relocated the student parking lot at Perry High School to make room for a new gymnasium. As a governmental agency, the school district is not subject to the City's regulations, making the inclusion of their properties in the Downtown Development Overlay District unnecessary.

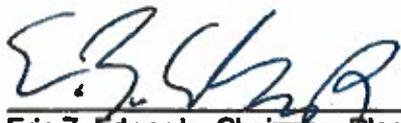
STANDARDS GOVERNING ZONE CHANGES:

1. *The suitability of the subject property for the zoned purposes.* The subject properties are owned by the Houston County Board of Education and used for educational purposes.
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* The value of the subject properties is not diminished by the current zoning regulations. However, having all parcels owned by the school district zoned GU with no overlay district will reduce potential conflicts in the future.
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.* There is no destruction of property value of the subject property.
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* As a governmental agency, the school district is responsible for efficient use of public monies. The GU district without the DD overlay will allow the district to further its educational responsibilities without potential conflicts with zoning.
5. *Whether the subject property has a reasonable economic use as currently zoned.* The subject properties are used for educational purposes.

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 subject properties are used for purposes associated with the Houston County Board of Education.
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 Houston County Board of Education will continue to use the property to further its purpose of public education.
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The GU district and removal of the DD overlay district will not change the properties' impact on surrounding uses.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The 2017 Joint Comprehensive Plan Update identifies the subject properties as 'in-town Corridor'.
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 continued use of the properties for educational purposes should have no greater impact on community facilities.
11. *Whether there are 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.* As a governmental agency, the Houston County Board of Education is not subject to City of Perry regulations.

STAFF RECOMMENDATION: Staff recommends approval of the application to change the zoning of parcel 0P0420 003000 to GU, Government Use District, and to remove the DD Overlay Zoning District from parcels 0P0420 03A000, 0P0420 03B000; 0P0420 03C000; 0P0420 03D000.

PLANNING COMMISSION RECOMMENDATION: *Recommended approval as submitted on September 10, 2018.*



Eric Z. Edwards, Chairman, Planning Commission

9/12/18

Date



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Application # R-18-08

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Bryan Wood for the City of Perry	Houston County School District
*Title	Community Development Director	Scott Hill, Facilities Director
*Address	PO Box, 2030 Perry, GA 31069	PO Box 1850, Perry GA 30169
*Phone	478-988-2714	478-988-6200 ext. 10331
*Email	Bryan.wood28@perry-ga.gov	Scott.hill@hcbe.net

Property Information

*Street Address or Location	1800 Macon Road (US Hwy 41)
*Tax Map #(s)	(1) P42-3A, -3B, -3C, -3D; and (2) P42-3
*Legal Description	<p>A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available;</p> <p>B. Provide a survey plat of the property and/or a proposed site plan;</p> <p>C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.</p>

Request

*Current Zoning District	(1) GU w/ DDA overlay district; (2) C-2, General Commercial	*Proposed Zoning District	(1) GU, remove DDA overlay; (2) GU, Government Use
*Please describe the existing and proposed use of the property			
(1) The properties are owned by the Houston County School District and are used for purposes associated with the school district. No change to the properties is currently anticipated; (2) P42-3 is owned by the school district and was recently developed as a parking lot for Perry High School. The GU designation will be consistent with the zoning of the adjacent school properties.			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
 - Residential - \$130.00 plus \$15.00/acre (maximum \$1,550.00)
 - Planned Development - \$150.00 plus \$15.00/acre (maximum \$2,700.00)
 - Commercial/Industrial - \$230.00 plus \$22.00/acre (maximum \$2,900.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the rezoning). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- An application for rezoning affecting the same parcel shall not be submitted more often than once every six months.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes ___ No X

9. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

10. Signatures:

*Applicant <i>Benny</i>	*Date 8/13/2018
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date 8/08/2018

Standards for Granting a Rezoning

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties.
3. Describe the suitability of the subject property for use as currently zoned.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.
7. Describe how the subject property has no reasonable economic use as currently zoned.
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

Revised 1/10/2018

For Office Use (receipt code 204.1)

Date received <i>8/16/18</i>	Fee paid <i>50</i>	Date deemed complete <i>8/16/18</i>	Public Notice Sign <i>by 8/20/18</i>	Legal Ad <i>2022/15/18/18</i>	County Notification <i>rya</i>
Notice to Applicant <i>NA COP.</i>	Routed to PC <i>8/27/18</i>	Date of PC <i>9-10-18</i>	Date of Public Hearing <i>10/2/18</i>	Date of Council action <i>10/16/18</i>	Notice of action

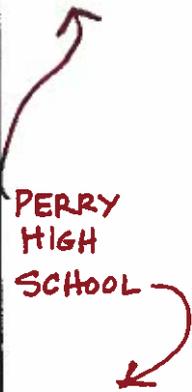


Overview



Legend

- Parcels
- Roads



US POST OFFICE

RESIDENTIAL

Date created: 8/6/2018
Last Data Uploaded: 8/6/2018 6:05:46 AM

Developed by Schneider
GEO SPATIAL



Overview



Legend

-  Parcels
-  Roads

Parcel ID	OP0420 003000	Owner	HOUSTON COUNTY SCHOOL DISTRICT	Last 2 Sales			
Class Code	Exempt		P O BOX 1850	Date	Price	Reason	Qual
Taxing District	Perry		PERRY GA 31069	4/14/2015		02	U
Acres	4.76	Physical Address	MACON RD	6/28/2006		30	U
		Assessed Value	Value \$238000				
		Land Value	Value \$238000				
		Improvement Value					
		Accessory Value					

(Note: Not to be used on legal documents)

Date created: 8/20/2018
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Developed by  **Schneider**
 GEOSPATIAL



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PERRY POLICE DEPARTMENT
Stephen D. Lynn, Chief of Police

*FYI
Original is on
Application.*

TO: Mayor and Council
FROM: Chief Steve Lynn 
DATE: September 26, 2018
SUBJECT: **ALCOHOL SALES – NEW LOCATION**

The city has received an application for an alcohol beverage license from Perry Players, Inc. located at 909 Main Street. The application is in order and the city's approval is needed in order for the business to pursue the appropriate licensing from the state of Georgia.

This applicant and location meet the criteria as far as the police department can determine. We recommend approval dependent on concurrence from the Fire Department and Community Development.

This is a first-time use of this location for alcohol sales.

MINUTES
WORK SESSION
OF THE PERRY CITY COUNCIL
September 17, 2018
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the work session meeting held September 17, 2018 at 5:00 p.m.

2. Roll:

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

Elected Official(s) Absent: None

City Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Josh Waters, and Recording Clerk Gail Price.

Departmental Staffing: Chief Steve Lynn - Chief of Police, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Finance, Bryan Wood – Director of Community Development, Kevin Dye – Director of Leisure Services, Ellen Palmer – Digital Communication Manager, and Haley Myers – Special Events Coordinator.

Guests: None

Media: James Simpson, II – Houston Home Journal

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

Mayor Faircloth deviated from the agenda. Mr. Wood introduced the new Utility Construction Inspector, Brad Cavender.

3a. Office of the City Manager

1. Consider some street name changes: Administration recommends Council approve proceeding with changing the names of the following streets: Woodlawn Drive – West Perry Parkway from N 341 to Sam Nunn Boulevard and Glenwood Avenue – East Perry Parkway from S 341 to Main Street. Council concurred with Administration's recommendation.
2. Consider status of community service workers: Mr. Gilmour discussed the use of community services persons. After reviewing by Mr. Gilmour and Mr. Dye, Administration recommends Council approve the

cancellation of the City's participation in the Community Services Program. It was the consensus of Council was to move forward with Administration's recommendation.

3. Consider designation of private street: Mr. Gilmour reported Guardian Center approached the City to designate a current driveway as a private street. The proposed street name is Guardian Center Way. Administration has no objection and supports this request subject to review by the City Attorney's office. Council concurred to support Guardian Center request.
4. Consider authorization of additional positions: Mr. Gilmour stated the FY2019 Operating Budget did not recommend any new positions. After reviewing the impact of cancelling the lawn mowing agreements, certain custodial agreements and the gain in property income tax, Administration recommends Council authorize two (2) new entry level positions. The positions are Equipment Operator Trainee position in landscape crews and an additional person for litter control. Council concurred with Administration's recommendation.
5. Adjustments of health insurance coverage: Mr. Gilmour discussed health insurance coverage for part time employees. Administration recommends, effective September 1, 2018, health/dental insurance coverage not be offered to the City's elected officials. This would not impact any current elected official covered by the City's plan. The consensus of Council was to move forward.
6. Consider closing a portion of Marion Street: Mr. Gilmour discussed the change of traffic pattern for Marion Street. Administration recommends Council approve making the remaining portion of Marion Street one way running from Carroll Street to Commerce Street. It also recommended making the change now so users become familiar with the new pattern. Council concurred with Administration.

3b. Economic Development Department

1. Proposed 2019 Event Calendar and estimated budget: Ms. Myers presented the 2019 Events Calendar. Council wanted thanked Ms. Myers for the hard work.
2. Hotel incentive request: Proposed hotel development at the end of Smith Drive and Hampton Court: 1) Midscale hotel with 76 rooms with 6.5 million dollar investment; 2) Request general outline incentive that are outline in these kinds of investments; 3) Request building permit fee waiver, sewage connection fee charge waiver, water installation fee waiver, irrigation meter fee waiver, and natural gas installation fee waiver. Council concurred with the proposed incentives.

-
3. Interchangeable signage framework: This item was pulled from the agenda.

4. Council Member Items:

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

Council Member Bynum-Grace stated that she attended Food Truck Friday and Perry Music Festival and had a blast.

Council Member Jones stated that he had a request to have sidewalks around Newport Drive and Wingfield Way adjacent to Matt Arthur due to increase in traffic.

Council Member King received a request to have Jeannie Street paved.

City Manager Gilmour

- Advised that DOT is requiring that there has to be a local administered project entity for the TAP Grant which we do not have. We would like to approach Houston County Board of Commissioners because they have this designation. Council concurred Administration's recommendation.
- Mr. Gilmour's office has a request that the fairy lights in the parking lots be left on all the time not just Christmas, only in the downtown district. Council concurred.

Assistant City Manager Smith thanked all staff and departments for helping Ms. Myers.

Assistant City Attorney Waters had no report.

5. Department Head/Staff Items:

Ms. King, Chief Lynn, and Chief Parker had no reports.

Mr. Wood discussed the use of housing grant funds.

Mr. Dye

- Football season kicks off on Saturday September 22, 2018.
- The splash pad's cut off button has a do not touch sign, the benches have arrived, and the shade umbrellas are being custom made.

Ms. Palmer advised Youth Leadership is October 16, 2018.

Ms. Myer reminded everyone the last Saturday Cinema is September 22, 2018 at Creekwood Park Splash Pad.

Ms. Darlene McLendon extended an invitation to Thursday's graduation ceremony relative to Perry Leadership Institute.

Mayor Faircloth Items

- Walk with the Mayor and Council September 25, 2018 at 5:30 p.m. Wind River Subdivision.
 - Expressed his appreciation to Ms. Myers and the entire city staff for this past weekend and the Food Truck Friday series and everything else that is going on.
6. Executive Session entered at 5:42pm. On a motion by Council Member Hunt, seconded by Council Member Jones and carried unanimously, Council went into executive session for the purpose of real estate.
 7. Executive Session adjourned 5:55PM; Council work session reconvened. Council adjourned the executive session held on September 17, 2018 and reconvened into the work session.
 8. Adopted Resolution No. 2018-67 stating purpose of executive session held September 17, 2018, was to discuss real estate. Council Member Jackson moved to adopt a resolution stating the purpose of the Executive Session held on September 17, 2018 was to discuss real estate. Council Member King seconded the motion and it carried unanimously. No action was taken. (*Resolution 2018-67 has been entered in the City's official book of record.*)
 9. Adjournment: There being no further business to come before Council in the reconvened work session held September 17, 2018 Council Member Bynum-Grace motioned to adjourn the meeting at 5:56pm. Council Member Jones seconded the motion and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
September 18, 2018
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the pre council meeting held September 18, 2018 at 5:00 p.m.

2. Roll:

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

Elected Official(s) Absent: None

City Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Josh Walker and Recording Clerk Cyndi Houser.

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Finance, Bryan Wood – Director of Community Development, Chad McMurrian – Lead Engineering Technician, and Catherine Edgemon – Main Street Coordinator.

Guests: Brad Hardy

Media: None

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

3a. Discussion of September 18, 2018 council meeting agenda.

7a (1). Second Reading of an ordinance amending the Food Truck Ordinance. Mr. Wood advised this will clarify the time of operation outside of downtown and the number of days/month outside of downtown as well as define an ice cream truck.

7a (2). Second Reading of an ordinance amending Sec. 5-34-Penalties. Mr. Wood advised this revision will make the penalties consistent with the balance of the City codes.

9a (2). Resolution restricting access to health/dental insurance coverage for its elected officials. Mr. Gilmour advised that any currently elected official can continue the coverage even if re-elected, but new officials would not be eligible.

9a (3). Resolution authorizing certain incentives for hotel project "A". Mr. Gilmour reminded Council of the original incentive package for a hotel

developer/builder project, but noted that two items had been added for their consideration on this resolution: Within one year of approval, the project must be 80% complete and if the business ceases to exist within five (5) years, a repayment schedule will go into effect.

9b (1). Resolution to amend the Perry Fee Schedule. Administration recommended some of the fees be lowered if a licensee pays on-line; the special downtown billing district would be eliminated because the City is now doing the billing; adjust the natural gas service application fee to match the water/sewer application fee, mosquito spraying has been eliminated, and the Professional business license will be adjusted to the state allowed amount.

9c. Award of Bid(s):

1. Bid No. 2018-47 Division 1 Water Treatment Plant. Mr. McMurrian reviewed the bid for the “parent” contract to construct a new water treatment plant. Staff and engineering firm recommended awarding to the low bidder, Reeves Young, LLC, for \$8, 219,000.
2. Bid No. 2018-48 Division 2 Groundwater Supply Wells. Mr. McMurrian explained this bid was changed by deleting one well and therefore staff recommended awarding the low bid to Rowe Drilling Co., Inc. in the amount of \$869,385.00. This will be funded with a GEFA Loan.
3. Bid No. 2018-49 Division 3 Clearwell. Staff recommended awarding this portion of the project to Precon Corporation in the amount of \$725,000.
4. Bid No. 2018-50 Division 4 Offsite Water Line – Staff recommended awarding this portion of the project to the low bidder, LaKay Enterprises, in the amount of \$218,674.00.
5. Bid No. 2019-01 Pump Station Upgrades and Improvements. This bid will rebuild the pump station on Highway 41 and put generators in four (4) other pump stations which cannot hold water for more than 24 hours. Staff recommended awarding the low bid to Pyles Plumbing and Utility Contractors, Inc. in the amount of \$281,922.00.

4. Other Business/Supplemental Agenda.

- 4a. Representative from Hardy Farms relative to transient merchant restrictions. Mr. Wood explained that the Hardy Farms peanut stand does not meet the definition of a fruit/vegetable stand according to City code because the food offered for sale is considered processed and he is not a transient merchant because of the temporary building used. Mr. Hardy stated they have had a location in Perry for more than twenty (20) years although not always in the same place. He stated he has obtained permission from the owner of the current stand location. Mr. Hardy asked to be allowed to finish out the season. Mr. Wood and Mr. Gilmour offered several options for this situation. Council

concluded to allow the business to continue to the end of their season which would allow staff time to review current ordinances and definitions.

5. Council Member Items

- Mayor Pro Tempore Walker, Council Members Jackson, Jones, Hunt, and Bynum-Grace had no items.
- Council Member King inquired about the status James Street being considered for paving this round and was advised it is being reviewed by staff.

6. Department Head Items

- Mr. Gilmour, Mr. Waters, Mr. Smith, Ms. King, Mr. Wood, Ms. Warren and Mr. McMurrian had no items.
- Ms. Edgemon reminded everyone of the Harvest Dinner to be held downtown on November 3, 2018.
- Chief Lynn announced that an advanced team from a TV series based in New York would be in town about 5-6 days to film a program on the Sam Poss homicide.
- Chief Parker announced that a smoke detector blitz would be conducted by the Fire Department on September 22nd. Volunteers are needed and appreciated and should be at Fire Headquarters at 8 am for a brief training session.

7. Mayor Items

- Walk with Mayor and Council will be held on September 25th in District 2 – Wind River Subdivision

8. Adjourn: There being no further business to come before Council in the pre council meeting held September 18, 2018 Council Member Jackson motioned to adjourn the meeting at 5:45 p.m.; Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
September 18, 2018
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 September 18, 2018 at 6:00 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 Cyndi Houser.

City Departmental Staffing: Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Finance, Bryan Wood – Director of Community Development, Catherine Edgemon – Main Street Coordinator, Chad McMurrian – Lead Engineering Technician, and Annie Warren – City Clerk.

Guest(s): Debra and Scott Cox and members of the 2018 Perry Youth Leadership, Battalion Chief Kirk Crumpton, Police Officers Gary Turley, Daniel Layson and Jaquetta Newsome, Fire Sergeant Patrick Watson, Firefighters Ethan Singletary, Austin Redmond, Nadad Jeanjulien, and James Flournoy; Police Sgt. Jeff Kujawa, Officers Brian Mixon and Josh Brown, other members of the Fire and Police Departments, Representative Shaw Blackmon and family, Mr. Joel Wiggins – GMA representative, Mr. Tim Maloney – Guardian Center, Mr. Robbin Jackson, and Ms. Kamaya Henson

Media: James Simpson, II - Houston Home Journal and Kellie McWilliams – Comsouth 100

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

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

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

Mayor Faircloth deviated from the agenda and introduced Scott and Debra Cox advisors for the 2018 Perry Youth Leadership class. They in turn introduced the class members present to Mayor and Council stating their next module will be local

government. Mayor Faircloth welcomed the class and provided a brief outline of how the local government functions.

Mayor Faircloth returned to the agenda

4a. Presentation to Representative Shaw Blackmon from the Georgia Municipal Association.

Mr. Wiggins presented an award to Representative Shaw Blackmon from the GMA in recognition of the leadership he has provided for the local governments during the last two (2) years. Mayor Faircloth thanked him on behalf of Council and the citizens for all the hard work he has done.

4b. Recognition of Battalion Chiefs Ephraim Wheeler and Kirk Crumpton, Fire Sergeant Patrick Watson, and Firefighters Ethan Singletary, Austin Redmond, Nadad Jeanjulien.

Chief Parker read a prepared statement about an incident that took place at the Guardian Centers when a trainee became unresponsive. Members of the Fire Department, Police Department and paramedics from Houston Healthcare joined in lifesaving measures. The trainee was revived and transported to the hospital where he was released several days later. Chief Parker presented each firefighter with a "life save" patch. Mr. Maloney from Guardian Centers expressed his gratitude for the assistance of all involved.

4c. Introduction of new hires: Officer Gary Turley, Officer Daniel Layson and Officer Jaquetta Newsome.

Chief Lynn introduced new Officers Gary Turley, Daniel Layson and Jaquetta Newsome and provided a brief background for each one. Mayor and Council welcomed the new officers.

5. Citizens with Input:

Mr. Robbin Jackson of New Missionary Baptist Church introduced Kamaya Fenson and expressed concern about an extra entrance/exit in the Hilltop area.

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

6a. Council's Consideration – Minutes of the September 4, 2018 pre council meeting and September 4, 2018 council meeting.

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

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

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

1. **Second Reading** of an ordinance amending the Food Truck Ordinance– Mr. B. Wood.

Adopted Ordinance No. 2018-19 to revise the City Code by amending the food truck ordinance. Council Member Jackson moved to adopt the ordinance as submitted; Council Member Bynum-Grace seconded and the motion carried unanimously. (*Ordinance No. 2018-19 has been entered into the City's official book of record.*)

2. **Second Reading** an ordinance amending Sec. 5-34- Penalties.

Adopted Ordinance No. 2018-20 to revise the City Code by amending the penalties so they are consistent with other sections. Council Member Jackson moved to adopt the ordinance as adopted. Council Member Jones seconded and the motion carried unanimously. (*Ordinance No. 2018-20 has been entered into the City's official book of record.*)

8. **Any Other 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. City Attorney - none

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

9a. **Matters referred from September 17 work session and September 18, pre council meeting.**

1. Authorize addition of two (2) entry level positions for the Department of Public Works – Mr. L. Gilmour. Administration recommended authorization of two (2) additional positions in Public Works to help with litter and landscaping.

Authorized the addition of two (2) positions for Public Works. Council Member Bynum Grace moved to approve the addition of two (2) additional positions for Public Works; Council Member King seconded and it carried unanimously.

2. **Resolution restricting access to health/dental insurance coverage for its elected officials.** Administration recommended amending the health/dental insurance policy to no longer offering insurance to elected officials. This will not affect currently elected officials participating nor if they are re-elected. If a new council member is elected they would not be eligible.

Adopted Resolution 2018-68 restricting access to health/dental insurance coverage for its elected officials. Council Member Walker

moved to adopt the resolution as submitted. Council Member King seconded and the motion carried with Council Member Hunt opposing. (*Resolution 2018-68 has been entered into the City's official book of record.*)

3. Resolution authorizing certain incentives for hotel project "A". Mr. Gilmour stated the project meets the qualifications set out by Council for certain incentives. Administration recommended approval with the addition of a repayment plan in the event the project does not stay in business or is not 80% completed within one (1) year of permit issuance.

Adopted Resolution 2018-69 authorizing a hotel incentive package for project "A". Council Member Jones moved to adopt the resolution as submitted; Council Member King seconded and it carried unanimously. (*Resolution 2018-69 has been entered into the City's official book of record.*)

9b. Resolution(s) for Introduction and Adoption:

1. Resolution to amend the Perry Fee Schedule– Mr. L. Gilmour. Administration recommended approval of a discount for licensees applying or renewing online, adjusting the natural gas activation fee, removing the Downtown District and eliminating mosquito spraying.

Adopted Resolution 2018-70 amending various fees in the Perry Fee Schedule. Council Member Bynum-Grace moved to adopt the resolution as submitted; Council Member Jones seconded and the motion carried unanimously. (*Resolution 2018-70 has been entered into the City's official book of record.*)

9c. Award of Bids:

1. Bid No. 2018-47 Division 1 Water Treatment Plant –
Mr. C. McMurrian

Bid No. 2018-47 Division 1 Water Treatment Plant. Mr. McMurrian explained the original bid was divided into four (4) parts and he presented the bid results for Council's consideration. Staff recommended awarding the bid to low bidder Reeves-Young for \$8,219,000 with GEFA funding. Mayor Pro Tempore Walker moved to award the bid the Reeves-Young for \$8,219,000. Council Member King seconded and the motion carried unanimously.

2. Bid No. 2018-48 Division 2 Groundwater Supply Wells –
Mr. C. McMurrian

Bid No. 2018-47 Division 2 Groundwater Supply Wells. Mr. McMurrian presented the bids results for Council's consideration and staff recommended awarding the bid to the low bidder, Rowe Drilling for one (1) well in the amount of \$896,385.00 with GEFA funding. Council

Member King moved to award the bid to low bidder Rowe Drilling for \$896,385.00. Council Member Jones seconded and the motion carried unanimously.

3. Bid No. 2018-49 Division 3 Clearwell – Mr. C. McMurrian

Bid No. 2018-49 Division 3 Clearwell. Mr. McMurrian presented the ground water tank storage bids for Council’s consideration. Staff recommended awarding to the low bidder Precon Corporation in the amount of \$725,000.00. Council Member King moved to award the bid to Precon Corporation, Newberry, Florida in the amount of \$725,000. Council Member Jones seconded and the motion carried unanimously.

4. Bid No. 2018-50 Division 4 Offsite Water Line – Mr. C. McMurrian

Bid No. 2018-50 Offsite Water Line. Mr. McMurrian presented the bids for Council’s consideration for the offsite water line which will connect to the City’s water distribution system. Staff recommended awarding the bid to LaKay Enterprises, Inc. in the amount of \$370,501.00. Mayor Pro Tempore moved to award the bid to LaKay Enterprises, Inc. in the amount of \$370,501.00.

5. Bid No. 2019-01 Pump Station Upgrades and Improvements – Mr. C. McMurrian.

Bid No. 2019-01 Pump Station Upgrades and Improvements. Mr. McMurrian presented for Council’s consideration for rehabbing and upgrades to several pump stations. Staff recommended the low bidder, Pyles Plumbing & Utility Contractors, Inc. in the amount of \$281,922.00. Council Member Bynum-Grace moved to award the bid to Pyles Plumbing & Utility Contractors, Inc. in the amount of \$281,922.00. Council Member King seconded and the motion carried unanimously.

9d. Special Events Application(s) – Chief S. Lynn:

Mayor Faircloth deviated from the agenda to consider a request for street closures for the Farm Day Parade on October 6th. Council Member Hunt moved to approve the closure of Washington Street, Main Street and Courtney Hodges as requested in past years. Mayor Pro Tempore Walker seconded and the motion carried unanimously.

Mayor Faircloth returned to the agenda

1. Perry Chamber of Commerce Downtown Merchants Council is partnering with Main Street Promotion Committee to host the 6th Annual Sweets and Treats on Downtown Streets, October 31, 2018, 4 p.m. until 6 p.m.

Street closure(s) requested:

Jernigan Street between Commerce Street and Main Street
Ball Street between Commerce Street and Main Street
Carroll Street between Jernigan Street and Washington Street

Chief Lynn stated he had reviewed the application for this 6th annual event and found everything in order. Staff recommended approving the street closures. Council Member Jackson moved to approve the street closures as submitted. Council Member King seconded and it carried unanimously.

2. The City of Perry is hosting Oktoberfest in downtown Perry on October 20, 2018 from 3:00 p.m. until 9:00 p.m.

Street Closure(s) requested:

Carroll Street between Jernigan Street and Washington Street
Ball Street between Commerce Street and Main Street
Jernigan Street between Commerce Street and Main Street

Approval of special event alcohol permit license application.

Chief Lynn stated he had reviewed the application and found everything in order for this first time event. Council Member King moved to approve the street closures as submitted and the special alcohol permit. Council Member Jones seconded and the motion carried unanimously.

3. The City of Perry is hosting a free UGA vs FL Tailgate and Game Broadcast at Heritage Park on October 27, 2018 from 1 pm until 7 pm.

Approval of special event alcohol permit license application.

Chief Lynn reviewed the application and found no issues for this first time event. The Police Department will be assisting with traffic control and staff recommended approval. Council Member Jones moved to approve the special event alcohol permit as submitted; Council Member King seconded and the motion carried unanimously.

4. Request from the Perry Ministerial Association for its Annual Christmas at the Square on December 2, 2018 from 6 pm to 7 pm.

Street Closure(s) request:

Carroll Street between Jernigan Street and Washington Street
Ball Street between Commerce Street and Main Street

Chief Lynn reviewed the application for this annual community event and staff recommended approval. Mayor Pro Tempore Walker moved to approve the streets closure request as submitted. Council Member Jackson seconded and the motion carried unanimously.

10. Council Members Items:

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

Council Member Bynum-Grace thanked Carl Lumpkin and his committee for a great Music Festival this year.

Council Member Jones noted the last Food Truck Friday was very successful.

Assistant City Manager Smith reminded everyone of the movie to be shown at Creekwood Park on Saturday evening.

Mr. Gilmour, and Attorney Waters had no reports.

11. Department Heads/Staff Items:

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

Chief Parker announced the Fire Department would be doing a smoke detector blitz on Saturday going from house to house installing the detectors. They are also looking for volunteers to help install.

Mr. Smith announced the football kick off will be in Creekwood Park at 9 am on Saturday.

12. General Public Items: None

13. Mayor Items:

- September 25th, Walk with Mayor/Council in Wind River
- October 1st – Work Session
- October 2nd – Pre council & regular meeting
- October 4th – Georgia National Fair starts

14. Adjourn. There being no further business to come before Council in regular meeting held September 18, 2018, Council Member Hunt motioned to adjourn the meeting at 6:50 p.m.; Council Member Jackson seconded the motion and it carried unanimously.

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended by adding a new Section 18A-2 (d) as follows:

- (d) The chief judge and all associate judges shall be appointed at the first meeting in January at the beginning of the mayor's term of office and said appointment shall run concurrently with the mayor's term of office. Provided, however, in the event the chief judge or any associate judge dies, resigns or the position otherwise becomes vacant, the term of the office that is vacant shall begin as soon as the mayor appoints a successor.

SO ENACTED this ____ day of _____, 2018.

CITY OF PERRY, GEORGIA

By: _____
James E. Faircloth, Jr. - Mayor

Attest: _____
Annie Warren - City Clerk

1st Reading: _____

2nd Reading: _____

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended by deleting section 3-6 (d) in its entirety and adding a new section 3-6 (d) as follows:

- (d) The sale of alcoholic beverages for consumption on the premises shall be permitted between the hours of 8:00 a.m. and 2:00 a.m. on Sunday through Saturday. The sale of alcoholic beverages for consumption on the premises shall be permitted on Sunday between the hours of 12:01 a.m. and 2:00 a.m. and between the hours of 11:00 a.m. and 12:30 p.m. provided that at least fifty (50) percent of the total annual gross sales of the licensed is derived from the sale of prepared meals or food in all the combine retail outlets of the individual establishment where food is served or in any licensed establishment which derives at least fifty (50) percent of its total annual gross income from the rental of rooms for overnight lodging.

No second reading of this ordinance or adoption of same shall occur unless the voters of the City of Perry approve the Sunday sales of alcohol by the drink from 11:00 a.m. to 12:30 p.m. at the referendum to be held on November 6th, 2018. Notwithstanding codes that allow the outside consumption of alcohol in the downtown district, such sales and outside consumption are strictly prohibited on Sunday from 11:00 a.m. to 12:30 a.m.

SO ENACTED this ____ day of _____, 2018.

CITY OF PERRY, GEORGIA

By: _____
James E. Faircloth, Jr. - Mayor

Attest: _____
Annie Warren - City Clerk

1st Reading: _____

2nd Reading: _____

RESOLUTION

WHEREAS, the Board of Directors of the Georgia Municipal Association recognized the City of Perry, Georgia as a Certified City of Ethics in 2001; and,

WHEREAS, the City of Perry, Georgia wishes to be re-certified as a Certified City of Ethics under the GMA Program; and,

WHEREAS, the Mayor and Council of the City of Perry wants to make sure that the importance of ethical conduct in public service and the requirements of the city's ethic ordinance are brought to the attention of newly elected officials and is regularly reinforced for incumbent officials.

NOW, THEREFORE BE IT RESOVED by the Mayor and Council of the City of Perry, Georgia, that, as a group and as individuals, the governing authority re-subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

1. Serve others, not ourselves
2. Use resources with efficiency and economy
3. Treat all people fairly
4. Use the power of our position for the well being of our constituents
5. Create an environment of honesty, openness and integrity.

RESOLVED THIS ____ **DAY OF OCTOBER 2018.**

James E. Faircloth, Mayor

Mayor Pro-Tempore

(City Seal)

Council Member

Attest:

Annie Warren, City Clerk



MEMORANDUM

TO: Lee Gilmour, City Manager

FROM: Brenda King, Director of Administration

DATE: September 27, 2018

SUBJECT: Recommendation of Award
Bid #2019-04

Description: Landscape Maintenance

FUND: General Fund

Vendor	Calhoun Park	Creekwood Park	PS Training Facility
Real Turf Solution	\$450.00	\$775.00	\$650.00
Great Cuts Lawn Service	\$4,000.00	\$3,500.00	\$12,500.00
Tuff Dog Lawn Care, LLC	\$2,400.00	\$2,000.00	\$7,600.00
Heart of Georgia Environmental	\$520.00	\$845.00	\$892.00
Landscape Design, Inc.	\$428.35	\$774.15	\$797.32
Johnny B'z Lawn & Trash Service	\$500.00	\$800.00	\$500.00
Miracle Lawn Service	\$1,000.00	\$2,000.00	\$875.00
Seasons Landscape	\$760.00	\$1,495.00	\$1,961.00
Level Line, Inc.	No Bid	No Bid	\$750.00
Dixie Lawn & Landscape	\$540.00	\$650.00	\$610.00

Department recommendation: Award the bids as follows:

Barbara Calhoun Park in the amount of \$428.35 per month to Landscape Design, Inc.
Creekwood Park in the amount of \$650.00 per month to Dixie Lawn & Landscaping, Inc.
Public Safety Training Center in the amount of \$500.00 per month to Johnny B'z Lawn and Trash Service, LLC



Where Georgia comes together.

To: Brenda King, Director of Administration

CC: Lee Gilmour, City Manager and Robert Smith, Assistant City Manager

From: Ansley Fitzner, Landscape Manager

Date: September 24, 2018

Re: Bid 2019-04 Landscape Maintenance, Recommendation of Award

Ms. King,

After review of the bid documents received for Bid #2019-04, it is the recommendation of the Landscape Manager to award the scope of services to the following contractors:

Barbara Calhoun Park

Landscape Design Inc. (LDI Landscape) in the amount of \$428.35 per month

Creekwood Park

Dixie Lawn & Landscaping, Inc. in the amount of \$650.00 per month

Public Safety Training Facility

Johnny B'z Lawn & Trash Service, LLC in the amount of \$500.00 per month

Please let me know of any questions and concerns or if you would like additional information.

Thank you,

Ansley Fitzner

City of Perry

Landscape Manager

478-244-6618