

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**March 21, 2017**  
**6:05 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 21, 2017 at 6:05 p.m.

2. Roll.

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

Elected Official(s) Absent: None.

Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert and Recording Clerk, Nancy Graham.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Robert Smith – Economic Development Director, Bryan Wood – Director of Community Development, Ellen Palmer – Digital Communications Manager, Chad McMurrian – Lead Engineering Technician, Kevin Dye - Director of Leisure Services and John Schell – Buildings and Grounds Maintenance Supervisor.

Guest(s)/Speaker(s): Mr. Darrell Holder, Mr. Kevin Sullivan, and Mr. Scott Ritchie

Media: Ms. Kirstin Moriarty - Houston Home Journal

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

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

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

5. Citizens with Input: None

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

6a. PUBLIC HEARING CALLED TO ORDER AT 6:12 p.m. Mayor James E. Faircloth Jr. called to order a public hearing at 6:12 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)

Petition for Re-zoning Application No. R-17-02. Applicant, Kevin Sullivan request for the rezoning of property from OC, Office Commercial to M-2, Industrial. The property is located at 702 and 704 Ball Street – Mr. B. Wood.

Council Member Walker advised that he will recuse himself from the discussion because of potential conflicts of interest.

Staff Report: Mr. Wood reviewed the applicant's request for rezoning property from OC, Office Commercial to M-2 Industrial and advised the Perry Planning Commission recommended approval of the request subject to the following conditions: 1). A six(6) foot tall wood fence be installed along the north and east property lines adjacent to residentially zoned properties and 2). Any chain link fence on front of property must be black vinyl coated. Mr. Wood advised that the City Staff recommends denial of this application because of its proximity to residential and historic residential districts.

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

For: Mr. Kevin Sullivan spoke for the petition of rezoning the property from OC, Office Commercial to M-2, Industrial and requested Council's consideration for approval.

Against: None

6b. Amendment to Perry Land Development Ordinance, Section 106- Signs- to reflect the new form based code districts on General Courtney Hodges Boulevard – Mr. B. Wood

Staff Report: Mr. Wood reviewed the request for amendment to Perry Land Development Ordinance, Section 106 – Signs to reflect the new form based code districts on General Courtney Hodges Blvd.

Public Input: Mayor Faircloth called for any public input for or against the amendment to the Perry Land Development Ordinance, Section 106 – Signs as described.

For: None

Against: None

Public Hearing closed at 6:16 p.m. Mayor James E. Faircloth closed the public hearing at 6:16 p.m.

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

7a. Council's Consideration – Minutes of the March 6, 2017 work session, March 7, 2017 pre council meeting and March 7, 2017 council meeting.

Council Member Hunt motioned to accept the minutes as submitted; Mayor Pro-Tempore Jackson seconded the motion. Council Members Bynum-Grace, Walker and King were in favor. Council Member Jones abstained due to his absence on March 6, 2017; motion carried.

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

8a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second reading** of an ordinance de-annexing P49-41/42 from the City of Perry. The property is located at 2000 and 2008 Houston Lake Road. Mr. Wood reviewed the request for de-annexation and advised the Perry Planning Commission recommended denial for de-annexation.

Council Member Walker motioned to accept the Perry Planning Commission's recommendation to deny de-annexation of said property. Council Member Jones seconded the motion and it carried unanimously.

2. **Second reading** of an ordinance rezoning P49/42 from City of Perry R-2A, Two Family Residential District, to City of Perry R-AG, Residential Agricultural. The property is located at 2000 and 2008 Houston Lake Road.

Adopted Ordinance No. 2017-14 to rezone P49/42 from City of Perry R-2A, Two Family Residential District, to City of Perry R-AG, Residential Agricultural. The property is located at 2000 and 2008 Houston Lake Road. Mr. Wood reviewed the request for rezoning and advised the Perry Planning Commission's recommendation to approve the rezoning request. Council Member King motioned to accept the Perry Planning Commission's recommendation to approve the rezoning request. Council Member Hunt seconded the motion and it carried unanimously. *(Ordinance No. 2017-14 has been entered into the City's official book of record)*

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

- 9a. Mayor James E. Faircloth, Jr – None
- 9b. Council Members – None
- 9c. City Manager Lee Gilmour – None
- 9d. City Attorney Matthew Hulbert – None

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

10a. Matters referred from March 20, 2017 work session and March 21, 2017 pre council meeting

1. Adopted Resolution No. 2017-09 establishing a policy relative to use of chain link fencing in certain land use districts: Mr. Gilmour presented for Council's consideration a resolution establishing a policy relative to use of chain link fencing in certain land use districts subject to certain conditions.

The conditions would apply in non-residential districts except C-3 (downtown), M1 and M2.

Council Member Walker motioned to adopt the resolution as described; Council Member King seconded the motion and it carried unanimously. (*Resolution No. 2017-09 has been entered in the City's official book of record.*)

2. Adopted Resolution 2017-10 authorizing submission of a Community Development Block Grant application to the Georgia Department of Community Affairs for funding of housing rehabilitation and reconstruction.

Mr. Smith presented for Council's consideration a resolution authorizing submission of a Community Development Grant application to the Georgia Department of Community Affairs for funding of housing rehabilitation and reconstruction. Council Member Bynum-Grace motioned to adopt the resolution as submitted; Council Member King seconded the motion and it carried unanimously. (*Resolution No. 2017-10 has been entered in the City's official book of record.*)

3. Authorize Grant Specialists of Georgia, Inc. to submit a Community Development Block Grant application to the Georgia Department of Community Affairs on behalf of the City of Perry – Mr. R. Smith.

Mr. Smith presented for Council's consideration authorizing Grant Specialists of Georgia, Inc. to submit a Community Development Block Grant application to the Georgia Department of Community Affairs on behalf of the City of Perry. Council Member King motioned to authorize Grant Specialists of Georgia, Inc. to submit a Community Development Block Grant application as described. Council Member Jones seconded the motion and it passed unanimously.

10b. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance for the rezoning of property from OC, Office Commercial to M-2, Industrial. The property is located at 702 and 704 Ball Street – Mr. Wood. (*No action required by Council*)
2. **First Reading** of an ordinance amending the Perry Land Development Ordinance, Section 106 – Signs – Mr. Wood. (*No action required by Council*)

10c. Resolution(s) for Consideration and Adoption:

1. Adopted Resolution 2017-11 declaring official intent to reimburse costs of acquiring vehicles and equipment with tax-exempt financing

Ms. King presented for Council's consideration a resolution declaring official intent to reimburse costs of acquiring vehicles and equipment with tax-

exempt financing. Council Member King motioned to adopt the resolution as submitted; Council Member Jones seconded the motion and it passed unanimously. (*Resolution No. 2017-11 has been entered into the City's official book of record.*)

2. Adopted Resolution 2017-12 accepting the maintenance of certain infrastructure at Blackhawk Phase 1, Section 3.

Mr. McMurrian presented for Council's consideration a resolution accepting the maintenance of certain infrastructure at Blackhawk Phase 1, Section 3. Council Member Jones motioned to adopt the resolution as submitted. Council Member Kings seconded the motion and it passed unanimously. (*Resolution No. 2017-12 has been entered into the City's official book of record.*)

10d. Award of Bid(s):

1. Bid No. 2017-12                      St. Patrick's Drive 12" Water Main Extension – Mr. C. McMurrian

Mr. McMurrian presented for Council's consideration an award of bid for St. Patrick's Drive 12" Water Main Extension. Staff recommended awarding the bid to the lower bidder LaKay Enterprises in the amount of \$109,511.00. Council Member Jones motioned to award Bid No. 2017-12 to LaKay Enterprises in the amount of \$109,511.00, subject to the application of the city's local vendor preference policy, if applicable. Council Member King seconded the motion and it carried unanimously.

2. Bid No. 2017-15                      Demolition of old animal shelter – Chief S. Lynn

Chief Lynn presented for Council's consideration an award of bid for demolition of the old animal shelter. Staff recommended awarding the bid to the lower bidder who met all bid requirements, Level Line, Inc. in the amount of \$8,800.00. Council Member King motioned to award Bid No. 2017-15 to Level Line, Inc. in the amount of \$8,800.00. Council Member Jones seconded the motion and it carried unanimously.

3. Bid No. 2017-16                      Purchase of one(1) 4x4 Crew Cab Light-Duty Rescue Truck – Chief L. Parker

Chief Parker presented for Council's consideration an award of bid for the purchase of one (1) 4x4 Crew Cab Light-Duty Rescue Truck. Staff recommended awarding the bid to the lower bidder, Fouts Bros. Inc. in the amount of \$103,600.00. Council Member King motioned to accept Staff's recommendation to award Bid No. 2017-16 to Fouts Bros. Inc. in the amount of \$103,600.00. Council Member Walker seconded the motion; motion carried five to one, Council Member Hunt opposed.

- 10e. Approval of intergovernmental agreement between City of Perry, Houston County Board of Elections and Houston County Board of commissioners for operation of 2017 Municipal Election – Mr. L. Gilmour.

Mr. Gilmour recommended approval of an intergovernmental agreement between City of Perry, Houston County Board of Elections and Houston County Board of Commissioners for operation of 2017 Municipal Election.

Council Member King motioned to approve the intergovernmental agreement, subject to city attorney's approval. Council Member Walker seconded the motion and it passed unanimously.

- 10f. Approval of Task Order 28 for Stormwater Asset Mapping Phase 2 project. Mr. McMurrian presented for Council's consideration approval of Task Order 28 for Stormwater Asset Mapping Phase 2 project. Council Member Hunt motioned to approve Task Order 28 for Stormwater Asset Mapping Phase 2 project in the amount of \$458,480.00. Council Member King seconded the motion and it passed unanimously.

- 10g. Request for septic tank and well for 2008 Hwy 127. Mr. Wood recommended approval to the request for a septic system to be allowed in the city limits subject to permitting by Houston County. Regarding the well, Mr. Wood stated the city will provide water to the property. He advised that the owner has been made aware of the flow requirements necessary for fire protection.

Council Member King motioned to approve the request for a septic tank and well for 2008 Hwy 127. Council Member Jones seconded the motion and it passed unanimously.

11. Council Members Items:

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

Mr. Gilmour Lee and Assistant City Attorney Hulbert had no reports.

12. Department Head Items:

Chief Lynn, Ms. King, Chief Parker, Mr. Dye, Ms. Palmer, Mr. Wood and Mr. Schell had no reports.

Mr. Smith items:

- Perry Housing Team will host its 1<sup>st</sup> City of Perry Fair on April 27, 2017 at Creekwood Park Pavilion/3:00 pm – 6:00 pm. If inclement weather, it will be moved to the Perry Arts Center.
- Spring Neighborhood Cleanup at Ochlahatchee on April 29, 2017 at 8:00 a.m. There will be a cookout following the cleanup.

13. General Public Items:

Mr. Scott Ritchie presented to Council for consideration his petition for de-annexation of the property he presented to Planning and Zoning. After discussion, Mayor Faircloth, Jr. encouraged Mr. Ritchie to meet with Mr. Wood to further address his concerns.

Mr. Darrell Holder advised Council of his interest in purchasing the property on Ball Street from Mr. Kevin Sullivan. Mr. Holder also had questions relative to the rezoning process. Mayor Faircloth explained the rezoning process to Mr. Holder.

14. Mayor Items:

- March 22, 2017 is Robins Air Force Day at the State Capitol
- Walk with Mayor and Council is March 28, 2017 in District 2. Meet at Legacy Park Subdivision.
- April 3, 2017 – Work session
- April 4, 2017 – Pre council and council

15. Executive Session entered at 6:55 p.m.: Council Member Jones moved to adjourn the regular meeting and enter into an executive session for the purpose of real estate acquisition. Council Member King seconded the motion and it carried unanimously.

16. Executive Session adjourned; Council's regular meeting reconvened: Council adjourned the Executive Session held March 21, 2017 and reconvened into the regular meeting.

17. Adopted Resolution No. 2017 – 13 stating purpose of Executive Session held March 21, 2017 was for real estate acquisition. Mayor Pro Tempore Jackson moved to adopt a resolution stating the purpose of the executive session held on March 21, 2017 was to discuss real estate acquisition. Council Member Bynum-Grace seconded the motion and it carried unanimously. (*Resolution 2017-13 has been entered in the City's official book of record*).

18. Adjournment: There being no further business to come before Council in the reconvened regular meeting held March 21, 2017, Council Member Walker motioned to adjourn the meeting at 7:15 p.m.; Council Member Hunt seconded and it carried unanimously.