

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**July 19, 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 July 19, 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 and Phyllis Bynum-Grace.

Elected Official(s) Absent: Council Member Riley Hunt

Staff: City Manager Lee Gilmour, City Attorney Matthew Hulbert and Recording Clerk, Cyndi Houser

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Major William Phelps – Perry Police Department, Battalion Chief Ephraim Wheeler and Chief David Stanton – Fire and Emergency Services Department, Brenda King – Director of Administration, Decius Aaron – Director of Public Works and Kevin Dye - Director of Leisure Services.

Guest(s)/Speaker(s): Ms. Jean Berrie, Mr. Adrian Moss and family, Lt. Bruce Ham, Ms. Crystal Ham, Dorothy and Ervine Ham and other family members of Lt. Bruce Ham, members of the Police Department, Mr. Rajesh Mir, Ms. Suneeta Mir, Mr. Penrose Wolf, Ms. Terre Walker, Mr. Ray Jackson and Mr. Chris West – Teramore Development, LLC.

Media: Jake Jacobs, Houston Home Journal, David Crenshaw – Macon Telegraph and Chris Rogers, ComSouth 100

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

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

Chief Lynn introduced Mr. Adrian Moss as the newest officer for the Police Department. Mr. Moss came by way of New Zealand and Warner Robins. Mr. Joshua Brown was unable to be present as he was still at the training academy classes.

Chief Lynn and Major Phelps recognized Lt. Bruce Ham for his 30 years of service and spoke of the rapport he has built in the community. Lt. Ham then introduced his family members present and his father, Ervine, placed the 30-year pin on his uniform. Mayor Faircloth presented Ms. Crystal Ham with a gift certificate in appreciation for the sacrifices she made as an officer's wife.

Mayor Faircloth spoke on behalf of Council thanking the Police Department for all they do to protect this community and to let them know they have the full support of Mayor and Council.

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

5a. Consider appointment(s) to WRATS Citizens Advisory Committee to replace Calvin Middlebrooks and Joe Hamilton. Mr. Gilmour advised that Mr. Charles Lewis had expressed an interest and willingness to serve on the WRATS Committee. Mayor Pro Tempore Walker moved to appoint Mr. Charles Lewis to the WRATS Citizens Advisory Committee to replace the vacancy created by the resignation of Mr. Calvin Middlebrooks. The motion was seconded by Council Member Jones and it carried unanimously. The Mayor requested the remaining vacancy continue on the agenda until filled.

6. Citizens with Input.

Ms. Jean Beery, 901 Perimeter Road, Apt. 102, Perry lauded the Police Department and asked Council to consider bullet resistant vests for the police dogs also. She also noted a new facility is needed for the dogs.

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

PUBLIC HEARING CALLED TO ORDER AT 6:25 P.M. Mayor James E. Faircloth Jr. called to order a public hearing at 6:25 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. Amendment to Perry Land Development Ordinance Article VIII – Use Requirements by District, Section 86.1.1 Use Table Key.

Staff Report: Mr. Gilmour advised the amendment makes adjustments to the use table as recommended by the Planning Commission regarding form based zoning for Courtney Hodges Boulevard corridor.

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

For: None

Against: None

7b. Amendment to Perry Land Development Ordinance Section 106.10 Exemptions for Sign Permit Requirements.

Staff Report: Mr. Gilmour advised the amendment formalizes the process for the sign ordinance as recommended by the Planning Commission for allowing banners, spinners, etc. during the first 30 days a business is open or has a major remodeling project.

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

For: None

Against: None

- 7c. Consider revoking business license for Ramada Inn.

Staff Report: Mr. Gilmour stated the owner/manager of the Ramada Inn is delinquent on payment of the Accommodation Excise Taxes for January, February, March, April and May. The owner/manager has been notified in writing of the status. Administration recommended revocation of the business license.

Public Input: Mayor Faircloth called for any public input for or opposed to the revocation of the business license for Ramada Inn.

For: None

Against: Mr. Raj Mir, 200 Valley Drive, Perry, GA and Ms. Suneeta Mir, 200-A Valley Drive, Perry, GA, stated they had paid the taxes for the months listed. They further stated they had fallen on hard times during those months and had been unable to pay the taxes timely, but they were now up to date.

- 7d. Consider revoking business license for Days Inn.

Staff Report: Mr. Gilmour stated the situation with Days Inn was the same as for Ramada Inn as it was the same owners. Administration recommended revocation of the business license.

Public Input: Mayor Faircloth called for any public input for or opposed to the revocation of the business license for Days Inn.

For: None

Against: Mr. Raj Mir, 200 Valley Drive, Perry, GA and Ms. Suneeta Mir, 200-A Valley Drive, Perry, GA, stated they had paid the taxes for the months listed. They further stated they had fallen on hard times during those months and had been unable to pay the taxes timely, but they were now up to date.

- 7e. Consider revoking business license for Howard Johnson

Staff Report: Mr. Gilmour stated Howard Johnson had no previous history of delinquency and Administration recommended the owner/operator be sent a notice if they are 30 days late, the business license could be revoked.

Public Input: Mayor Faircloth called for any public input for or opposed to the revocation of the business license for Howard Johnson.

For: None

Against: None

Public Hearing Closed at 6:37 p.m. Mayor James E. Faircloth Jr. closed the public hearing at 6:37 p.m.

Mayor Faircloth entertained a motion to revoke the business licenses of Ramada Inn and Days Inn. Mayor Pro Tempore Walker moved to issue a notice to the owners/operators of Ramada Inn and Days Inn that in the future if they were 30 days or more delinquent, the license would automatically be revoked. Council Member Bynum-Grace seconded. After discussion, an amendment was offered by Mayor Pro-Tempore Walker adding the City Manager would have the authority to revoke the business license without a hearing. Ms. Bynum-Grace seconded the motion for the amendment and it was unanimous. Mayor Pro Tempore Walker restated the motion to issue a notice to the owners/operators of Ramada Inn and Days Inn that if they are late 30 days or more in the future, the City Manager is authorized to revoke the business license for Ramada Inn or Days Inn without the benefit of a hearing. Council Member Bynum-Grace seconded the motion and it carried unanimously.

Mayor Faircloth entertained a motion to revoke the business license of Howard Johnson Hotel. Mayor Pro-Tempore moved to issue a notice to owners/operators of the Howard Johnson hotel that taxes must be paid timely or if they are not, a public hearing will be held to consider the revocation of their business license. Council Member King seconded and it carried unanimously.

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

8a. Council's Consideration – Minutes of July 5, 2016 pre council meeting and July 5, 2016 council meeting. Council Member Bynum-Grace motioned to accept the minutes as submitted; Council Member Jones seconded the motion, and it carried unanimously.

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

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

1. **Second Reading** of an ordinance rezoning 5.30 acres from Houston County R-1 & C-1 Districts to City of Perry C-2, General Commercial District. The property is located in the northwest corner of Hwy 41 North and Mack Thompson Road.

Adopted Ordinance 2016-08 approving the rezoning of 5.30 acres from Houston County R-1 & C-1 Districts to City of Perry C-2, General Commercial District. Mayor Pro Tempore Walker moved to approve the rezoning of 5.300 acres from Houston county R-1 & C-1 Districts to City of Perry C-2, General Commercial District. Council Member Jones seconded and the motion carried unanimously. *(Ordinance 2016-08 has been entered into the City's official book of record.)*

2. **Second Reading** of an ordinance annexing 5.30 acres from Houston County R-1 & C-1 Districts to City of Perry C-2, General Commercial District. The property is located in the northwest corner of Hwy 41 north and Mack Thompson Road.

Adopted Ordinance 2016-09 approving the annexing of 5.30 acres from Houston County R-1 & C-1 Districts to City of Perry C-2, General Commercial District. Council Member King moved to approve the annexation of 5.30 acres from Houston County R-1 & C-1 Districts to City of Perry C-2, General Commercial District. Council Member Jones seconded and the motion carried unanimously. (*Ordinance 2016-09 has been entered into the City's official book of record.*)

10. Any Other Old Business Matters:

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

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

11a. Matters referred from July 18, 2016 work session and July 19, 2016 pre-council meeting.

- 1. Consider purchase of police officer armor and helmets.

Chief Lynn provided information regarding upgraded armor and helmets. He was requesting authorization to purchase these items which are rated for rifle resistance. The cost is approximately \$26,000. Mayor Pro Tempore Walker moved to authorize Chief Lynn to purchase the rifle resistant body armor and Kevlar helmets to be paid from the police general fund and confiscated monies fund. Council Member King seconded and the motion carried unanimously.

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

- 1. **First Reading** of an ordinance amending Perry Land Development Ordinance Article VIII – Use Requirements by District, Section 86.1.1 Use Table Key. (*No action required by Council.*)
- 2. **First Reading** of an ordinance amending Perry land Development Ordinance Section 106.10 Exemptions for Sign Permit Requirements. (*No action required by Council.*)
- 3. **First Reading** of an ordinance lowering the speed limit on Airport Road Extension. (*No action required by Council.*)

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

- 1. Adopted Resolution 2016-31 amending the City of Perry Facilities Improvements Plan. Mr. Gilmour explained the items are added to the list of projects, but does not indicate approval. Most of the projects are recommended to be phased in without changing the total amount of the expenditure. Council Member King moved to adopt a resolution amending the City of Perry Facilities Improvements

Plan. Council Member Jones seconded the motion and it carried unanimously. (*Resolution 2016-31 has been entered into the City's official book of record.*)

2. Adopted Resolution 2016-32 declaring the official intent to reimburse costs of acquiring vehicles and equipment with tax-exempt financing. Ms. King explained GMA requires a resolution for part of the lease agreements. Council Member Bynum-Grace moved to adopt a resolution declaring the official intent to reimburse costs of acquiring vehicles and equipment with tax-exempt financing. Council Member King seconded the motion and it carried unanimously. (*Resolution 2016-32 has been entered into the City's official book of record.*)

11d. Award of Bid(s):

1. Upgrading HVAC unit at public works facility. Mr. Aaron stated the current system is undersized due to changes in the facility. Two bids were obtained and Sullivan Heating and Cooling was the low bidder. Staff recommends awarding the bid to Sullivan Heating and Cooling for \$6,957.00. Mayor Pro Tempore Walker moved to award the bid to Sullivan Heating and Cooling for \$6,957.00 to replace the HVAC unit at the public works facility. Council Member Bynum-Grace seconded the motion and it carried unanimously.

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

12a. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance to authorize the refinancing of certain Water and Sewer Revenue Bonds and support documents thereto. (*No action required by Council.*)

Mr. Gilmour advised this is to authorize refinancing for a lower interest rate, but it requires an ordinance to finalize.

13. Department Head Items:

Ms. King, Chief Stanton, Mr. Dye, Mr. Aaron and Battalion Chief Wheeler 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 provided information from Downtown Merchants Association's sidewalk sale which will be held on Thursday, Friday and Saturday during the National Barrel Horse Racing competition. Everyone was urged to attend.

14. Council Members Items:

Council had no reports.

Mr. Gilmour – No report

Attorney Hulbert – No report

15. General Public:

None

16. Mayor Items:

- Former DDA member Tish Hayward's funeral will be Thursday at New Hope Baptist Church
- A Unity in the Community rally will be held Saturday, July 24, 2016 at the Union Grove Baptist Church
- July 26<sup>th</sup> will be the Walk with Mayor and Council in District 1
- Dixie Youth World Series will be held on July 29<sup>th</sup> at the Ochlahatchee Fields
- The next work session will be August 1<sup>st</sup> and regular meeting will be August 2<sup>nd</sup>

17. Adjourn: There being no further business to come before Council in the regular council meeting held July 19, 2016, Council Member Jackson motioned to adjourn at 7:00 p.m.; Council Member Bynum-Grace seconded the motion and it carried unanimously.