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## REGULAR MEETING OF THE PERRY CITY COUNCIL

August 15, 2017

**6:00 P.M.**

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor James E. Faircloth, Jr.
4. Recognition(s)/Proclamation(s)/Presentation(s) – Mayor James E. Faircloth, Jr.
  - Introduction of Laura King, Public Works Executive Secretary – Mr. L. Gilmour
5. Appointment(s) to Boards/Commissions/Authorities – Mayor James E. Faircloth, Jr.
  - Appointment to Perry Planning Commission – Mayor James E. Faircloth, Jr.
  - Appointment to Perry Area Convention and Visitors Bureau – Council Members Hunt and Walker
6. Citizens with Input.
7. Public Hearing(s): Mayor James E. Faircloth, Jr.

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 Special Exception Application #S-17-04. Applicant, Grady Fain Griffin, Jr., proposes to construct a car wash on approximately 1.26 acres at the Northeast corner of Wes Park Drive and Houston Lake Road (P41A-120). The proposed site does not extend to Perry Parkway. Perry Planning Commission recommends approval of the request as submitted with the following condition:  
1) Any building constructed for a car wash on the subject property shall be substantially similar to the rendering and building elevations presented in the application. Mr. B. Wood. *(Council may vote following hearing.)*
- 7b. Consider revoking business license for Howard Johnson. Mr. L. Gilmour  
*(Council may vote following hearing.)*
8. Review of Minutes: Mayor James E. Faircloth, Jr.
  - 8a. Council's Consideration – Minutes of the July 31, 2017 work session, August 1,

2017 pre council meeting and August 1, 2017 council meeting.

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

- 9a. Mayor James E. Faircloth, Jr.
- 9b. Council Members
- 9c. City Manager Lee Gilmour
- 9d. City Attorney

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

10a. Matters referred from August 14, 2017 work session and August 15, 2017 pre council meeting.

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

First Reading of an ordinance amending the Perry Code by adding Section 18-36, in the list of places for which parking shall not be allowed for the following two additional places: Commerce Street from Macon Road to General Courtney Hodges Boulevard and Washington Street from Commerce Street to Sam Nunn Boulevard. *(No action is required by Council.)*

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

- 1. Resolution amending the City of Perry Fee Schedule – Mr. L. Gilmour
- 2. Resolution for Declaration of Official Intent to Reimburse Cost of Acquiring Vehicles and Equipment with Tax Exempt Financing – Ms. B. King

10d. Authorize City participation in Houston County EMA grant application. Mr. L. Gilmour

10e. Authorize renewal of City of Perry Health and Dental Plans – Mr. L. Gilmour

10f. Consider authorizing striping for Creekwood Drive between General Courtney Hodges Boulevard and the second access intersection to Ida Lassiter Circle. – Mr. L. Gilmour

10g. Special Events Application(s) – Chief Lynn

- 1. Perry Music Festival, Saturday, September 16, 2017 is requesting approval of the 8<sup>th</sup> Annual Festival to be held at Rotary Centennial Park from Noon to Midnight assistance of Public Works staff and street closures.

Street closure(s) requested:

Partial closure of Martin Luther King, Jr. Drive

- 2. Perry Downtown Merchants Association and Perry Main Street Promotion Committee are requesting permission to host the Fifth Annual Sweets and Treats on Downtown Streets and for street closures on Tuesday,

October 31, 2017 from 4:00 pm to 6:00 pm.

Street closure(s) requested: Courthouse square configuration

10h. Approve second amendment to the Subscribed Regulatory Compliance Service Program Agreement. – Mr. L. Gilmour

11. Council Members Items.

12. Department Heads/Staff Items:

13. General Public Items:

14. Mayor Items:

15. Adjourn.



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Department of Community Development

**Public Hearing**  
**August 15, 2017**  
**Tuesday @ 6:00 PM**

July 25, 2017

The Honorable James E. Faircloth, Jr.  
Perry City Council  
Post Office Box 2030  
Perry, Georgia 31069

Re: Special Exception Application #S-17-04  
Northeast corner of Wes Park Drive and Houston Lake Road, Perry #P41A-120  
(portion – approximately 1.26acres)

Dear Mayor and Council:

On July 24, 2017 the Perry Planning Commission reviewed the above referenced special exception petition as submitted by Mr. Grady Fain Griffin, Jr.

The request was for a special exception to allow for a car wash operation.

The Perry Planning Commission recommended approval of the request as submitted with the following condition: 1). Any building constructed for a car wash on the subject property shall be substantially similar to the rendering and building elevations presented in the application.

Sincerely,



Jacob W. Poole, Chairman  
Perry Planning Commission

JWP/cs



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**STAFF REPORT 4/24/17**

**CASE NUMBER:** S-17-04

**APPLICANT:** Grady Fain Griffin, Jr.

**REQUEST:** A Special Exception to allow a 'Car Wash'

**LOCATION:** Northeast corner of Wes Park Drive and Houston Lake Road; Tax Map No. P41A-120 (portion – approximately 1.26 acres)

**ADJACENT ZONING/LAND USES:**

Subject Parcel: Zoned C-2; undeveloped  
North: C-2; undeveloped  
South: C-2; retail shopping center  
East: C-2; undeveloped  
West: C-2; dental office

**REQUEST ANALYSIS:** The applicant proposes to construct a car wash on approximately 1.26 acres located at the intersection of Wes Park Drive and Houston Lake Road. The portion of property proposed for the car wash is not the entire parcel located between Wes Park and Perry Parkway. The proposed site does not extend to Perry Parkway. The parcel map submitted with the application shows a 'new road' connecting Wes Park Drive to Perry Parkway. Staff has informed the applicant this new road will not likely meet Georgia DOT standards for connecting to Perry Parkway.

The proposed car wash will be semi-self-service, similar to the Tidal Wave car wash located at Hwy. 96, in that vehicles are cleaned in an automated wash tunnel and space is available on-site for detailing and vacuuming. The applicant has provided a rendering and building elevations of the facility. The building is residential/agricultural in character with a metal pitched roof, brick and board-n-batten siding, and arched windows. A water tower element attached to the building is proposed for signage.

**STANDARDS FOR SPECIAL EXCEPTIONS:**

1. *Does the Special Exception follow the existing land use pattern?* The surrounding area consists of retail and office uses. While the car wash would be the first retail oriented use on the north side of Houston Lake Road in the area, it is consistent with the area and the type of uses that would be expected at the intersection of two major roads.
2. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The Character Areas Map of the 2017 Joint Comprehensive Plan identifies the property as 'Gateway Corridor'. Development in such areas should consider mixed-use centers, buildings architecturally integrated with one another, village centers, among other goals.
3. *Will adequate fire and police protection be available?* The property is located so that fire and police protection is readily available.
4. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The proposed use blends the architectural character of the surrounding offices with the retail

aspects of the adjacent shopping center. The size of the lot and the facility should be adequate so that the impact of the use will not be detrimental to surrounding uses.

5. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* A conceptual site plan was not submitted with the special exception application. However, staff will evaluate the layout of the proposed site to ensure that traffic does not back up onto public streets.
6. *Will the use result in an increase in population density overtaxing public facilities?* The proposed use should not have a negative impact on public facilities. The operation recycles its water for re-use in the facility and for its irrigation needs.
7. *Will the use create a health hazard or public nuisance?* The proposed use should not create a health hazard or be a public nuisance. The facility will operate during daylight hours only.
8. *Will property values in adjacent areas be adversely affected?* The proposed use should not adversely affect property values, but rather, improve property values in the surrounding area.
9. *Are there substantial reasons a permitted use cannot be used at this property?* No.

**STAFF CONCLUSIONS:** Staff concludes the proposed use is the type of use anticipated to develop at the intersection of major roadways like Perry Parkway and Houston Lake Road. Residential properties in the area are buffered from the site by office buildings. Staff recommends approval of the special exception, with the following condition:

1. Any building constructed for a car wash on the subject property shall be substantially similar to the rendering and building elevations presented in this application.



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Application # SE-17-04

## Application for Special Exception

Contact Community Development (478) 988-2720

### Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	Grady Fain Griffin Jr.	
*Title	Owner/Operator	
*Address	8 Kamelia Dr. Hawkinsville, Ga 31036	
*Phone	478-636-9193	
*Email	fain.griffin@gmail.com	

### Property Information

*Street Address	Wes Park Dr. & Houston Lake Rd.
*Tax Map #(s)	OP41A0 120000
*Zoning Designation	C2

### Request

\*Please describe the proposed use: The proposed use for this property is an exterior express car wash. This will be an automatic tunnel car wash with free vacuums that will never be unattended during hours of operation. Hours of operation will typically be 8 AM to 8 PM and when closed the property will be well lighted and protected with an alarm and camera system. Loitering will not be tolerated at any time.

### Instructions

1. The application and \$78.00 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.
2. 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 special exception). See Sections 32, 34, and 172 of the Perry Land Development Ordinance (PLDO) for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. 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.
5. Special Exception 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.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. 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  
If yes, please complete and submit the attached Disclosure Form.

#### For Office Use

Date received	Date deemed complete	Date of PC action	Date of Public Hearing	Date of Council action
6/30/17 PMW		7/24/17	8/15/17	

\$78 pd - PPC 7/24/17 - sign by 7/17/17 - legal send 7/19 - run 7/26

10. 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.

11. Signatures:

*Applicant		*Date	6/30/2017
*Property Owner/Authorized Agent		*Date	6/30/2017

**Standards for Granting a Special Exception**

- Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?  
No
- Describe the existing land use pattern surrounding the subject property.  
The property is surrounded by retail stores, restaurants, a medical and dental office, a bank and a large Grocery store.
- Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.  
This will be the second exterior express car wash this company has built and a part of our business model is to build beautiful buildings surrounded by clean well-manicured landscaping. We believe in the maintenance of our equipment, building and everything on our lot. We are in the business of clean so we believe having our business in this area will not only be a good fit because of the service we will provide but we believe we will help draw positive attention to this area which will hopefully attract new customers to our neighboring businesses as well. We also hope so see more new businesses in this area of Perry.
- Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection.  
The business will be closed from dusk until dawn, and the buildings and property will be accessible and well lighted.
- Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)  
Our building will be around 125 feet long and will not be any taller than the surrounding buildings. Exterior express car washes have proven to fit in extremely well in areas surrounded by other retail, restaurants and offices, which explains why they have become so popular in recent years. Equipment manufacturers in the car wash industry have figured out how to produce safe, environmentally friendly and quiet equipment that produces one clean, dry and shiny car after another so we believe the surrounding residents and businesses will gladly welcome the valuable service we will be able to provide. This operation will also close at night like most of the surrounding businesses which also helps it to fit in well in an area with heavy retail, restaurants and offices.
- For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district.  
The way this particular lot lays out will give us plenty of "stacking space", which is the space available to line up cars that are waiting to be washed. Some exterior express car washes are squeezed onto smaller lots but still end up doing a high volume of cars and their "stacking space" ends up spilling out



onto the nearby busy roadways. Even at our busiest times our traffic will never burden the roads around our property and will also never interfere with cross walks or sidewalks in the area.

7. Describe how the proposed use will not place an undue burden upon public facilities and services.  
Water usage is obviously an important element in the car wash business. Our facility will be equipped with a state of the art water reclaim system, which will send our used water through three separate tanks that will filter the water and make it clean enough to be reused in the wash and for irrigation for the landscaping at our location. Our water recycling system helps keep our overall water usage down and does not put a burden on the water usage for those around us. We will also use a mixture of hydraulic and electric motors to power the equipment. The equipment is built to use controlled, consistent power which prevents power surges, which also helps keep power usage under control and makes it a safer place to work for our employees.
8. Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution.  
The car wash will never be unattended during hours of operation and non-authorized personnel will never be allowed in the tunnel or in our equipment room unless they are accompanied by a manager. We will also have signage throughout the property explaining where to drive and how to position your vehicle to allow it to be pulled through the tunnel and we will also have employees re-enforcing these directions to help prevent vehicular accidents on the property. Our equipment is environmentally friendly and does not disperse smoke or pollution into the atmosphere. The equipment is also very smooth and quiet given all the different moving parts and high pressure water. The dryers at the end of the wash are the loudest piece of equipment in the tunnel but they do not cause a noise problem for surrounding businesses or pedestrians. As explained earlier, the use of our water recycling system helps keep the amount of water that is released into the public sewage system to a minimum so drainage is controlled. Traffic congestion will also not be a problem because of the size and layout of our lot, as explained earlier.
9. Describe how the proposed use will not adversely impact the value of surrounding properties.  
Recent trends in the exterior express car wash industry suggest that these businesses bring a valuable service to an area and tend to attract a high volume of traffic, which in turn can bring exposure to neighboring businesses. This area of Perry is growing and supplying this area with a well-run exterior express car wash will help add value to surrounding properties and will hopefully open the door for new businesses to join us on what has previously been a 5.5 acre empty lot.
10. State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located.

Created 5/25/2017

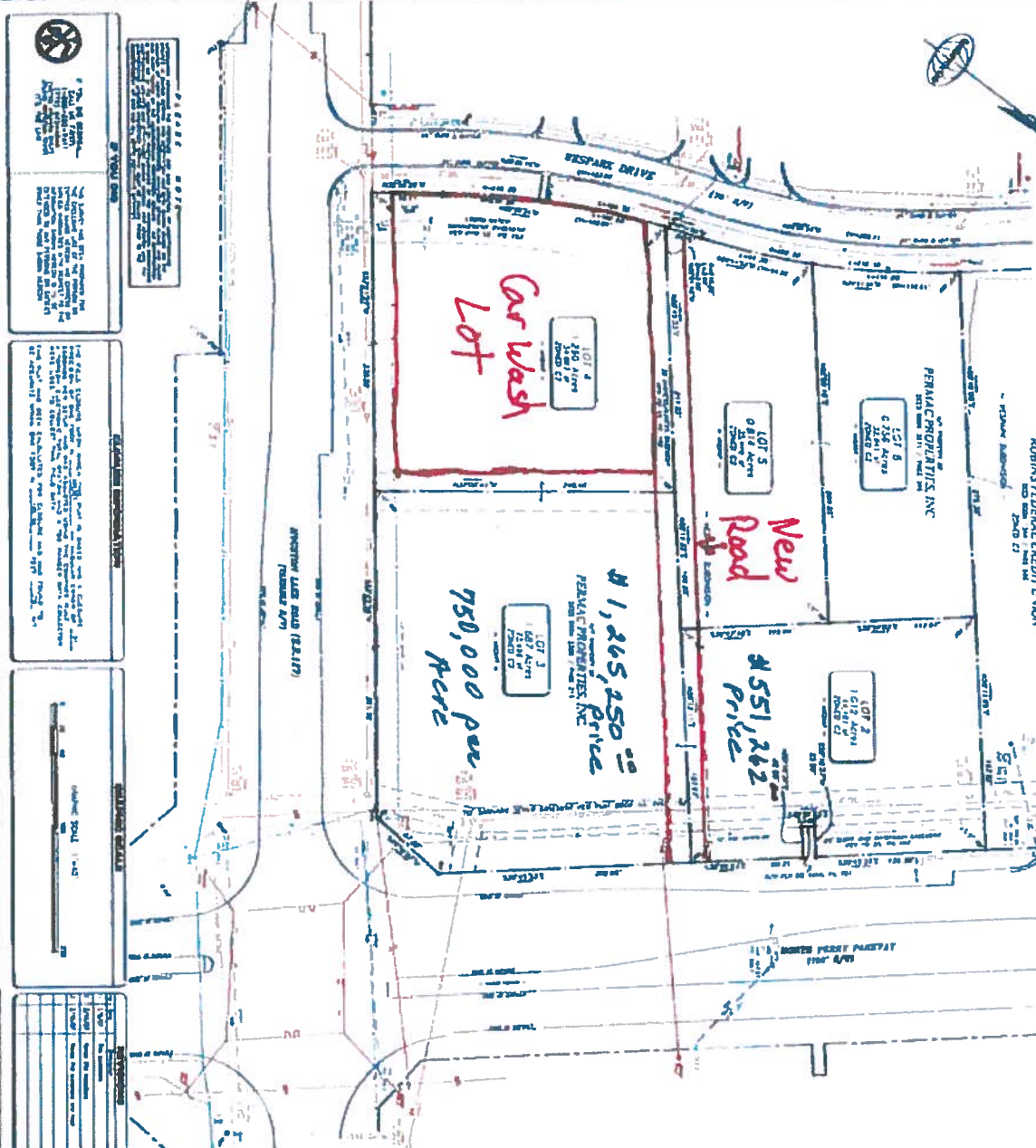
**For Office Use**

Date received	Date deemed complete	Date of PC action	Date of Public Hearing	Date of Council action
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# AREA TABLE

Area	Acres	Front Feet	Depth
LOT 1	1.14	114	114
LOT 2	1.14	114	114
LOT 3	1.14	114	114
LOT 4	1.14	114	114
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ROBINS FIDELITY CREDIT UNION  
2500 E. 12th St.  
Grand Rapids, MI 49506



## LOCATION MAP



## GENERAL NOTES

1. The site is located in the City of Grand Rapids, Michigan. The site is zoned for commercial use. The site is currently vacant. The site is surrounded by other commercial properties. The site is accessible by major roads. The site is well-served by public utilities. The site is in a good location for a car wash. The site is in a good location for a new road. The site is in a good location for a parking drive. The site is in a good location for a car wash lot. The site is in a good location for a new road. The site is in a good location for a parking drive. The site is in a good location for a car wash lot.

## UTILITY NOTES

1. The site is served by the Grand Rapids Water and Sewer Department. The site is served by the Grand Rapids Gas Company. The site is served by the Grand Rapids Electric Company. The site is served by the Grand Rapids Telephone Company. The site is served by the Grand Rapids Cable Company. The site is served by the Grand Rapids Internet Company. The site is served by the Grand Rapids Satellite Company. The site is served by the Grand Rapids Cellular Company. The site is served by the Grand Rapids Wireless Company. The site is served by the Grand Rapids Fiber Company. The site is served by the Grand Rapids Optical Company. The site is served by the Grand Rapids Acoustic Company. The site is served by the Grand Rapids Mechanical Company. The site is served by the Grand Rapids Chemical Company. The site is served by the Grand Rapids Biological Company. The site is served by the Grand Rapids Geological Company. The site is served by the Grand Rapids Astronomical Company. The site is served by the Grand Rapids Meteorological Company. The site is served by the Grand Rapids Oceanographic Company. The site is served by the Grand Rapids Atmospheric Company. The site is served by the Grand Rapids Hydrospheric Company. The site is served by the Grand Rapids Geospheric Company. The site is served by the Grand Rapids Biospheric Company. The site is served by the Grand Rapids Pedospheric Company. The site is served by the Grand Rapids Lithospheric Company. The site is served by the Grand Rapids Geospheric Company. The site is served by the Grand Rapids Biospheric Company. The site is served by the Grand Rapids Pedospheric Company. The site is served by the Grand Rapids Lithospheric Company.

## SURVEYING CERTIFICATION

I, the undersigned, being a duly licensed surveyor in the State of Michigan, do hereby certify that the foregoing is a true and correct copy of the survey as the same appears in my records. Witness my hand and seal this 1st day of January, 2001.

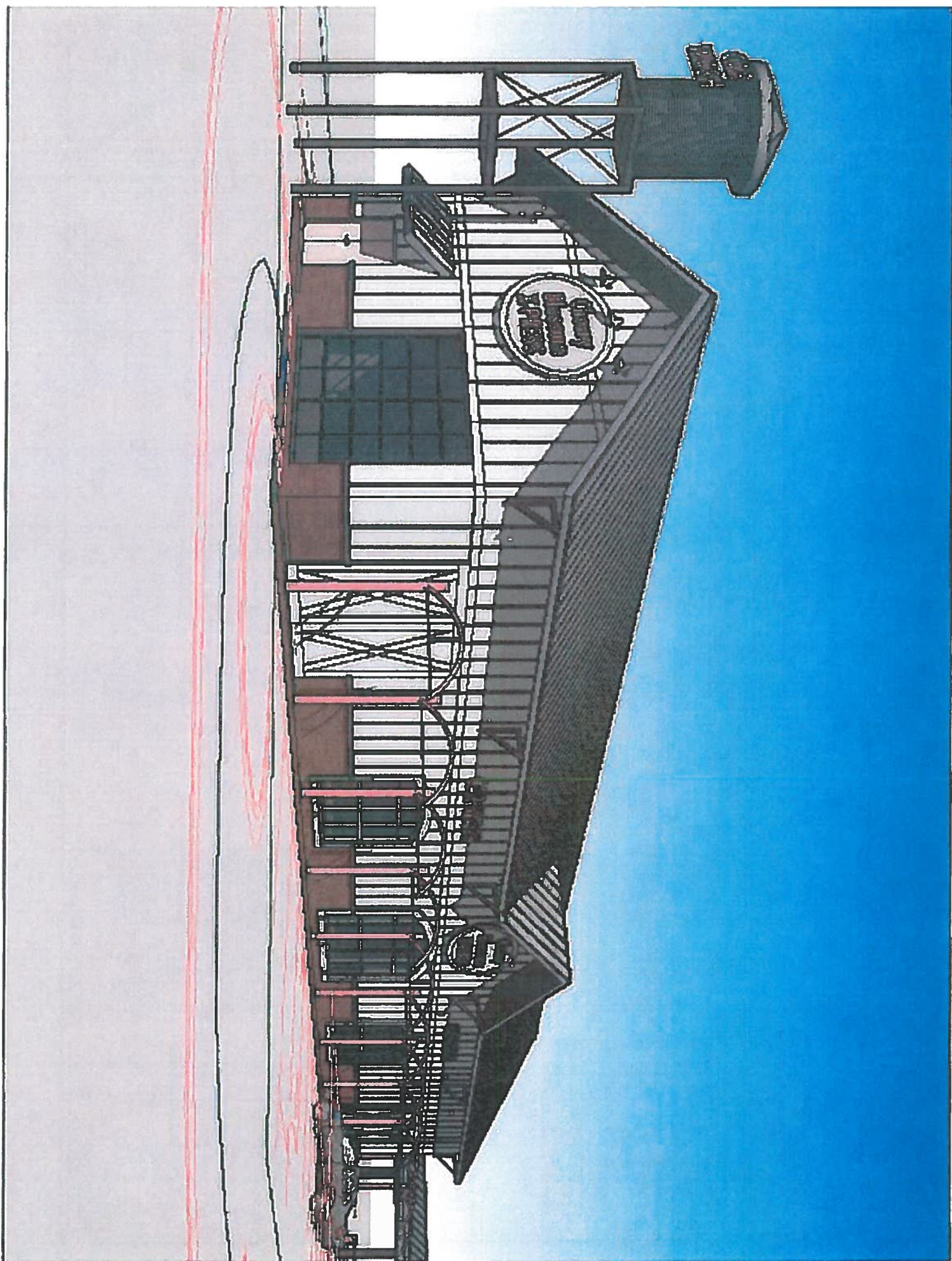


Good Survey, Ltd.  
1000 S. State St.  
Grand Rapids, MI 49506  
Phone: (616) 725-9800  
Fax: (616) 725-9801

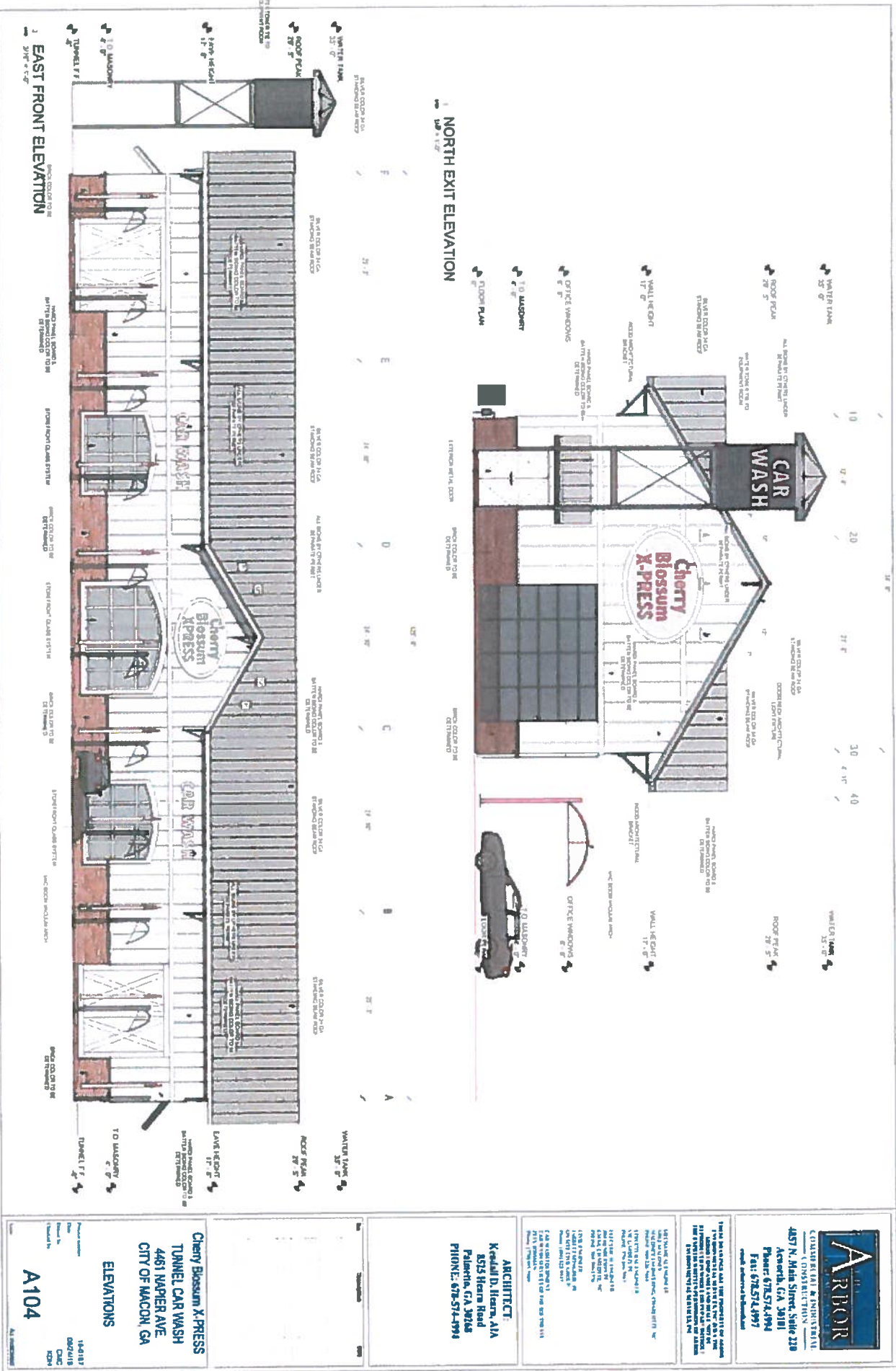
**ATTY: Houston, LP, Forting Law Firm, P.A.**  
**LeBlanc Bank National Association,**  
**Holland & Kohn LLP &**  
**Lamont, Chittie, Spence & Smith, P.A.**

**CITY PLAN:** 114  
**DATE:** 1/1/01  
**BY:** [Signature]  
**FOR:** [Signature]  
**WITNESSES:** [Signatures]  
**NOTARY:** [Signature]  
**DATE:** 1/1/01









**ARBOR**  
CONSTRUCTION & INTERIORS  
A DIVISION OF  
4857 N. Main Street, Suite 210  
Acworth, GA 30101  
Phone: 678.574.4994  
Fax: 678.574.4993  
www.arborconstruction.com

These drawings were prepared by the Architect for the construction of the building shown. The drawings are not to be used for any other purpose without the written consent of the Architect. The Architect is not responsible for the accuracy of the information provided by others.

**ARCHITECT:**  
Kendall B. Hearn, AIA  
8515 Harris Road  
Palmetto, GA 39288  
PHONE: 678-574-4990

**CHERRY BLOSSUM X-PRESS**  
TUNNEL CAR WASH  
4461 MAPER AVE.  
CITY OF MACON, GA  
ELEVATIONS  
A104

16-0118  
08/24/18  
DMC  
KDH  
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DMC  
KDH  
A104



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A REFLECT TO SCHWARTZ EQUIPMENT PLANS  
B REFER TO COVER SHEET FOR BUILDING DEPTH CRITERIA  
C ALL DIMENSIONS TO INCLUDE FACE OF ROUGH FINISHING OF 1" DIA. BLOCK,  
CONCRETE OR CENTERLINE OF STRUCTURE, UNLESS OTHERWISE NOTED  
5' OR SMALLER WALL TYPE "A" IS USED AND 4" TO PERPENDICULAR DIMENSIONS  
FOR EACH SIDE. 12" BASE BLOCK DIMENSIONS NOT SHOWN FOR CLARITY

Cherry Blossom X-PRESS  
TUNNEL CAR WASH  
4461 NAPIER AVE.  
CITY OF MACON GA

FLOOR PLAN

1-800-873-0872  
0872718  
CNC  
K200

Address information  
Room  
Phone No.  
E-mail No.

A101

A101

104157  
0074716  
CNC  
KCN

**ARCHITECT:**  
Kendall D. Heath, AIA  
4525 Ilwaco Road  
Palmetto, FL 30468  
PHONE: 678-574-4988

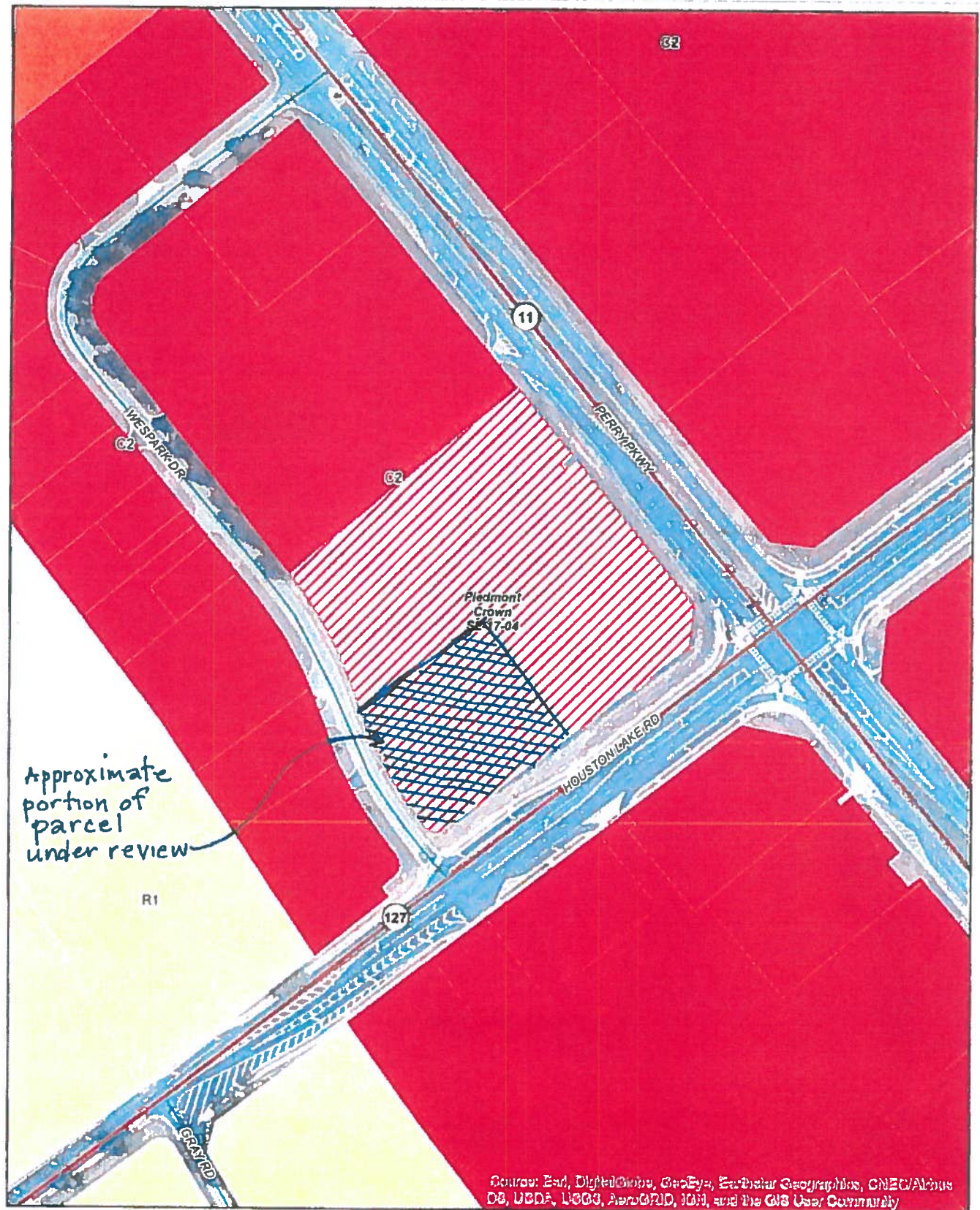
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YOUNG AND ASSOCIATES, INC., 1000 ALBANY  
ST., ALBANY, N.Y. 12206, P.O. BOX 1700,  
ALBANY, N.Y. 12206. ALBANY, N.Y. 12206  
813-262-1111. YOUNG AND ASSOCIATES, INC.,  
1000 ALBANY ST., ALBANY, N.Y. 12206,  
P.O. BOX 1700, ALBANY, N.Y. 12206, 813-262-1111.  
ALBANY, N.Y. 12206. YOUNG AND ASSOCIATES, INC.,  
1000 ALBANY ST., ALBANY, N.Y. 12206,  
P.O. BOX 1700, ALBANY, N.Y. 12206, 813-262-1111.

— CONSTRUCTION —  
4857 N. Main Street, Suite 220  
Acworth, GA 30101  
Phone: 678.574.4964  
Fax: 678.574.4997  
e-mail: info@wsi-bldg.com

# A RLOCK





**Legend**

Perry Zoning		Zoning Types	
CU	DL	Q3	
GU	P/D	RA3	
LC	R1	RMH	
C1	M1	R2	
R2	M2	R2A	

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## City of Perry Zoning Review

### Case: SE-17-04





Where Georgia comes together.

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: Mayor/Council

FROM: Lee Gilmour, City Manager *LG*

DATE: 8-11-17

RE: Revocation of Business License

The Administration recommends Council authorize the revocation of the business license for the Howard Johnson motel at 100 Market Place Drive. The reason for this recommendation is that the motel has violated the provisions of Sec 15 3(b) of the Code of Ordinances requiring, as condition of the license, all City taxes, fees or other revenues paid within thirty (3) days of the due date.

The Howard Johnson motel has not paid the June 2017 accommodation excise tax as of August 11, 2107. It was due by July 20, 2017. Additionally, the monthly utility bills are paid late, month after month, and checks bounce. Finally, the property tax was not paid until July 11, 2017 when it was due December 20, 2016. This pattern indicates a business unwilling or unable to meet its public service payment obligations. It also indicates tax proceeds collected monthly (accommodation excise tax) are used for other illegal purposes. A public accommodation business having financial distress can lead to serious public health and safety issues.

The management of Howard Johnson's was advised at your July 19, 2016 public hearing of its obligation to pay taxes in a timely manner. It was advised again on March 7, 2017.

If Council authorizes the revocation of the Howard Johnson motel's occupational license, the effective date is recommended as August 21, 2017. This would allow time to close out operations.

If you have any questions, contact me.



**MINUTES**  
**WORK SESSION MEETING**  
**OF THE PERRY CITY COUNCIL**  
**July 31, 2017**  
**5:00 P.M.**

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the work session meeting held July 31, 2017 at 5:00 p.m.

2. Roll:

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

Elected Official Absent: Council Member Riley Hunt

\*Note of personal privilege – Mayor Faircloth advised Council Member Riley Hunt will be absent for the foreseeable future due to a family issue and requested that he and his family be kept in everyone’s prayers.

Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert and Recording Clerk Janet Duffin.

Staff Absent: None

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

City Departmental Staff Absent: Kevin Dye, Director of Leisure Services Department, Annie Warren, City Clerk.

Guest(s)/Speaker(s): Trey Gavin, Carter & Sloope and Darlene McLendon, Perry Area Chamber of Commerce.

Press: Ms. Kristin Moriarty - The Houston Home Journal

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

- 3a. Public Works:

1. Local limits evaluation report – Mr. Trey Gavin gave an overview of the company and an update on current projects for the City of Perry.

4. Council Member Items:

Council Member Bynum-Grace advised that the access drive coming from General Courtney Hodges Boulevard going into Creekwood Park is on her wish list. Mr. Gilmour advised the neighbors who reside on Ida Lassiter Circle have a concern regarding the need for a good fence behind their houses. He further stated that the City will put up fencing with a double access gate to enable them to enter their yards from the back. This project is currently on hold pending confirmation of Ms. Newberry's property.

Council Member Bynum-Grace advised that the town hall meeting needed to be rescheduled. It was decided the meeting would be held on August 7<sup>th</sup> at 5:30 p.m. at Faith Bible Fellowship Church on Martin Luther King Drive. Notification will be sent via flyers, placed on the marquees and sent out on social media.

Council Member Willie King inquired about the striping on James Street. Mr. McMurrian advised quotes have been obtained for striping James Street and WF Ragin and these two projects have been given priority.

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

Assistant City Attorney Hulbert had no report.

5. Department Head Items:

Ms. King reported

- The tax sale will be held Tuesday, August 1<sup>st</sup> between 10:00 a.m. and 4:00 p.m.
- Mr. Schell reported twenty two locks have been placed on the spigots at Evergreen Cemetery due to water being stolen.

Mr. Smith, Chief Parker, Mr. Wood, Major Phelps, Mr. McMurrian and Ms. Palmer had no reports.

Mayor Faircloth items

- Pre-Council and Council Meetings are August 1, 2017 at 5:00 p.m. and 6:00 p.m.
- Veteran's Center open house is Wednesday, August 3, 2017 at 10:00 a.m.
- Southeast Region Little League Boys Tournament starts Friday, August 4, 2017
- Town Hall Meeting is August 7, 2017 at 5:30 p.m. at Rev. King's Church, Faith Bible Fellowship
- Next Work Session will be Monday, August 14, 2017 at 5:00 p.m.

6. Adjournment: There being no further business to come before Council in the work session meeting held July 31, 2017, Mayor Faircloth adjourned the meeting at 6:12 p.m.

**MINUTES  
PRE COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
AUGUST 1, 2017  
5:00 PM**

1. Call to Order: Mayor James E. Faircloth Jr. Presiding Officer, called to order the pre council meeting held August 1, 2017 at 5:00 pm.

2. Roll:

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

Elected Official(s) Absent: None

Staff: City Manager Lee Gilmour, City Attorney Matthew Hulbert, and Recording Clerk Gail Price.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Robert Smith – Economic Development Director, Brenda King – Director of Administration .

Guests: Clay Crosby

Media: Kristin Moriarty – Houston Home Journal

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

- 3a. Discussion of August 1, 2017 council meeting agenda. Mayor James E Faircloth Jr.

- 7 Second Reading of an ordinance for rezoning of property from City of Perry R-2, Two Family Residential District to City of Perry NMU, Neighborhood Mixed Use District. Staff recommended approval of this request with a condition that access onto Bradley Street not be allowed. Planning Commission recommended approval as submitted.

- 10a. Special Events Application request from the Perry Chamber of Commerce.

1. Chief Lynn stated the Perry Chamber of Commerce in conjunction with Leadership Georgia is requesting approval of street closures and waiver of fees for an event to be held in

the Downtown District on September 14, 2017. Chief Lynn stated the requested special event alcohol license was included.

2. Chief Lynn discussed Perry Chamber of Commerce requesting permission to use Heritage Park on September 14, 2017 from 3:00 pm – 9:00 pm for a new event called Business Battlefield and waiver of fees. This will take the place of the Member Market. Chief Lynn stated that the Special Event alcohol license was included
- 3b. Consider temporary office use location on Ball Street. Mr. Gilmour advised that Clay Crosby is asking to open up an office formerly known as Three Kings on Ball Street for his staff. This authorization is temporary and is not a business license and is subject to two conditions: 1) the property owner has to file for rezoning request within the next 30 days. 2) Should the rezoning request be denied or altered that would not allow an office function, Mr. Crosby's office would have to close. Mr. Russell has to file for rezoning within 30 days.
4. Council Members Items:

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

Mr. Gilmour asked Mayor and Council to check their schedules so interview dates could be set for Director of Public Works.

Mathew Hulbert had no report.
5. Department Head Items:

Brenda King reported that tax sales had gone out today and 9 parcels out of 20 were sold. Ms. King also reported that the two Accounting Technician positions have been filled.

Chief Lynn reported that 2 recruits in the academy.

Mr. Wood discussed procedures for issuing permits.

Chief Parker and Mr. Smith had no reports.
6. Adjourn: There being no further business to come before Council in the pre council meeting held on August 1, 2017, Council Member Walker motioned to adjourn at 5:29 pm, Council Member Hunt seconded the motion and it carried unanimously.

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**August 1, 2017**  
**6:00 P.M.**

1. Call to Order: Mayor James E. Faircloth Jr., Presiding Officer, called to order the regular meeting held August 1, 2017 at 6:00 pm.

2. Roll:

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

Elected Official(s) Absent: None

Staff: City Manager Lee Gilmour, City Attorney Mathew Hulbert, and Recording Clerk Gail Price.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Robert Smith – Economic Development Director, Brenda King – Director of Administration.

Guests: Ms. Estella Howard, Ms. Dorothy Releford, Ms. Mary Lou Simon, Ms. Wilma Newberry, Mr. Johnathan Jones.

Media: Ms. Kristin Moriarty – Houston Home Journal and Ms. Marigrace Sego – Com South 100.

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

Council Member Jones rendered the invocation and Council Member Bynum-Grace led the pledge of allegiance to the flag.

4. Recognition(s)/Proclamation(s)/Presentations(s) – Mayor James E. Faircloth, Jr.

Introduction of Laura King, Public Works Executive Secretary – Mr. L. Gilmour. Mr. Gilmour requested to reschedule for next Council Meeting.

5. Citizens with Input.

Estella Howard, 1322 Davis Avenue, Perry, Georgia 31069. Ms. Howard stated at Rozar Park the seesaws need bolts and screws; at Creekwood the nails and bolts are coming out of the benches. Mayor Faircloth will look into this request.

6. Review of Minutes: Mayor James E. Faircloth, Jr.  
6a. Council's Consideration – Minutes of the July 17, 2017 work session, July 18, 2017 pre council meeting and July 18, 2017 council meeting.

Council Member Bynum Grace motioned to accept the minutes as submitted and Council Member Walker seconded the motion, and it carried with Council Members Jones and Hunt abstaining. Council Member Jones was absent from the July 17, 2017 meeting and Council Member Hunt was absent from July 17 and July 18, 2017 meetings.

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

Ordinance(s) for Seconding Reading(s) and Adoption

**Second Reading** of an ordinance for rezoning of property from City of Perry R-2, Two Family Residential District to City of Perry NMU, Neighborhood Mixed Use District. The property is located at 503 Bradley Street. – Mr. B. Wood.

Adopted Ordinance 2017 – 14 rezoning property from City of Perry R-2, Two Family Residential District to City of Perry NMU, Neighborhood Mixed Use District. Mr. Wood stated the request is to change the zoning from R-2 to the NMU Neighborhood Mixed Use District. The Staff recommendation is for approval of the zoning change with a condition that no access be provided from Bradley Street. The Planning Commission recommended approval of the modification without the condition on Bradley Street. Council Member Bynum-Grace motioned to approve the zoning change, but with the condition that there be no access from Bradley Street. Council Member King seconded and it carried unanimously. (*Ordinance 2017-14 has been entered in the City's official book of record.*)

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

8a. Mayor James E. Faircloth, Jr. None

8b. Council Members.

Council Member Bynum-Grace. Discussed citizens concerned about the street being opened from Courtney Hodges. Ms. Bynum-Grace requested an explanation be made to the general public that this is on the wish list. Mr. Gilmour explained proposal for Creekwood Park.

Mayor Pro Tempore Jackson, Council Members Jones, Walker, and Hunt–  
No Reports

Council Member King - Mr. King inquired about the Westwood property for sale. Mayor explained that the land is up for sale. Mr. Gilmour advised the conditions and requirements that existed with the previous owner are

still in effect and the new property owners will have the same conditions and requirements.

8c. City Manager Mr. Gilmour – None

8d. City Attorney – Mathew Hulbert – None

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

9a. Matters referred from July 31, 2017, work session and August 1, 2017 pre council meeting. None

10. Supplemental Agenda

10a. Special Events Application(s) – Chief Lynn

1. Perry Chamber of Commerce in conjunction with Leadership Georgia is requesting approval of street closures and waiver of fees for an event to be held in the Downtown District on September 14, 2017. Street closures will be from 2:00 pm until 7:00 pm.

Chief Lynn recommended approval of the following street closures; Carroll Street between Jernigan Street and Washington Street; Ball Street between Commerce Street and Main Street. Council Member Jones made the motion and Council Member Walker seconded the motion and it carried unanimously.

2. Perry Chamber of Commerce is requesting permission to use Heritage Park on September 14, 2017 from 3:00 pm – 9:00 pm for a new event called Business Battlefield and a waiver of fees. This will take the place of the Member Market.

Chief Lynn recommended the approval for the Perry Chamber of Commerce to use Heritage Park on September 14, 2017 from 3:00 pm – 9:00 pm. Council Member Jones made the motion and Council Member Bynum-Grace seconded and it carried unanimously.

11. Council Member Items: No reports

12. Department Heads/Staff Items: No reports

13. General Public Items:

Mary Lou Simon, 1103 Creekwood Drive, Perry, Georgia. 31069. Ms. Simon inquired on who was coming to the next Town Hall Meeting. She also wanted to know if the issues pertaining to the park will be discussed at the meeting; where the road was going into Creekwood Park and also the taking of citizens' property. Mayor Faircloth explained the process for the Town Hall meeting. Ms. Simon stated they are thankful for the improvements that are coming to the park and look forward to working with City to keep the park up.

14. Mayor Items:

August 2, 2017 – Veterans Center open house at 10:00.

August 7, 2017 at 5:30 - Town Hall Meeting – Faith Fellowship

August 14, 2017 at 5:00 - Work Session

August 15, 2017 at 5:00 - Pre-Council Meeting

August 15, 2017 at 6:00 - City Council Meeting

Qualification for Mayor and 3 City Council will be August 21 – 25, 2017.

15. Adjourn

There being no further business to come before Council in the regular meeting held August 1, 2017, Council Member Hunt motioned to adjourn at 6:33 pm. Council Member Walker seconded and it carried unanimously.



**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the Perry Code is amended as follows:

**1.**

By adding to Section 18-36, in the list of places for which parking shall not be allowed, after "Marshallville Highway from General Courtney Hodges Boulevard to Larry Walker Parkway," the following two additional places:

"Commerce Street from Macon Road to General Courtney Hodges Boulevard" and

"Washington Street from Commerce Street to Sam Nunn Boulevard".

**SO AMENDED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF PERRY, GEORGIA**

**By:** \_\_\_\_\_  
James E. Faircloth, Jr., Mayor

**Attest:** \_\_\_\_\_  
Annie Warren, City Clerk

**1<sup>st</sup> Reading:** \_\_\_\_\_

**2<sup>nd</sup> Reading:** \_\_\_\_\_

**A RESOLUTION  
TO AMEND THE CITY OF PERRY  
2018 FEE SCHEDULE**

**WHEREAS**, the City of Perry Fee Schedule was recently amended;  
and

**WHEREAS**, two (2) fees were not adjusted;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES THAT** the City of Perry Fee Schedule for FY 2018 is amended as follows:

Section 1 B. Charge for Services, 2. Public Safety, 5. Fire Marshal Fees is amended as follows:

b. New Structure	From	To
2) Greater than 10,000 sq. ft.	.015/sq.ft./ea.	.016/sq.ft./ea
c. Remodeled Structure		
3) Greater than 10,000 sq. ft.	.015/sq.ft/ea.	.016/sq.ft/ea

SO RESOLVED THIS \_\_\_\_\_ DAY OF AUGUST 2017.

CITY OF PERRY

By: \_\_\_\_\_  
JAMES E. FAIRCLOTH, JR., MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

**RESOLUTION FOR DECLARATION OF OFFICIAL INTENT TO REIMBURSE  
COSTS OF ACQUIRING VEHICLES AND EQUIPMENT WITH TAX-EXEMPT  
FINANCING**

WHEREAS, the City of Perry (the "Issuer") plans to acquire and/or equip (Patrol Vehicles (6), SUV (1), Pick-up Truck (1), Street Sweeper (1), Portable Pump (1), and Mini Excavator (1)); and

WHEREAS, the Mayor and Council (the "Governing Body") desires to declare its official intent to reimburse costs of the Equipment through the use of a lease-purchase or other financing mechanism to provide such reimbursement,

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby declares pursuant to Treasury Regulations Section 1.150-2 its official intent to reimburse the costs of the Equipment through the use of a lease-purchase or other obligations for the purpose of paying or reimbursing costs of the Project up to approximately \$718,200.00.

BE IT FURTHER RESOLVED, that a copy of this Resolution be placed in the official records of actions of the Governing Body.

ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**CERTIFICATE OF ADOPTION**

The undersigned hereby certifies that the foregoing resolution was duly adopted at a meeting called and held by the Governing Body on the date set forth in the foregoing, at which a quorum was present and acting throughout, and that said resolution has not been repealed, and is in full force and effect, and copy of which is contained in the official records of the Governing Body in my control.

\_\_\_\_\_  
James E. Faircloth, Mayor

\_\_\_\_\_  
Annie Warren, City Clerk  
City of Perry GA

# Memo

**To: Mayor James Faircloth**

**From: Chief Williams**

**cc:**

**Date: August 7, 2017**

**Re: HMGP Application**

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Our current Pre-Disaster Mitigation Plan that was approved by FEMA on 10 January 2016 will be due for its formal five year update in January 2021. Although, the update is required by federal regulation every five years we will need to begin the process now to apply for assistance. As we have done in the past as part of our application process GEMA requires the following letter be placed on your letterhead with authorizing signature and returned to our office.

Thank you.

August 7, 2017

James W. Williams Jr.  
Emergency Management Director  
Houston County Emergency Management Agency  
200 Carl Vinson Parkway  
Warner Robins, GA 31088

Dear Chief Williams:

It is our understanding that Houston County has applied for a grant from the Federal Emergency Management Agency through the Georgia Emergency Management Agency to fund the cost of updating the county's Multi-Jurisdictional Hazard Mitigation Plan. We recognize that participation in this plan update process and adoption of this multi-jurisdictional plan is important, not only to the Houston County, but to the City of Perry as well, in order to be eligible to future Federal money for mitigation related projects. We also understand that there is a local match requirement which can be met in part by participation of our staff in the plan update process.

With that said, it is our intention to participate fully with the county in this process, providing input into the plan update, providing available staff resources to assist with the local match requirement and adopting the plan in order for the City of Perry to remain eligible for mitigation funding. We look forward to hearing from you on this process soon. If you have any questions, please contact Tomi King at (229) 276-2375.

Sincerely,

Name Here  
Title of Local Official Here



Where Georgia comes together.

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: Mayor/ Council  
FROM: <sup>LG</sup> Lee Gilmour, City Manager  
DATE: 8.8.17  
RE: Street Striping

Following up on the request at the August 7, 2017 town hall meeting the Administration recommends Council authorize the middle line striping for Creekwood Drive between General Courtney Hodges Boulevard and the second access intersection to Ida Lassister Circle. The reason for this request is the traffic going to Creekwood Park.

cc: Mr. C. McMurrian  
Mr. R. Christian



Where Georgia comes together.

## City of Perry Special Events Application

### Applicant and Sponsoring Organization Information

<b>Name:</b> Perry Music Festival/Perry Public Arts Commission
<b>Name of individual representing sponsor organization:</b> Carl Lumpkin
<b>Street address:</b> 1121 Washington Street
<b>City/State/Zip code:</b> Perry, GA 31069
<b>Mailing address if different from above:</b>
<b>Cell phone:</b> 478-244-8612
<b>Email address:</b> carl.lumpkin@perry-ga.gov
* The individual's name and contact information stated above will also be distributed to answer public inquiries about the event.
<b>If this event benefits a City of Perry non-profit organization, which one?</b> N/A
<b>Contact person on site for day of event:</b> Carl Lumpkin
<b>Cell phone:</b> 478-244-8612
<b>Is this a first time event?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If held before, when and where?</b> Rotary Centennial - past 6 years

### Event Information

<b>Type of event (Check all that apply):</b> <input type="checkbox"/> Parade <input checked="" type="checkbox"/> Festival <input checked="" type="checkbox"/> Concert/Music <input type="checkbox"/> Other		
* For parades, races and block parties, please, request the event applications specific to those events.		
<b>If other, specify:</b>		
<b>Event title:</b> 8th Annual Perry Music Festival		
<b>Event date:</b> 9-16-17		
<b>Event hours:</b>	<b>Start:</b> Noon	<b>End:</b> Midnight
<b>Set-up:</b>	<b>Date:</b> 9-15-17	<b>Time:</b> 8 am
<b>Break down:</b>	<b>Date:</b> 9-16&18/2017	<b>Time:</b> Noon
<b>Expected attendance: Participants:</b>		<b>Spectators:</b> 1000-2000

## Event Description

Briefly describe event and activities. Include the purpose of the event. Explain how it benefits the City of Perry and its residents. Attach any of the following that are applicable: site plan, including location of stage, restroom facilities, vendor booths, etc.

A variety of music and family activities designed to attract both residents and visitors to the City of Perry.

I understand that only event activities outlined an approved in this application and approved by Perry City Council are permitted, and hosting additional activities that have not been approved may be grounds for the event permit to be revoked. ☒ Yes ☐ No

## Event Details

Attach schedule or brochure for all activities associated with event.

Will items or services be sold at the event? ☐ Yes ☒ No

If yes, describe:

Will event have amplified sound? ☒ Yes ☐ No

If yes, describe: Steve Beecham is providing sound services

Is the event free to the public? ☒ Yes ☐ No

Will vendors cook or heat food? ☒ Yes ☐ No

If yes, describe:

Will any areas be fenced off or barricaded? ☒ Yes ☐ No

If yes, describe: The event area will be blocked off.

If event is downtown, will downtown businesses be open during the event? ☐ Yes ☒ No

If event includes music, please, list names of bands and their websites or Facebook pages below:  
See attached brochure and Facebook page.



## Insurance

A certificate of insurance must be filed with the City of Perry City Clerk at least 30 days before the event on a standard ACORD form. The City of Perry must be listed as an additional insured with respect to general liability and alcohol liability if alcohol will be served. Check the policy document for required general liability and alcohol liability minimum coverage amounts.

☒ Insurance form(s) attached

## Alcohol Permit Information

\* Serving beverages in glass bottles at events is prohibited. Event organizer will notify any participating restaurants not to allow glass bottles to leave their premises.

\* Event organizer will stop alcohol service one hour before the scheduled end of the event.

Does your event involve the sale of alcoholic beverages? ☒ Yes ☐ No

If yes, describe:

Only beer will be sold

\* If alcoholic beverages are to be sold, a special event alcohol permit is required, and a copy of the state license must be sent to the City of Perry City Clerk at least 60 days before the event is to be held.

Name of business serving alcohol: Just Tap'd

Street address of business serving alcohol: 3123 Watson Blvd.

City/State/Zip Code: Warner Robins, GA 31093

Mailing address if different from above:

Cell phone:

Email address:

Name of licensee:

License number:

Is a copy of the licensee's alcohol license attached? ☒ Yes ☐ No

Hours alcohol will be served at event: Noon-Midnight

Is alcohol serving area open to public? ☒ Yes ☐ No

Is this an open container request? ☒ Yes ☐ No

Is current alcohol liability insurance policy naming City of Perry as additional insured attached? ☒ Yes ☐ No

Is a copy of the special event alcohol permit from the City of Perry Police Department attached?

☒ Yes ☐ No

Terms & Conditions:

I hereby agree that as a condition to the issuance of a Special Event Alcohol Permit, the business owner/sponsor of the event shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the event. I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Special Event Alcohol Permit are true, and no false or fraudulent

statement or answer is made herein to procure the granting of such permit.	
I hereby state and understand that should a complaint be filed against the owner/sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issued for the event will immediately become void and will not be reissued for the same location.	
<b>Licensee's name:</b>	<b>Date:</b>
<b>Licensee's signature:</b>	
Sworn and attested before me on this _____ day of _____, 20_____	
<b>Signature of special event organizer/applicant:</b>	
<b>Name, signature and stamp of Notary Public:</b>	
* The sale of alcohol/mixed drinks requires excise reporting.	

## Street Closure Requests

<b>Names of streets to be closed:</b>		
<b>Street:</b> Martin L. King, Jr. Drive	<b>Between:</b> 11am	<b>and:</b> 1 am
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>Street:</b>	<b>Between:</b>	<b>and:</b>
<b>When are you requesting the street closure(s)?</b> 9-16-17		
<b>Why are you requesting the street closure(s)?</b> to control traffic/parking		
<b>Type of street closure:</b> <input type="checkbox"/> Complete <input type="checkbox"/> Rolling Partial		
<b>If event includes a parade, describe the parade route:</b> N/A		
<b>Parade assembly area:</b>		<b>Parade disbanding area:</b>
<b>The event organizer is responsible for notifying affected businesses and residents of street closures. Describe your notification plan and attach a copy with this application:</b> Letters will be sent once approval is granted and message boards installed.		

## Restroom Facilities

Will event organizer provide portable restroom facilities? ☒ Yes ☐ No

## Tram/Shuttle Plan

Will event involve the use of a tram/shuttle plan ☒ Yes ☐ No

How many trams/shuttles will be required? 2

Please, describe or provide an attachment of your tram/shuttle plan and route:

See attached

Please, describe your parking plan:

See attached

## Sanitation

Describe your clean-up plan for during and after the event:

Assistance of Public Works staff

## Electricity and Water

Will your event require access to electricity? ☒ Yes ☐ No

If so, where? Will use what's on site

What electrical load will you require?

Will your event require access to water? ☒ Yes ☐ No

If so, where? Will use what's on site

I understand that I may incur an additional charge for use of City electricity and/or water:

☒ Yes ☐ No

## Police/Security

\* If police/security is required for event, off-duty officers may be hired at the rate at a rate set by the Chief of Police per hour for the duration of the event, with a minimum of three hours.

- \* Based on the event, the Police Department will determine how many officers will be required.
- \* An officer is required to be on duty at any event where alcohol is served on City of Perry property.

**Number of officers requested:** Defer to Chief's discretion

**Total hours for officers requested:**

## Fire and Emergency Medical Services

Describe your plan for providing emergency medical services:

Defer to Fire Chief's discretion

\*If Emergency Medical or Fire Protection Services are required for the event, off-duty members can be hired at a rate set by the Chief of Fire and Emergency Services per officer per hour. The Chief of Fire and Emergency Services Department reserves the right to set the staffing minimums based upon the specifics of the event (including type of event, expected attendance, time of year and areas to be affected).

## Weather Emergency Procedures

\* When lightning and/or thunder occurs, advise participants to seek shelter in a car or building. Please, wait 20-30 minutes before proceeding.

**I understand that the City of Perry Chief of Fire and Emergency Services or his/her designee may determine that weather conditions are too dangerous and cancel the event at any time.**

☒ Yes ☐ No

## Health Department

**I understand that the City of Perry does not schedule Health Department inspections. Vendors and/or event organizers are responsible for scheduling any required inspections by the Houston County Health Department, 98 Cohen Walker Drive, Warner Robins, (478) 987-2020 at least two weeks before the event. ☐ Yes ☐ No**

## Event Publicity

**If you would like your event included in the upcoming FYI Newsletter, please, submit your news release to the City of Perry Digital Communications Manager at least one month before your event at [ellen.palmer@perry-ga.gov](mailto:ellen.palmer@perry-ga.gov).**

The City of Perry and Perry Public Arts Commission present the Eighth Annual Perry Music Festival



**SEPTEMBER 16, 2017**

ROTARY CENTENNIAL PARK • PERRY, GA

Edit Countdown Timer

Days 1 Hours 1 Minutes 1 Seconds 28 plugin=countdown-

## 2017 LINEUP • SEPTEMBER 16

JIM GRAY • MOSSY CREEK BAND • JETTISON BLUE  
 UN CUT FUNK • OSCAR "THE SMOOTH ONE" SHEPPARD  
 LGB • EDWARD DUNBAR (AN ORIGINAL DRIFTER)  
 JUST FRIENDS SHOW BAND • STONE CITY BAND




Where Georgia comes together.

**City of Perry  
Police Department**

1207 Washington Street  
Post Office Box 2030  
Perry, Georgia 31069

**SPECIAL EVENT ALCOHOL PERMIT LICENSE APPLICATION**

1. Date of Application: 8/7/17
2. Organization Requesting Permit: Perry Public Arts Commission/  
Perry Music Festival
3. Organization Address: 1211 Washington St., Perry GA
4. Representative / Contact Person: Carl Lumpkin / Annie Warren  
Signature: 
- Cell Phone: 244-8612 Work Phone: 987-1989 / 988-2736
- Email: Carl.lumpkin@perry-ga.gov / annie.warren@perry.ga.gov
5. Name of Organization Serving Alcoholic Beverage: Just Tap'd - Warner Robins
6. Name of Alcoholic Beverage License Holder: Just Tap'd - Dana Jimenez
7. Permit Expiration Date: 12/31/17
8. Description of Special Event: Music Festival
9. Location of Event: Rotary Centennial Park

10. Estimated Number of Attendees: 2,000

11. Event Start Date & Time: 9/16/17 12 pm

12. Event End Date & Time: 9/16/17 12 am

13. Number of Off-Duty Officers Requested: Defer to The Chief's discretion  
(NOTE: Perry PD will determine the actual number of officers required.)

14. Notifications made to adjacent property owner(s): Yes ☐ No ☒

List of Notifications: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

15. Citizen's Petition Attached: Yes ☐ No ☒

16. Type of Beverages Licensed to be Served: (check all that apply)

a. Malt Beverage (beer) by the drink ☒

b. Wine by the drink ☐

c. Distilled Liquor by the drink ☐

Special Event Alcoholic Beverage Permit Fee \$107.00 Paid ☐ Not Paid ☒  
Fee Waiver Request Attached

Recommended by Chief of Police: \_\_\_\_\_ Date: \_\_\_\_\_

Not Recommended by Chief of Police: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
Lee Gilmour, City Manager Date: \_\_\_\_\_

Council Approval Date: \_\_\_\_\_

STATE OF GEORGIA - DEPARTMENT OF REVENUE

License without License Requirements  
As set forth in the Georgia Code  
Georgia Alcohol Beverage Control and Regulations Department  
New Valid Without License Requirements - New Requirements

EFFECTIVE DATE	APPLICANT	LICENSE EXPIRES	STATUS	NOTES
STATE TAP WATER DISTRIBUTION	LICENSE NUMBER	DATE ISSUED	DATE PAID	ACQUISITION STATUS
2022-01-01	123456789	12/31/2022	PAID	IN PROGRESS

THIS LICENSE AUTHORIZES THE HOLDER TO SELL  
DANA JOHNSON, NCE - 12345

DSR  
JUST TAPD

AT THE FOLLOWING LOCATION  
5125 WATSON BLVD STE 200 WARMER RUGINS GA 30084

DJ SOUTHERN HOLDINGS LLC  
123 LOOKOUT TRL  
WARMER RUGINS GA 30084-5521

THIS LICENSE MUST BE MAINTAINED CURRENTLY IN THE STATE OF GEORGIA  
123456789  
123456789



# CITY OF WARNER ROBINS BUSINESS LICENSE

No. 170724

DATE: 1/11/2017

This is to certify that:

JUST TAP'D

In consideration of payment of license fee is hereby authorized to carry on the following business, profession or occupation, to-wit:

At: 3123 WATSON BLVD

Type of Business: ALCOHOLIC BEVERAGE CATERER OFF PREM

Expiration Date: 12/31/2017

This License may be revoked at any time

JUST TAP'D  
3123 WATSON BLVD  
LOC NCR DANA JIMENEZ  
WARNER ROBINS GA 31093-

City Clerk's Office

DISPLAY IN A CONSPICUOUS PLACE

Not Transferable

License to Sell Alcoholic Beverages  
As set forth and defined in Title 3  
Georgia Alcoholic Beverage Code and Regulations Pertaining Thereto

Not Valid Without Local License If Required - Non Transferable

EFFECTIVE DATE 01-Jan-2017

LICENSE EXPIRES 31-Dec-2017

BOND EXPIRES

STATE TAXPAYER IDENTIFIER  
20232584467

LICENSE NUMBER  
0075287

DATE ISSUED  
12-Oct-2016

LICENSE FEE  
\$50.00

LOCAL LICENSE ISSUED BY  
City WARNER ROBINS

THIS LICENSE AUTHORIZES THE BELOW LICENSEE TO SELL  
DANA JIMENEZ, Retail - Beer

DBA  
JUST TAP'D

AT THE FOLLOWING LOCATION

3123 WATSON BLVD STE 200 WARNER ROBINS GA 31093-9604

COUNTY  
HOUSTON

DJ SOUTHERN HOLDINGS LLC  
115 LOOKOUT TRL  
WARNER ROBINS GA 31093-6321

Failure to pay any tax accruing under said Act to the Department of Revenue, or violation of any provisions of said Act or any valid rule and regulation made pursuant thereto, shall be grounds for cancellation of this license by the Commissioner of Revenue.

*John T. Ry*

COMMISSIONER, Georgia Dept. of Revenue

THIS LICENSE MUST BE DISPLAYED IN A PUBLIC PLACE ON WHITE PAPER - TYPE WITH INK OR MUST BE

463850



THIS CERTIFICATE MUST BE PUBLICLY DISPLAYED AS PROVIDED BY LAW

SALES TAX CERTIFICATE OF REGISTRATION

STATE OF GEORGIA  
DEPARTMENT OF REVENUE  
Taxpayer Services Division

Issued Pursuant to the Retailers' and Consumers' Sales and Use Tax Act of 1951, as Amended  
Said Person Named Hereon is Authorized and Empowered to Collect Georgia Sales and Use  
Tax, Local Option, Special County, Motor Fuel, Homestead, Education, and MARTA

STATE TAXPAYER IDENTIFIER: 20232584453	EFFECTIVE DATE: 02-Mar-2015	SALES TAX NUMBER: 308600378	COUNTY NAME: HOUSTON
NAICS: 445310 - Beer, Wine, and Liquor Stores		Secondary NAICS: NONE	

DJ SOUTHERN HOLDINGS LLC  
115 LOOKOUT TRL  
WARNER ROBINS GA 31093-6321

WARREN H. COLEMAN  
COMMISSIONER

*John T. Ry*  
COMMISSIONER

## Office Use Only

<b>Date received:</b>	
<input type="checkbox"/> Special event application fee received	
<input type="checkbox"/> Council approval for event received	<b>Council approval date:</b>
<input type="checkbox"/> Proof of liability insurance coverage naming the City as additional insured received	
<input type="checkbox"/> Proof of alcohol liability insurance coverage naming the City as additional insured received	
<input type="checkbox"/> City staff will notify affected businesses, residents and utility holders if event is downtown	

## Signatures Required for Approval

<b>Police Department</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Fire and Emergency Services</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Public Works</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Other as needed</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>



Where Georgia comes together.

## City of Perry Special Events Application

### Applicant and Sponsoring Organization Information

<b>Name:</b> Perry Downtown Merchants Association and Perry Main Street Promotion Committee
<b>Name of individual representing sponsor organization:</b> Michelle Rhoades and Catherine Edgemon
<b>Street address:</b> 915 Carroll Street
<b>City/State/Zip code:</b> Perry, GA 31069
<b>Mailing address if different from above:</b>
<b>Cell phone:</b> (478) 224-7998
<b>Email address:</b> michelle@mossycreeknatural.com
* The individual's name and contact information stated above will also be distributed to answer public inquiries about the event.
<b>If this event benefits a City of Perry non-profit organization, which one?</b>
<b>Contact person on site for day of event:</b> Megan Brent and Catherine Edgemon
<b>Cell phone:</b> (478) 954-2097, (478) 954-5758
<b>Is this a first time event?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If held before, when and where?</b>

just ap'd  
599-9950

### Event Information

<b>Type of event (Check all that apply):</b> <input type="checkbox"/> Parade <input type="checkbox"/> Race <input type="checkbox"/> Block Party <input type="checkbox"/> Other			
* For parades, races and block parties, please provide a route and list of participants.			
<b>If other, specify:</b>			
<b>Event title:</b> Fifth Annual Sweets and Treats			
<b>Event date:</b> Tuesday, Oct. 31, 2017			
<b>Event hours:</b>	<b>Start:</b>	4 p.m.	
<b>Set-up:</b>	<b>Date:</b>	Oct. 31	<b>Time:</b> 3:30 p.m.
<b>Break down:</b>	<b>Date:</b>	Oct. 31	<b>Time:</b> 7 p.m.
<b>Expected attendance:</b>		<b>Participants:</b> 20 businesses	<b>Spectators:</b> 1,000



## Event Description

**Briefly describe event and activities. Include the purpose of the event. Explain how it benefits the City of Perry and its residents. Attach any of the following that are applicable: site plan, including location of stage, restroom facilities, vendor booths, etc.**

Perry Main Street Promotion Committee is partnering with the merchants association on this event. Children will trick-or-treat at businesses, and a costume contest will be held with judges stationed at a business, rather than setting up on the courthouse lawn as has been done previously. Organizers request that any permit fees for the event be waived.

Event organizers ask that dogs not be allowed as they frighten smaller children. When inattentive owners do not pick up after their dogs, participants step in the mess and track into a business.

**I understand that only event activities outlined an approved in this application and approved by Perry City Council are permitted, and hosting additional activities that have not been approved may be grounds for the event permit to be revoked. ☒ Yes ☐ No**

## Event Details

**Attach schedule or brochure for all activities associated with event.**

**Will items or services be sold at the event?** ☐ Yes ☒ No

**If yes, describe:**

**Will event have amplified sound?** ☐ Yes ☒ No

**If yes, describe:**

**Is the event free to the public?** ☒ Yes ☐ No

**Will vendors cook or heat food?** ☐ Yes ☒ No

**If yes, describe:**

**Will any areas be fenced off or barricaded?** ☒ Yes ☐ No

**If yes, describe:** Request barricades used at this event previously for pedestrian safety

**If event is downtown, will downtown businesses be open during the event?** ☒ Yes ☐ No

**If event includes music, please, list names of bands and their websites or Facebook pages below:**

## Insurance

**A certificate of insurance must be filed with the City of Perry City Clerk at least 30 days before the event on a standard ACORD form. The City of Perry must be listed as an additional insured with respect to general liability and alcohol liability if alcohol will be served. Check the policy document for required general liability and alcohol liability minimum coverage amounts.**

☐ Insurance form(s) attached

## Alcohol Permit Information

* Serving beverages in glass bottles at events is prohibited. Event organizer will notify any participating restaurants not to allow glass bottles to leave their premises.	
* Event organizer will stop alcohol service one hour before the scheduled end of the event.	
<b>Does your event involve the sale of alcoholic beverages?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>If yes, describe:</b>	
* If alcoholic beverages are to be sold, a special event alcohol permit is required, and a copy of the state license must be sent to the City of Perry City Clerk at least 60 days before the event is to be held.	
<b>Name of business serving alcohol:</b>	
<b>Street address of business serving alcohol:</b>	
<b>City/State/Zip Code:</b>	
<b>Mailing address if different from above:</b>	
<b>Cell phone:</b>	
<b>Email address:</b>	
<b>Name of licensee:</b>	<b>License number:</b>
<b>Is a copy of the licensee's alcohol license attached?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Hours alcohol will be served at event:</b>	
<b>Is alcohol serving area open to public?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Is this an open container request?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Is current alcohol liability insurance policy naming City of Perry as additional insured attached?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Is a copy of the special event alcohol permit from the City of Perry Police Department attached?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Terms &amp; Conditions:</b>  <p>I hereby agree that as a condition to the issuance of a Special Event Alcohol Permit, the business owner/sponsor of the event shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the event. I hereby solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a Special Event Alcohol Permit are true, and no false or fraudulent statement or answer is made herein to procure the granting of such permit.</p> <p>I hereby state and understand that should a complaint be filed against the owner/sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issued for the event will immediately become void and will not be reissued for the same location.</p>	
<b>Licensee's name:</b>	<b>Date:</b>
<b>Licensee's signature:</b>	
<b>Sworn and attested before me on this _____ day of _____, 20_____</b>	
<b>Signature of special event organizer/applicant:</b>	

**Name, signature and stamp of Notary Public:**

\* The sale of alcohol/mixed drinks requires excise reporting.

## Street Closure Requests

**Names of streets to be closed:**

<b>Street:</b>	Jernigan	<b>Between:</b>	Commerce	<b>and:</b>	Main
<b>Street:</b>	Ball	<b>Between:</b>	Commerce	<b>and:</b>	Main
<b>Street:</b>	Carroll	<b>Between:</b>	Jernigan	<b>and:</b>	Washington
<b>Street:</b>		<b>Between:</b>		<b>and:</b>	
<b>Street:</b>		<b>Between:</b>		<b>and:</b>	
<b>Street:</b>		<b>Between:</b>		<b>and:</b>	
<b>Street:</b>		<b>Between:</b>		<b>and:</b>	

**When are you requesting the street closure(s)?** 3:45 p.m.

**Why are you requesting the street closure(s)?** Pedestrian safety

**Type of street closure:** ☒ Complete ☐ Rolling

**If event includes a parade, describe the parade route:**

**Parade assembly area:**

**Parade disbanding area:**

**The event organizer is responsible for notifying affected businesses and residents of street closures. Describe your notification plan and attach a copy with this application:**

City will send a letter to affected business owners, utility holders and property owners.

## Restroom Facilities

**Will event organizer provide portable restroom facilities?** ☐ Yes ☒ No

## Tram/Shuttle Plan

**Will event involve the use of a tram/shuttle plan?** ☐ Yes ☒ No

**How many trams/shuttles will be required?**

**Please, describe or provide an attachment of your tram/shuttle plan and route:**

**Please, describe your parking plan:**

## Sanitation

**Describe your clean-up plan for during and after the event:**

Request that Public Works place extra toters at intersections within event perimeter and at courthouse

## Electricity and Water

**Will your event require access to electricity?** ☐ Yes ☒ No

**If so, where?**

**What electrical load will you require?**

**Will your event require access to water?** ☐ Yes ☒ No

**If so, where?**

**I understand that I may incur an additional charge for use of City electricity and/or water:**

☒ Yes ☐ No

## Police/Security

\* If police/security is required for event, off-duty officers may be hired at the rate at a rate set by the Chief of Police per hour for the duration of the event, with a minimum of three hours.

\* Based on the event, the Police Department will determine how many officers will be required.

\* An officer is required to be on duty at any event where alcohol is served on City of Perry property.

**Number of officers requested:** Defer to Chief Lynn's recommendation

**Total hours for officers requested:**

## Fire and Emergency Medical Services

**Describe your plan for providing emergency medical services:**

Call 911 in emergency.

\*If Emergency Medical or Fire Protection Services are required for the event, off-duty members can



be hired at a rate set by the Chief of Fire and Emergency Services per officer per hour. The Chief of Fire and Emergency Services Department reserves the right to set the staffing minimums based upon the specifics of the event (including type of event, expected attendance, time of year and areas to be affected).

## Weather Emergency Procedures

\* When lightning and/or thunder occurs, advise participants to seek shelter in a car or building. Please, wait 20-30 minutes before proceeding.

**I understand that the City of Perry Chief of Fire and Emergency Services or his/her designee may determine that weather conditions are too dangerous and cancel the event at any time.**

**X Yes** ☐ No

## Health Department

**I understand that the City of Perry does not schedule Health Department inspections. Vendors and/or event organizers are responsible for scheduling any required inspections by the Houston County Health Department, 98 Cohen Walker Drive, Warner Robins, (478) 987-2020 at least two weeks before the event. X Yes** ☐ No

## Event Publicity

**If you would like your event included in the upcoming FYI Newsletter, please, submit your news release to the City of Perry Digital Communications Manager at least one month before your event at [ellen.palmer@perry-ga.gov](mailto:ellen.palmer@perry-ga.gov).**

## Indemnification and Hold Harmless

**Subject to the granting of all permits required by the City of Perry, the City of Perry authorizes \_\_\_Perry Downtown Merchants Association and Perry Main Street Promotion Committee\_\_\_ (Special event organizer/applicant) to utilize the sites(s) known as \_\_\_specified downtown streets and sidewalks\_\_\_ for the purposes of conducting the activities described within the special events permit application.**

**The special events organizer/applicant agrees that the City of Perry assumes no responsibility or liability for any defects or other conditions on the site of the event on City of Perry property, whether the conditions are known or unknown to either party and/or discoverable by either party. The special events organizer/applicant agrees to assume the risk for any and all defects and/or other conditions, whether these defects and or other conditions are dangerous and/or whether these defects or other conditions are discoverable by either party and/or known or unknown to either party.**

The special events organizer/applicant shall indemnify and hold City of Perry and its officers, agents and employees harmless and free from any and all claims, including but not limited to personal injury, property damage, alleged to have arisen or resulted wholly or partially from the exercise of any of the rights granted herein to the special event organizer/applicant. This indemnification and hold harmless agreement includes, but is not limited to, the payment of all attorney fees, expenses, costs, judgment and other expenses that may be incurred by City of Perry, its officers, employees or agents as a result of any and all such claims.

Signature of special event organizer/applicant:

Michelle Rhoades, Pres PDMA

Name, signature and stamp of Notary Public:

Cynthia K. Houser 2/3/2019

Cynthia K. Houser

Notary Public

Date: 8/8/17

Houston County, State of Georgia

My Commission Expires 2/3/2019

## Agreement and Signature

An application processing fee is required at the time of the application's submittal to the City of Perry. If alcohol is being served, an additional special event alcohol permit is also required at time of the application's submittal. If the application is approved, fee will be rolled over into permit fee. An application must be submitted in time to be included on a Perry City Council meeting agenda for consideration at least 60 days before the proposed event or festival.

I, the undersigned representative, have read the rules and regulations referenced in this application and am duly authorized by the organization to submit this application on its behalf. The information herein is complete and accurate.

Printed name:

Michelle Rhoades

Signature:

[Handwritten Signature]

Date:

AUG 8, 2017

☐ Special event application fee enclosed

☐ Special event alcohol permit application section enclosed

Please, send completed application to:

City of Perry

Attn: City Clerk

P.O. Box 2030

Perry, GA 31069

(478) 988-2736

(478) 988-2705 (fax)

annie.warren@perry-ga.gov

Or hand-deliver application to:

City Clerk at

Perry City Hall

1211 Washington Street

Perry, GA 31069.

## Office Use Only

<b>Date received:</b>	
<input type="checkbox"/> Special event application fee received	
<input type="checkbox"/> Council approval for event received	<b>Council approval date:</b>
<input type="checkbox"/> Proof of liability insurance coverage naming the City as additional insured received	
<input type="checkbox"/> Proof of alcohol liability insurance coverage naming the City as additional insured received	
<input type="checkbox"/> City staff will notify affected businesses, residents and utility holders if event is downtown	

## Signatures Required for Approval

<b>Police Department</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Fire and Emergency Services</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Public Works</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

<b>Other as needed</b> _____
<b>Date received:</b>
<input type="checkbox"/> Recommend approval <input type="checkbox"/> Recommend denial
<input type="checkbox"/> Recommend approval with conditions
<b>Approval conditions:</b>

## SECOND AMENDMENT TO THE SUBSCRIBED REGULATORY COMPLIANCE SERVICE PROGRAM AGREEMENT

This Second Amendment to the Subscribed Regulatory Compliance Service Program Agreement (“Amendment”), is entered into by the Municipal Gas Authority of Georgia, a public body corporate and politic, a public corporation and an instrumentality of the State of Georgia (the “Gas Authority”), and the City of Perry (the “Subscriber”), a political subdivision of the State of Georgia (capitalized terms used herein but not defined will have the meaning assigned to such term in the hereinafter defined Agreement);

### WITNESSETH THAT:

WHEREAS, the Gas Authority and the Subscriber have entered into a Subscribed Regulatory Compliance Service Program Agreement, dated as of the date thereof, as amended (the “Agreement”), including as amended by the First Amendment thereto; and

WHEREAS, the Gas Authority and the Subscriber have caused to be prepared this Amendment to provide for certain changes to the Agreement, including, without limitation, revising certain fee structures to better reflect the complexity and regulatory demands of Subscribers and provide flexibility in adjusting revenues to address future budgetary requirements;

NOW, THEREFORE: For and in consideration of the premises and mutual covenants and agreements herein contained, the parties hereby agree as follows:

Section 1. Section 1(a) is hereby amended to delete the last two sentences thereof in their entirety and insert in lieu thereof the following:

““Subscribers” means the Subscriber together with other political subdivisions, governmental entities, operators and master meter operators contracting for Services pursuant to agreements substantially similar to this Agreement with only minor variations related to state of incorporation, entity type and allocation of fees through the year (e.g., equal installments vs. sculpting to more closely mirror gas system revenues) or other minor variations determined to be insubstantial by the Gas Authority.”

Section 2. Section 3(a) is hereby amended to delete the phrase “additional political subdivisions and natural gas contractors” and insert in lieu thereof the phrase “additional Subscribers”.

Section 3. Section 3(c) is hereby deleted in its entirety and the following is inserted in lieu thereof:

“Each Subscriber will pay its portion of all costs of the Program, including, but not limited to, costs of establishing, implementing and operating the Program (the “Program Costs”) as reflected in the Annual Budget. Such portion will be determined as the sum of the components set forth and as otherwise described in Exhibit “C” hereto (“Total Subscription Fees”).”

Section 4. Section 3(d) is hereby deleted in its entirety and the following is inserted in lieu thereof:

“Subscribers will maintain membership in the Georgia Municipal Association (GMA) Gas Section or successor(s), if any, controlling, owning or operating the Operator Qualification Plan or substantial equivalent thereof.”

Section 5. Exhibit “C” to the Agreement is hereby replaced with revised Exhibit “C” attached hereto.

Section 6. All instances of the word “shall” are deleted throughout the Agreement and the word “will” is inserted in lieu thereof.

Section 7. This Amendment will be read and taken together with the Agreement as one and the same instrument. The Agreement, as amended by this Amendment, is hereby ratified and affirmed in all respects; provided that, in accordance with the Intergovernmental Contracts Clause (Art. IX, Sect. III, Para. I) of the Georgia Constitution and O.C.G.A. Section 46-4-96(a)(7), it will terminate no later than 50 years after the effective date hereof unless its term is extended by an amendment to the Agreement prior to such date.

Section 8. This Amendment will become effective when duly approved and executed and delivered by the Subscriber, and when executed and delivered by the Gas Authority. The Gas Authority will only execute and deliver the Amendment when it has determined that the Amendment or similar amendments have been duly executed and delivered by each of the Subscribers. The Gas Authority will require that additional Subscribers added as parties to the Program after the effectiveness of this Amendment enter into an amendment substantially similar to this Amendment.

#### **MUNICIPAL GAS AUTHORITY OF GEORGIA**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Signatures Continue on Next Page]

**SUBSCRIBER:**

**CITY OF PERRY**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Signature Page to Second Amendment]

**Amended  
Exhibit "C"  
Total Subscription Fee**

A. Through calendar year 2017, Total Subscription Fees will be calculated in accordance with the Agreement not taking into account this Second Amendment. Effective for and after calendar year 2018, the Total Subscription Fees will be calculated annually to recover all Program Costs using the following components:

1. Base Subscription Fee: The Gas Authority will establish a Base Subscription Fee annually, which fee is initially estimated to be set as \$7,250 per year per Subscriber; plus
2. Mains/Transmission Lines and Services Subscription Fees: after accounting for total Base Subscription Fees, the remaining Program Costs will be allocated among the Subscribers based on Mains/Transmission Lines Subscription Fees and Services Subscription Fee by the Gas Authority, which fees will be calculated as follows:

Annual Mains/Transmission Lines Subscription Fee (initially estimated to be set as \$7.50 per mile per year) = (Remaining Annual Budget allocable to Mains/Transmission Lines Subscription Fees (i.e., Annual Budget – Sum Total of Base Subscription Fees – Sum Total Services Subscription Fee) / Total Miles of Subscribers' Mains/Transmission Lines installed as of December 31st of the calendar year preceding budget preparation and approval (e.g., the 2018 budget is prepared and approved in 2017 with fees based on the total miles of Mains/Transmission Lines reported as of 2016); and

Annual Services Subscription Fee (initially estimated to be set as \$2.50 per service (as such term is used in the hereinafter defined PHMSA reporting forms described below; "PHMSA Service") per year) = (Remaining Annual Budget allocable to Services Subscription Fees (i.e., Annual Budget – Sum Total of Base Subscription Fees – Sum Total Mains/Transmission Lines Subscription Fee) / Total Number of Subscribers' PHMSA Services installed as of December 31st of the calendar year preceding budget preparation and approval (e.g., the 2018 budget is prepared and approved in 2017 with fees based on the total number of PHMSA Services reported as of 2016).

B. Total Subscription Fees allocable by any single Subscriber will not exceed the subscription cap, initially established at \$58,000 per year (the "Subscription Cap"). To the extent application of the Subscription Cap causes any portion of aggregate Program Costs to be unallocated ("Unallocated Program Costs"), the Total Subscription Fees allocation methodology described herein will be applied and reapplied until all such Unallocated Program Costs have been allocated.

C. The Gas Authority will use Mains/Transmission Line and PHMSA Services data as reported in U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) Form 7100.1-1 and, if applicable, PHMSA 7100.2-1 Reports (or any applicable industry standard successor reporting process). The allocation of Program Costs among the components described above will be determined by the Gas Authority in its sole discretion. Fee amount estimates described above, which are calculated based on the calendar year 2017 budget, are subject to adjustment in the calendar year 2018 budget preparation process.

D. Annual Subscription Cap increases will not exceed the greater of (i) the Consumer Price Index for all urban consumers (U.S. City Average) as posted by the U.S. Department of Labor, or, if such index is unavailable, a reasonably comparable index measuring similar statistics (collectively, the "Consumer Price Index"), for the most recent 12-month period available at the time of budget preparation or (ii) 3%.