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AGENDA
REGULAR MEETING OF THE PERRY CITY COUNCIL
October 17, 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) / Presentation(s): Mayor James E. Faircloth, Jr.
 - * Recognition of Ms. Candace Passmore and Officer Joshua Brown – Chief S. Lynn.
5. Citizens with Input.
6. Review of Minutes: Mayor James E. Faircloth, Jr.
 - 6a. Council’s Consideration – Minutes of the October 2, 2017 work session, October 3, 2017 pre council meeting, and October 3, 2017 council meeting.
7. Old Business: Mayor James E. Faircloth, Jr.
 - 7a. Ordinance(s) for Second Reading(s) and Adoption:
 1. **Second Reading** of an ordinance to amend Chapter 23 of the Municipal Code to create a new Article VI, Section 23.70-23.78, entitled “Utility Accommodation Policy.” – Mr. L. Gilmour.
8. Any Other Old Business: Mayor James E. Faircloth, Jr.
 - 8a. Mayor James E. Faircloth, Jr.
 - 8b. Council Members
 - 8c. City Manager Lee Gilmour
 - 8d. Assistant City Attorney
9. New Business: Mayor James E. Faircloth, Jr.
 - 9a. Matters referred from October 16, 2017 work session and October 17, 2017 pre council meeting.

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

1. Resolution establishing franchise fee rate – Mr. L. Gilmour.

9c. Award of Bid(s):

1. Bid No. 2018-04 Perry Arts Center – Ms. B. King
2. Bid No. 2018-09 Custodial Services – Ms. B. King
3. Bid No. 2018-10 Langston Place Pump Station Improvements
– Mr. C. McMurrian

9d. Declare a pull truck surplus and transfer to Houston County Board of Commissioners – Mr. L. Gilmour.

9e. Parade Application: Chief S. Lynn

1. Perry Christmas Parade on December 2 beginning at 4:00 p.m.

Street closure(s) requested:

Washington Street to Main Street to General Courtney Hodges Boulevard ending at Kellwood Drive.

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

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

1. **First Reading** of an ordinance to amend the Perry Code by adding a new Section 18-16, entitled “Golf Carts Prohibited,” which shall read as follows: “The operation and/or driving of golf carts, utility terrain vehicles (UTVs), all-terrain vehicles (ATVs), and other similar off-road vehicles is prohibited on all portions of City Streets and State Routes located within the city limits on which the speed limit is 35 mph or greater.” – Mr. L. Gilmour.

11. Council Members Items.

12. Department Heads/Staff Items:

13. General Public Items:

14. Mayor Items:

15. Adjourn.

MINUTES
WORK SESSION MEETING
OF THE PERRY CITY COUNCIL
October 2, 2017
5:00 P.M.

1. Call to Order: Mayor Pro-Tempore William Jackson, Presiding Officer, called to order the work session meeting held October 2, 2017 at 5:00 p.m.

2. Roll:

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

Elected Official Absent: Mayor James E. Faircloth, Jr.

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

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Major William Phelps – Perry Police Department, Robert Smith – Economic Development Director, Ellen Palmer – Digital Communications Manager, Bryan Wood – Director of Community Development, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, and Kevin Dye – Director of Leisure Services.

Guest(s)/Speaker(s): Mr. Davis Cosey, and Mr. Adam Williamson, TSW

Press: Mr. Vic Powell - Houston Home Journal

3. Items of Review/Discussion: Mayor Pro-Tempore William Jackson

3a. Leisure Service Department:

1. Review concept plans for Third Street park site and Jaycees site – Mr. K. Dye: Mr. Dye introduced Mr. Adam Williamson to Council. Mr. Williamson reviewed the concept plans for Third Street park site and Jaycees site. There was discussion from Council Member Bynum-Grace relative to the placement of the memorial walls for the honored veterans and citizens. Council agreed with Council Member Bynum-Grace that the walls should be on the opposing sides of the reflection pool. After a brief question and answer session, it was the consensus of Council to proceed with going to bid.

3b. Administration:

1. Discuss animal retention policy – Mr. L. Gilmour: Mr. Gilmour provided Council the original proposed animal control policy amendment along with a

series of suggestions from Mr. Cosey, FOPAS. Mr. Cosey was given the opportunity to address Council relative to the proposed changes.

2. Discussion of stormwater retention ponds – Mr. L. Gilmour: Mr. Gilmour referred to memo dated September 22, 2017 relative to stormwater retention ponds. After discussion, it was the consensus of Council that the retention ponds serving residential subdivisions be titled to the City.
3. Discussion of timber processing proposal – Mr. L. Gilmour: As a follow up to a request at the August 17, 2017 work session from Twin Rivers Land and Timber Inc. for use of City property for a wood collection/grinding operation, the consensus of Council was to proceed with Administration's recommendation to lease a portion of City property to Twin Rivers Land and Timber, Inc. for a wood collection/grinding operation subject the access to Big Indian Creek Drive (off Martin Luther King Drive) and other series of conditions as outlined in the September 22, 2017 memo provided. Administration will contact Twin Rivers Land and Timber, Inc. to see if they are agreeable to the recommendation.
4. Request to GDOT Commissioner – Mr. L. Gilmour: Mr. Gilmour provided Council a copy of an email from Mr. Tyler Peek, District Traffic Engineer from GDOT relative to the shifting of US 341. After discussion, Council agreed with Administration's recommendation to proceed with sending a formal request to the GDOT Commissioner for the US 341 designation change.
5. Consider special events coordinator position – Mr. L. Gilmour: Mr. Gilmour advised that the City is becoming more involved in assisting or conducting special events and recommended that Council consider establishing a contractual or part-time special events coordinator position. Council agreed that Administration explore the option and provide a formal proposal with the cost and responsibilities of the position.
6. Proposed job classification – Mr. L. Gilmour: As a follow up to previous discussion, Mr. Gilmour presented to Council a proposed job description for the position of Assistant City Manager. After discussion, it was the consensus of Council to authorize Administration to proceed.
7. Consider names for Third Street and Jaycees park sites – Mr. L. Gilmour: As a follow up to Council's discussion relative to naming Third Street and Jaycees park sites, Council agreed to the following names: Crossroads Park (Third Street) and Legacy Park (Jaycees site).
8. Consider plan for adding emergency generators to certain lift stations – Mr. L. Gilmour: Mr. Gilmour provided to Council a list of proposed locations to be considered for adding emergency generators. It was the consensus of Council that Administration proceeds with obtaining the design work and estimated cost of emergency generations for the locations listed.

3c. Police Department:

1. Discuss building security proposal for public safety building – Chief S. Lynn: Chief Lynn reviewed for Council's consideration security upgrades to the public safety building. These upgrades would control access to certain areas. After a question and answer session, it was the consensus of Council for Chief Lynn to move forward and Administration to provide cost for building security of the remaining locations in the City. Council agreed that City should be moving in the direction of one (1) location for collecting payments.

4. Other Business/Supplemental Agenda: Mayor Pro Tempore William Jackson

- 4a. Consider recreation trail projects – Mr. L. Gilmour: Mr. Gilmour provided to Council a map of the City highlighting proposed destination parks and photos of a series of recreation trails. It was the consensus of Council to consider at tomorrow's Council meeting adoption of a recreation trail concept plan.

5. Council Member Items:

Council Members Bynum-Grace, Walker, Hunt, King, had no reports.

Council Member Jones stated that his thoughts and prayers are with victims and families of the Las Vegas shooting.

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

6. Department Heads Items: - No reports

7. Adjournment: There being no further business to come before Council at the work session meeting held October 2, 2017 Council Member Bynum-Grace motioned to adjourn the meeting at 6:25 p.m.; Council Member Jones seconded the motion and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
October 3, 2017
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the pre council meeting held October 3, 2017 at 5:00 p.m.

2. Roll:

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

Elected Official(s) Absent: Council Member Phyllis Bynum-Grace

City Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert, and Recording Clerk, Annie Warren.

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, Kevin Dye – Director of Leisure Services, Benda King – Director of Administration, Chad McMurrian – Lead Engineering Technician, Tracy Hester – Chief Building Inspector, and Ellen Palmer – Digital Communications Manager.

Guests: Stella Howard

Media: Vic Powell – Houston Home Journal

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

3a. Discussion of October 3, 2017 council meeting agenda.

9a(1). Second Reading of an ordinance for the rezoning of property from City of Perry R-3, Multi-Family Residential to C-3, Central Business District. The property is located at 905 Ball Street. Mr. Wood advised this is the second reading for property zoned as R-3, Multi-Family Residential to C-3, Central Business District and the Planning Commission recommends approval.

11a(1). Adopt a resolution establishing the City's animal retention policy. Administration recommends adoption of the animal retention policy to include some of the proposed changes outlined in the September 25, 2017 memo.

11a(2). Approve establishing the position of Assistant City Manager. Administration recommends establishing the position of Assistant City

Manager.

- 11b(1). First reading of an ordinance to amend Chapter 23 of the Municipal Code to create a new Article VI, Section 23.70-23.78 , entitled “Utility Accommodation Policy.” Administration reported the first reading of an ordinance to amend our code to bring the City’s franchise requirements for utilities up to date. The ordinance will follow the model from GMA relative to the handling of right-of-ways.
- 11c(1). Resolution approving the acquisition of property. Administration stated this is a follow up relative to some of Council’s actions that were authorized; Administration recommended adding Interfor parcel site on Martin Luther King Jr. Drive to the resolution.
- 11d(1). Bid No. 2018-02 - Sewer Repairs: Mr. McMurrin reported four (4) bids were received for this project. Two bids were adjusted due to calculation errors; Staff and Carter & Sloope, Inc. recommended the low bidder, The Renee Group, Inc. be awarded the contract.
- 11d(2). Bid No. 2018-03 – Uniform Rental: Ms. King reported staff recommended the low bidder, UniFirst Uniform Services, be awarded the contract.
- 11d(3). Bid No. 2018-05 – Signage Fabrication: Mr. Smith reported two (2) bids were received for this project. Staff recommended accepting the low bid from United Signs.
- 11e(1). Bear Branch Road resurfacing: Mr. McMurrin reported Houston County contacted him relative to the resurfacing of Bear Branch Road between Houston Lake Road and Bear Branch Pump Station; 1,220 linear feet of the road is in Houston County and the remaining 3,580 linear feet is within the city limits of Perry. The cost for the project is \$73,817 of which the County would be responsible for 25% totaling \$18,454 and the City’s share would be 75% totaling \$55,362. Staff recommends repaving and the funding would come from SPLOST.
- 11e(2). Revision 2 to Task Order 25: Mr. McMurrin stated Constantine Engineering is asking for an additional \$48,000.00 to cover the cast in place concrete filters and floc basins relative to Task Order 25.

4. Council Member Items:

Council had no reports.

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

5. Department Head Items:

Ms. King, Mr. Wood, Mr. McMurrin and Ms. Palmer had no reports.

Mr. Dye reported Leisure Services will be hosting “Trunk or Treat” on October 31, from 6 – 8pm.

Mr. Smith announced the City is going to be designated a PlanFirst Community and in January the City will be recognized in the state legislature.

Chief Parker reported the new rescue truck has responded to twenty emergency calls.

Chief Lynn reminded everyone of Coffee with a Cop tomorrow at Starbucks from 8 – 10am.

6. Adjourn: There being no further business to come before Council in the pre council meeting held October 3, 2017 Council Member Jones motioned to adjourn the meeting at 5:33 p.m.; Council Member King seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
October 3, 2017
6:00 P.M.

1. Call to Order: James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held October 3, 2017 at 6:00 p.m.

2. Roll.

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

Elected Official(s) Absent: Council Member Phyllis Bynum-Grace

Staff: City Manager Lee Gilmour, Assistant City Attorney Matthew Hulbert, and Recording Clerk, Annie Warren

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, Kevin Dye – Director of Leisure Services, Brenda King – Director of Administration, Chad McMurrian – Lead Engineering Technician, and Ellen Palmer – Digital Communications Manager.

Guest(s)/Speaker(s): Chief Jimmy Williams, Battalion Chief Ephraim Wheeler, Lieutenant Darryl Kitchens, Captain Charles Mundy, Firefighters Asa Becker, Jeremy Douglas, Jonathan Yoder, Ian Harvey, and Corey Hamlin, and Valerie Sanders

Media: Vic Powell - Houston Home Journal, and Marigrace Segó – ComSouth 100.

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

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

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

Special recognition of Chief Parker “GAFC Certification” from Chief Jimmy Williams, Houston County Fire Chief/EMA Director.

Chief Williams presented Chief Parker with the Georgia Fire Chief Certification.

Mayor Faircloth recognized Chiefs Williams, Parker, and Lynn for their service during Hurricane Irma and shared the award presented by the Houston County Board of Commissioners to first responders.

Mayor Faircloth recognized Triple Ribbons Month and shared the proclamation signed by Mayor Harley, Mayor Toms, Mayor Faircloth, Chairman Stalnaker and Colonel Drew of Robins Air Force Base.

Ms. King introduced Ms. Valerie Sanders as the new Customer Service Manager.

5. Community Partner(s) Updates: None

6. Appointment(s) to Boards/Commissions/Authorities – Mayor James E. Faircloth, Jr.

6a. Appointment to the Housing Authority of the City of Perry

Council Member Hunt motioned to re-appoint Ms. Phyllis Ingram to the Housing Authority of the City of Perry; Council Member Walker seconded the motion and it carried unanimously.

7. Citizens with Input. None

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

8a. Council's Consideration – Minutes of the September 18, 2017 work session, September 19, 2017 pre council meeting, September 19, 2017 council meeting and September 25, 2017 special meeting.

Mayor Pro Tempore Jackson motioned to accept the minutes as submitted; Council Member Walker seconded the motion, and the motion carried with Council Member King abstaining from the September 19th meetings.

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

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

1. **Second Reading** of an ordinance for the rezoning of property from City of Perry R-3, Multi-Family Residential to C-3, Central Business District. The property is located at 905 Ball Street – Mr. B. Wood.

Adopted Ordinance No. 2017-16 to rezone property from City of Perry R-3, Multi-Family Residential to C-3, Central Business

District. Council Member Walker motioned to adopt the ordinance as submitted; Council Member Jones seconded the motion and it carried unanimously. (*Ordinance No. 2017-16 has been entered into the City's official book of record*).

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

10a. Mayor James E. Faircloth, Jr. - None

10b. Council Members - None

10c. City Manager Lee Gilmour - None

10d. Assistant City Attorney – None

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

11a. Matters referred from October 2, 2017 work session and October 3, 2017 pre council meeting.

1. Adopt a resolution establishing the City's animal retention policy – Mr. L. Gilmour.

Adopted Resolution 2017-38 establishing the City's animal retention policy. Administration reviewed the resolution and recommended adoption of the resolution to include some of the proposed changes outlined in the September 25th memo and donations go to licensed groups. Council Member Walker motioned to adopt the resolution to include Administration's recommendations. Council Member Jones seconded the motion and it carried unanimously. (*Resolution 2017-38 has been entered into the City's official book of record*).

2. Approve establishing the position of Assistant City Manager – Mr. L. Gilmour.

Administration recommends establishing the position of Assistant City Manager, and once the position is approved, the advertising process will begin. Council Member Walker motioned to approve establishing the position of Assistant City Manager as presented; Council Member Jones seconded the motion and it carried unanimously.

3. Resolution naming two parks – Mr. L. Gilmour.

Adopted Resolution 2017-39 naming Legacy Park and Crossroads Park. Administration reviewed the resolution and recommended adoption. Council Member King motioned to adopt the resolution as submitted; Council Member Hunt seconded the motion and it carried unanimously. (*Resolution 2017-39 has been entered into*

the City's official book of record).

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

1. **First Reading** of an ordinance to amend Chapter 23 of the Municipal Code to create a new Article VI, Section 23.70-23.78, entitled "Utility Accommodation Policy." – Mr. L. Gilmour. (*No action required by Council*)

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

1. Resolution approving the acquisition of property – Mr. L. Gilmour.

Adopted Resolution 2017-40 approving the acquisition of property. Administration presented for Council's consideration a resolution affirming and voting for the purchases of various parcels. Mayor Faircloth entertained a motion to adopt a resolution for the property as described. Council Member Jones motioned to adopt the resolution; Council Member King seconded the motion and it carried unanimously. (*Resolution No. 2017-40 has been entered into the City's official book of record.*)

2. Resolution amending City of Perry Fee Schedule – Mr. L. Gilmour.

Adopted Resolution 2017-41 amending the City of Perry Fee Schedule. Administration presented for Council's consideration a resolution to make adjustments to the youth basketball program. Mayor Faircloth entertained a motion to adopt a resolution amending the City of Perry's fee schedule as described. Council Member King motioned to adopt the resolution; Council Member Jones seconded the motion and it carried unanimously. (*Resolution No. 2017-41 has been entered into the City's official book of record.*)

11d. Award of Bid(s):

1. Bid No. 2018-02 Sewer Repairs – Mr. C. McMurrian

Mr. McMurrian presented for Council's consideration an award of bid for sewer point repairs. Staff recommended awarding to the low bidder, The Renee Group, Inc., in the amount of \$161,197.50. Council Member Hunt motioned to accept staff's recommendation to award Bid No. 2018-02 to The Renee Group, Inc. in the amount of \$161,197.50. Council Member King seconded the motion and it carried unanimously.

2. Bid No. 2018-03 Uniform Rental – Ms. B. King

Ms. King presented for Council's consideration an award of bid for uniform rental. Staff recommended awarding to the low bidder, UniFirst, based on the various services listed on the price structure page. Council Member Walker motioned to accept staff's recommendation to award Bid No. 2018-03 to low bidder, UniFirst, based on the various services listed on the price structure page. Council Member Jones seconded the motion and it carried unanimously.

3. Bid No. 2017-05 Signage Fabrication – Mr. R. Smith

Mr. Smith presented for Council's consideration an award of bid for wayfinding signage fabrication. Staff recommended awarding to the low bidder, United Signs, in the amount of \$32,100.00. Council Member Jones motioned to accept staff's recommendation to award Bid No. 2018-05 to United Signs in the amount of \$32,100.00. Council Member Walker seconded the motion and it carried unanimously.

11e. Matters from Engineering:

1. Bear Branch Road resurfacing – Mr. C. McMurrian.

Mr. McMurrian reported Houston County Public Works Department contacted him relative to the resurfacing of Bear Branch Road between Houston Lake Road and Bear Branch Pump Station; 1,220 linear feet of the road is in Houston County and the remaining 3,580 linear feet is within the city limits of Perry. The cost for the project is \$73,817 of which the County would be responsible for 25% totaling \$18,454 and the City's share would be 75% totaling \$55,362. Staff recommended repaving and the funding would come from SPLOST for Perry's portion. Council Member Hunt motioned to accept staff's recommendation as described; Council Member Jones seconded the motion and it carried unanimously.

2. Revision 2 to Task Order 25 – Mr. C. McMurrian.

Mr. McMurrian reported Constantine Engineering Inc. has presented a Task Order for \$48,000.00 to change Task Order 25 from a pre-engineered water plant to a cast in place concrete filters and floc basins water plant. The \$48,000.00 is for engineering work and staff recommends approval. Council Member King motioned to approve the Change Order in the amount of \$48,000.00; Council Member Jones seconded the motion and it carried unanimously.

11f. Special Events Application(s) – Chief Lynn:

1. The City of Perry is hosting a free community tailgate event at Heritage Park on Saturday, October 28, 2017 from 11 a.m. – 9 p.m.

Chief Lynn advised the police department had reviewed the application and recommended approval of the free community tailgate event at Heritage Park on Saturday, October 28, 2017 from 11 a.m. – 9 p.m. Mayor Pro Tempore Jackson motioned to approve the application as submitted; and Council Member Jones seconded the motion and it carried unanimously.

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

12a. Resolution(s) for Consideration and Adoption:

1. Resolution adopting recreation trail plan – Mr. L. Gilmour.

Adopted Resolution 2017-42 adopting a city wide trail system. Administration presented for Council’s consideration a resolution that adopts a recreation trail plan concept. Mayor Faircloth entertained a motion to adopt a resolution that adopts a recreation trail plan concept. Mayor Pro Tempore Jackson motioned to adopt the resolution; Council Member Jones seconded the motion and it carried unanimously. (*Resolution No. 2017-42 has been entered into the City’s official book of record.*)

13. Council Members Items:

Council had no reports.

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

14. Department Heads Items:

Ms. King and Mr. Wood had no reports.

Chief Parker reported the new rescue truck has responded to twenty emergency calls.

Chief Lee reminded everyone of Coffee with a Cop tomorrow at Starbucks beginning at 8 am.

Mr. Dye advised everyone of “Trunk or Treat” at Rozar Park on October 31st beginning at 6 pm.

Mr. Smith

- reminded everyone of the Perry Housing Team Fall Neighborhood Cleanup Day on October 21st at Johnny Noble Dixon Park at 612 Plum Street
- free community tailgate event on October 28th from 11 am – 9 pm at Heritage Park

15. General Public Items: None

16. Mayor Items:

- October 5th, Eggs and Issues Breakfast
- October 5th, Sandler's ribbon cutting
- October 16th, Work session
- October 17th, Pre council and council meetings

17. Adjourn: There being no further business to come before Council in the regular meeting held October 3, 2017 Council Member King motioned to adjourn the meeting at 6:50 p.m.; Council Member Hunt seconded the motion and it carried unanimously.

**AN ORDINANCE TO AMEND CHAPTER 23 OF THE MUNICIPAL CODE OF THE
CITY OF PERRY, GEORGIA KNOWN AS “STREET AND SIDEWALKS”**

WHEREAS, pursuant to Section 1.13 of the Charter of the City of Perry, Georgia (“City”), the City is empowered to regulate roadside areas, including rights-of-way; and

WHEREAS, pursuant to O.C.G.A. § 36-76-1, et seq., known as the “Consumer Choice for Television Act” of 2007, the City retains regulatory powers over certain activity of cable and video providers with respect to public rights-of-way within or belonging to the City; and

WHEREAS, pursuant to O.C.G.A. § 46-5-1, et seq., telephone companies shall comply with all applicable local laws and regulations, including municipal ordinances and regulations, regarding the placement and maintenance of facilities in the public rights-of-way that are reasonable, nondiscriminatory, and applicable to all users of the public rights-of-way within or belonging to the City; and

WHEREAS, the City desires to establish reasonable nondiscriminatory regulations for the installation, construction, maintenance, renewal, removal and relocations of Utility Facilities that are not more restrictive than equivalent regulations promulgated by the Georgia Department of Transportation with respect to Utilities on the state highway system under authority of O.C.G.A. § 32-4-70;

NOW THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Municipal Code of the City of Perry, Georgia is amended as follows:

Chapter 23 of the Municipal Code of the City of Perry, Georgia is hereby amended by creating a new Article VI, Sections 23.70-23.78, entitled “Utility Accommodation Policy,” as follows:

Section 23.70. Declaration of Findings and Purpose, Scope, Definitions.

Section 23.70.1. Intent and Purpose. The City of Perry (the “City”) is vitally concerned with the use, construction within, and occupancy of all Rights-of-Way in the City as such Rights-of-Way are a valuable and limited resource which must be utilized to promote the public health, safety, welfare, and economic development of the City, and which also must be utilized to protect the public work infrastructure. Therefore, the City, under the authority of the Laws and Constitution of the State of Georgia, including but not limited to Article 9, Section 1, paragraphs 2 and 3 of the Georgia Constitution, O.C.G.A. § 36-1-20 and O.C.G.A. § 32-4-42(6), has adopted this ordinance for the purpose of regulating public and private entities which use the City Rights-of-Way.

Section 23.70.2. Scope. The provisions of this Article VI shall apply to all Utilities and Facilities occupying the Rights-of-Way as provided herein.

Section 23.70.3 Definitions. For the purposes of this Article VI, the following terms, phrases, words, and their derivations have the meanings set forth herein. The words “shall” and

“will” are mandatory and “may” is permissive. Words not defined shall be given their common and ordinary meaning. References hereafter to “Sections” are, unless otherwise specified, references to Sections in this Article VI. Defined terms remain defined terms whether or not capitalized.

1. *City* means the City of Perry, Georgia;
2. *Codified Ordinances* means the Codified Ordinances of the City of Perry, Georgia;
3. *Construct* means, but shall not be limited to, to dig, bore, tunnel, trench, excavate, obstruct, install or remove signs or Facilities, other than landscaping or ornamental plantings, in, on, above, within, over, below, under, or through any part of the Rights-of-Way. Construct shall also include the act of opening and/or cutting into the surface of any paved or improved surface that is any part of the Right-of-Way;
4. *Construction* means, but shall not be limited to, the act or process of digging, boring, tunneling, trenching, excavating, obstructing, installing or removing signs or Facilities, other than landscaping or ornamental plantings, in, on, above, within, over, below, under, or through any part of the Rights-of-Way. Construction shall also include the act of opening, boring and/or cutting into the surface of any part of the Right-of-Way;
5. *Director* means the Assistant City Manager of the City of Perry, Georgia, or his or her designee;
6. *Emergency* means a condition that poses a clear and immediate danger to life, health, or safety of a person, or of significant damage or loss of real or personal property;
7. *Facility* or *Facilities* means any tangible thing, including but not limited to pipes, mains, conduits, cables, wire, poles, towers, traffic and other signals, and other equipment, appurtenances, appliances and future technology of any Utility in, on, along, over, or under any part of the Rights-of-Way within the City;
8. *Facilities Representative(s)* means the specifically identified agent(s)/employee(s) of a Utility who are authorized to direct field activities of that Utility and serve as official notice agent(s) for Facilities-related information. Utility shall be required to make sure at least one (1) of its Facilities Representatives are available at all times to receive notice of, and immediately direct response to, Facilities-related emergencies or situations;
9. *FCC* means the Federal Communications Commission or any successor thereto;
10. *Permit* means an authorization which grants permission to conduct specific regulated activities on, in, over, under or within any public right-of-way, and which may be subject to conditions specified in a written agreement with the City or in a related provision of this Code of Ordinances;

11. *Right(s)-of-Way* means the surface and space in, on, above, within, over, below, under or through any real property in which the City has an interest in law or equity, whether held in fee, or other estate or interest, or as a trustee for the public, including, but not limited to any public street, boulevard, road, highway, freeway, lane, court, sidewalk, parkway, or any other place, area, or real property owned by or under the legal or equitable control of the City, now or hereafter, that consistent with the purposes for which it was dedicated, may be used for the purposes of constructing, operating, repairing or replacing Facilities;

12. *Service(s)* means the offering of any service by a Utility for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, or alternatively, the provision of any service by a Utility between two or more points for a proprietary purpose to a class of users other than the general public;

13. *Service Agreement* means a valid license agreement, service agreement, franchise agreement, or operating agreement issued by the City or state pursuant to law and accepted by a Utility or entered into by and between the City and a Utility, which allows such Utility to operate or provide service within the geographic limits of the City;

14. *Street or Streets* means the surface of, as well as the spaces above and below, any and all the streets, alleys, avenues, roads, bridges, tunnels and public places of the City within the corporate limits of the City, as the same now exist or may be hereafter extended or altered, and any location thereon, thereover or thereunder, and any portion thereof;

15. *Transfer* means the disposal by the Utility, directly or indirectly, by gift, assignment, sale, merger, consolidation, or otherwise, of more than fifty percent (50%) at one time of the ownership or controlling interest in the Facilities, or of more than fifty percent (50%) cumulatively over the term of a written approval of Registration of such interests to a corporation, partnership, limited partnership, trust, or association, or person or group of persons acting in concert;

16. *Unused Facilities* means Facilities located in the Rights-of-Way which have remained unused for twelve (12) months and for which the Utility is unable to provide the City with a plan detailing the procedure by which the Utility intends to begin actively using such Facilities within the next twelve (12) months, or that it has a potential purchaser or user of the Facilities who will be actively using the Facilities within the next twelve (12) months, or that the availability of such Facilities is required by the Utility to adequately and efficiently operate its Facilities;

17. *Utility or Utilities* means all privately, publicly, or cooperatively owned systems for producing, transmitting, or distributing communication, data, information, telecommunication, cable television, video services, power, electricity, light, heat, gas, oil, crude products, water/sewer, steam, fire and police signals, traffic control devices, and street lighting systems, and housing or conduit for any of the foregoing, which directly or indirectly serve the public or any part thereof. The term "utility" may also be used to refer to the owner, operator, Utility, service, contractor, subcontractor, or any agent thereof, of any above-described utility or utility facility.

Section 23.71. Utility Registration.

Section 23.71.1. Registration Required. Each Utility who occupies, uses or has Facilities in the Rights-of-Way at the time of passage of this Ordinance, including by lease, sublease or assignment, to operate Facilities located in the Rights-of-Way, unless specifically exempted by state or federal law or this Code, shall file a Registration Statement with the Office of the City Manager within ninety (90) days of the effective date of this Ordinance.

Section 23.71.2 Registration Procedure. The Registration information provided to the City shall be on a form approved by the City and shall include, but not be limited to:

1. The name, legal status (i.e., partnership, corporation, etc.), street address, email address, and telephone and facsimile numbers of the Utility filing the Registration Statement (the "Registrant"). If the Registrant is not the owner of the Facility in the Right-of-Way, the Registration shall include the name, street address, email address if applicable, and telephone and facsimile numbers of the owner;

2. The name, street address, email address if applicable and telephone and facsimile numbers of one (1) or more Facilities Representative(s). Current information regarding how to contact the Facilities Representative(s) in an Emergency shall be provided at the time of filing a Registration and shall be updated as necessary to assure accurate contact information is available to the City at all times;

3. A copy, if requested, of the Utility's certificate of authority (or other acceptable evidence of authority to operate) from the Georgia Public Service Commission and/or the FCC and any other similar approvals, permits, or agreements;

4. A copy, if requested, of the Service Agreement, if applicable, or other legal instrument that authorizes the Utility to use or occupy the Right-of-Way for the purpose described in the Registration.

Section 23.71.3 Incomplete Registration. If a Registration is incomplete, the Director shall notify the Registrant and shall provide a reasonable period of time in which to complete the Registration. If a Registration is complete, the Director shall so notify the Utility in writing.

Section 23.71.4 Acceptance of the Registration. Acceptance of the Registration shall not convey title in the Rights-of-Way. Acceptance of the Registration is only the nonexclusive, limited right to occupy Rights-of-Way in the City for the limited purposes stated in the Acceptance. Acceptance of the Registration does not excuse a Utility from obtaining Permits required by City ordinances nor from obtaining appropriate access or pole attachment agreements before using the Facilities of others, including the City. Acceptance of the Registration does not excuse a Utility from notifying the City of Construction as required herein.

Section 23.71.5 Facilities in Place without Registration. Beginning one year after the effective date of this Article VI, any Facilities or part of a Facility found in a Right-of-Way for which

registration is required but has not been obtained unless specifically exempted by law, and for which no valid Service Agreement exists with the City, may be deemed to be a nuisance and an unauthorized use of the Rights-of-Way. The City may exercise any remedies or rights it has at law or in equity, including, but not limited to, abating the nuisance; taking possession of the Facilities, evicting the Utility from the Right-of-Way; prosecuting the violator; and/or any other remedy provided by City ordinance or otherwise allowed in law or in equity.

Section 23.72. Construction Permits.

Section 23.72.1 Permit Required. It shall be unlawful for any Utility to excavate or to construct, install, maintain, renew, remove or relocate Facilities in, on, along, over or under the public roads of the City without a Utility permit from the Office of the City Manager in accordance with the terms of this Article VI.

Section 23.72.2 Permit Procedure. Utility Permits shall be obtained from the Director (or such other person as the City Manager may designate) upon application made on forms prescribed by the Office of the City Manager. The written application shall include the following:

1. The name and address of the Utility;
2. The nature, extent, and location of any work proposed to be done, along with satisfactory plans as attachments showing in detail the location of the proposed Facility or operations as described in the Permit application. The plans shall show the size or capacity of Facilities to be installed; their relationship to Street features such as right-of-way lines, pavement edge, structures, etc., horizontal and vertical clearance to critical elements of the roadway and any other information necessary to evaluate the impact on the Street and its operation;
3. The name and address of the person or firm who is to do such work;
4. The name, street address, email address if applicable and telephone and facsimile numbers of one (1) or more Facilities Representatives;
5. The projected dates for the work to be started and finished;
6. An indemnity bond or other acceptable security in an amount to be set by the City to pay any damages to any part of the City road system or other City property or to any city employee or member of the public caused by activity or work of the Utility performed under authority of the permit issued;
7. A copy, if requested, of the Registrant's certificate of authority (or other acceptable evidence of authority to operate) from the Georgia Public Service Commission and/or the FCC and any other similar approvals, permits, or agreements; and
8. A copy, if requested, of the service agreement, if applicable or other legal instrument that authorizes the Utility to use or occupy the Right-of-Way for the purpose described

in the application.

Section 23.72.3 Permit Fees. Fees shall be determined by the Director, subject to the approval by resolution of the City Council. A fee schedule shall be available at the offices of the Director and the City Clerk and open for public inspection.

Section 23.72.4 Issuance of Permit. If the Director determines the Applicant has satisfied the following requirements, the Director may issue a permit.

1. Whether issuing of the approval will be consistent with this Article VI; and
2. Whether Applicant has submitted a complete Application and has secured all certificates and other authorizations required by law, if applicable, in order to construct Facilities in the manner proposed by the Applicant; and
3. The impact on safety, visual quality of the streets, traffic flow, and other users of the right-of-way and the difficulty and length of time of the Project, construction or maintenance.

Section 23.72.5 Emergency Situations.

1. Each Utility shall, as soon as reasonably practicable, notify the Director of any event regarding its Facilities which it considers to be an Emergency. The Utility may proceed to take whatever actions are necessary in order to respond to the Emergency. A Utility who engages in an emergency excavation shall take all reasonable precautions to avoid or minimize damage to any existing facilities.
2. In the event that the City becomes aware of an Emergency regarding Utility Facilities, the City may attempt to contact the affected Utility or Facilities Representative. The City may take whatever action it deems necessary in order to respond to the Emergency, including cut or move any of the wires, cables, amplifiers, appliances, or other parts of the Facilities. The City shall not incur any liability to the Utility, for such emergency actions, and the cost of such shall be paid by each Utility affected by the Emergency.

Section 23.72.6 Effective Period of Permit.

1. Each permit shall have a set commencement and expiration date based on information provided in the Applicant's permit application.
2. The Permit shall remain in place until Construction is completed or until its expiration date, whichever shall first occur, unless the Utility is in default. The Director may give written notice of default to a Utility if it is determined that a Utility has
 - a. Violated any provision or requirement of the issuance or acceptance of a Permit application or any law of the City, state, or federal government;

- b. Attempted to evade any provision or requirement of this Article VI;
- c. Practiced any fraud or deceit upon the City; or
- d. Made a material misrepresentation or omission of fact in its Permit application.

Section 23.72.7 Cancellation for Cause. If a Utility fails to cure a default within twenty (20) business days after such notice is provided to the Utility by the City, then such default shall be a material breach and the City may exercise any remedies or rights it has at law or in equity to terminate the Permit. If the Director decides there is cause or reason to terminate, the following procedure shall be followed:

1. City shall serve Utility with a written notice of the reason or cause for proposed termination and shall allow a Utility a minimum of fifteen (15) calendar days to cure its breach.
2. If the Utility fails to cure within fifteen (15) calendar days, the City may declare the Permit terminated.

Section 23.72.8 Expiration of Permit. If work is not begun within six (6) months of the date of issuance, the Permit will automatically expire.

Section 23.73. Required Minimum Standards.

Section 23.73.1 Utility Accommodation Manual Adopted. The 2009 Utility Accommodation Policy and Standards manual, including all references contained therein to codes, rules, regulations, schedules, forms and appendix items, except Appendix B (Permit Forms and supporting Documents), promulgated by the State of Georgia Department of Transportation, as may be amended from time to time, is hereby adopted by reference and incorporated in the article as if fully set forth herein, subject to the amendments and modification contained in this Article VI. A copy of the manual shall be maintained at the offices of the Director or his designee and open for public inspection. Any conflicts between the provisions of this ordinance and the manual shall be resolved in favor of the manual. References to State personnel, agencies, and fees shall be interpreted, where required, as meaning the City of Perry municipal equivalents.

Section 23.73.2 Protection of Traffic and Roadway. Unless specifically in the Permit, no Utility may occupy the City Rights-of-Way unless sufficient space is available so that the free flow and safety of traffic and other capacity considerations are not unduly impaired and the installation does not prevent the Office of the City Manager from reasonably maintaining the streets, structures, traffic control devices and other appurtenant facilities, and further provided that maintenance and operations of the Facilities do not jeopardize the traffic, street structure, other users of the right-of-way or the right-of-way itself.

Section 23.73.3 Grading. If the grades or lines of any street within the City Right-of-

Way are changed at any time by the City during the term of the permit and this changes involves an area in which the Utility's Facilities are located, then the Utility shall, at its own cost and expense and upon the request of the City upon reasonable notice, protect or promptly alter or relocate the Facilities, or any part thereof, so as to conform with such new grades or lines. In the event the Utility refuses or neglects to so protect, alter, or relocate all or part of the Facilities, the City shall have the right to break through, remove, alter, or relocate all or any part of the Facilities without any liability to the Utility and the Utility shall pay to the City the costs incurred in connection with such breaking through, removal, alteration, or relocation.

Section 23.73.4 Installation of Poles and Other Wireholding Structures and Relocation.
Unless otherwise provided in a valid service agreement, no placement of any pole or wireholding structure of the Utility is to be considered a vested interest in the Right-of-Way, and such poles or structures are to be removed, relocated underground, or modified by the Utility at its own expense whenever the City determines that the public convenience would be enhanced thereby. The Facilities shall be so located and installed as to cause minimum interference with the rights and convenience of property owners.

Section 23.73.5 As provided in O.C.G.A. § 25-9-6 (the Georgia Utility Facility Protection Act) and other applicable state law currently in place or as amended, no Utility shall commence, perform, or engage in blasting or in excavating with mechanized excavating facilities unless and until the Utility planning the blasting or excavating has given 48-hours notice by submitting a locate request to the Utility Protection Center, beginning the next business day after such notice is provided, excluding hours during days other than business days.

Section 23.74. Restoration of Property.

Section 23.74.1 Each Utility shall be responsible for the cost of repairing any Facilities in the Rights-of-Way and adjoining property or other Facilities which it or its Facilities damage.

Section 23.74.2 A Utility shall be liable, at its own cost and expense, to replace, restore or repair, any Street, Facilities or property or structure thereon, thereunder, thereover or adjacent thereto that may become disturbed or damaged as a result of the Construction or installation, operation, upgrade, repair or removal of Facilities to a condition as good as or better than its condition before the work performed by the Utility that caused such disturbance or damage. If the Utility does not commence such replacement or repair after twenty (20) business days following written notice from the City, the City or the owner of the affected structure or property may make such replacement or repair and the Utility shall pay the reasonable and actual cost of the same.

Section 23.75. Inspection.

Section 23.75.1 The Utility shall make the Construction site available to the Director and to all others as authorized by Law for inspection at all reasonable times during the execution and upon completion of the Construction.

Section 23.75.2 At any time, including the time of inspection, the Director may order

the immediate cessation of any work which poses a serious threat to the health, safety, or welfare of the public, violates any law, or which violates the terms and conditions of the Permit and/or this Article VI or issue an order to correct work which does not conform to the Permit and/or applicable standards, conditions or codes.

Section 23.75.3 When the Construction under any Permit is completed, the Utility shall notify the Office of the City Manager.

Section 23.76. Other Approvals, Permits and Agreements.

Section 23.76.1 Additional Permits Required. The Utility shall obtain all construction, building or other permits or approvals as according to City ordinance, state or federal law. In addition, a Permittee shall comply with all requirements of laws, shall complete work in a way so as to not cause any unnecessary or unauthorized obstructions or sidewalks, streets, waterways or railways, and is responsible for all work done in the Rights-of-Way regardless of who performs the work. No Rights-of-Way obstruction or excavation may be performed when seasonally prohibited or when conditions are unreasonable for such work, except in the case of an Emergency as provided in this Article VI.

Section 23.77. Penalties.

Section 23.77.1 Every Utility convicted of a violation of any provision of this Article VI shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) per violation. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 23.78. Other Provisions.

Section 23.78.1 Severability. If any section, subsection, sentence, clause, phrase, or portion of this Article VI is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 23.78.2 Reservation of Regulatory and Police Powers. The City by issuing a written approval of Registration under this Article VI, does not surrender or to any extent, lose, waive, impair, or lessen the lawful powers and rights, which it has not or may be hereafter vested in the City under the Constitution and Laws of the United States, State of Georgia and the City Charter, and under the provisions of the City's Codified Ordinances to regulate the use of the Rights-of-Way. The Utility by applying for and being issued a written Permit, is deemed to acknowledge that all lawful powers and rights, regulatory power, or police power, or otherwise as are or the same may be from time to time vested in or reserved to the City, shall be in full force and effect and subject to the exercise thereof by the City at any time. A Utility is deemed to acknowledge that its interests are subject to the regulatory and police powers of the City to adopt and enforce general

ordinances necessary to the safety and welfare of the public and is deemed to agree to comply with all applicable general laws enacted by the City pursuant to such powers. In particular, all Utilities shall comply with City zoning and other land use requirements pertaining to the placement and specifications of Facilities.

Section 23.78.3 Compliance. No Person shall be relieved of its obligation to comply with any of the provisions of this Article VI by reason of any failure of the City to enforce compliance.

Section 23.78.4 Appeal of Administrative Decisions. All appeals provided for by this Article VI and any notification to the City required by this Article VI shall be in writing and sent via certified mail to the Director as specified in this Article VI.

Section 23.78.5 Chapter Headings. Chapter headings are for convenience only and shall not be used to interpret any portion of this Article VI.

SO ENACTED this ____ day of _____, 201__.

CITY OF PERRY, GEORGIA

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

Attest: _____
Annie Warren, City Clerk

(City Seal)

1st Reading:

2nd Reading:



Where Georgia comes together.

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor/Council
FROM: Lee Gilmour, City Manager ^{LG}
DATE: October 11, 2017
REFERENCE: Franchise Resolution

Attached is a proposed resolution provided by our telecommunications consultants stating all cable franchise providers must pay a five percent (5%) franchise fee. It is important to address interference from the State of Georgia.

RESOLUTION

A RESOLUTION OF THE CITY OF PERRY THROUGH THE COUNCIL TO AUTHORIZE THE MAYOR TO ESTABLISH A FRANCHISE FEE APPLICABLE TO HOLDERS OF CABLE AND VIDEO FRANCHISES ISSUED BY THE STATE OF GEORGIA

WHEREAS, the City currently collects a franchise fee from any current cable or video providers;

WHEREAS, the City considers collecting a franchise fee from a cable or video provider utilizing the public rights of way as compensation to the public for the use of the rights of way and a means of promoting the public health, safety, welfare and economics development of the City and to protect public works infrastructure;

WHEREAS, the City of Perry is authorized to collect a franchise fee of 5%, the maximum amount established by federal and state law, of each cable or video providers gross revenues received from the provision of cable or video service generated within the City;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Perry hereby requires a franchise fee of 5% of any cable or video state franchise holder's gross revenues received from the provision of cable or video service generated within the corporate boundaries of the City of Perry, pursuant to a franchise issued by the State of Georgia pursuant to O.C.G.A. 36-76-1 et seq. known as the "Consumer Choice for Television Act" of 2007.

RESOLVED by the Mayor and Council of the City of Perry this 17th day of October 2017.

ATTEST:

By _____

City Clerk

Mayor: _____

City of Perry

(SEAL)



MEMORANDUM

TO: Lee Gilmour, City Manager

FROM: Brenda King, Director of Administration

DATE: October 12, 2017

SUBJECT: Recommendation of Award
Bid #2018-04

Description: Perry Arts Center

FUND:

	Renfroe Construction Co. (Macon, GA)
Phase One	<i>\$201,420.00</i>
Phase Two	<i>\$232,310.00</i>
Entire Project	<i>\$433,730.00</i>

Department recommendation: Award the bid in the amount of \$433,730.00 to Renfroe Construction.



Where Georgia comes together.

TO: Brenda King, Director
FROM: Tracy Hester – Chief Building Official
DATE: October 13, 2017
RE: Perry Art Center, Phase I & II Summary

Brenda,

The following is a brief summary of the construction activities that are scoped for the phase I and Phase II renovations at the Perry Art Center.

Phase I consist of 2 parts, (1); removing the roll-up door on the rear of the center, installing a double 3'-0" door set, filling the void with matching brick and block and painting to match. (2); demolition of the existing male and female rest rooms to make them accessible, to include the separation of the electrical service currently located in the male restroom area and create a hallway or vestibule area so that the restrooms don't open directly into the common floor space. New fixtures and dual water fountains as well as lighting and all necessary hardware as provided on the drawings by JMA Architects.

Phase II consist of the demolition of interior walls and fixtures located in the front small conference room and storage areas, this will create a larger multi-use conference area that will be more user friendly and provide a much more functional performance. Included in this phase is the reconstruction of the foyer entry to include new flooring and entry doors.

Additionally, both phases will include new lighting, hardware, trims, electrical, plumbing, HVAC, gas and accessories and all labor and materials necessary to complete the phases as designed in the drawings and specs provided by JMA Architects.

Once complete, the facility will be more accessible and compliant with the 2010 ADA regulations and will provide for better use and function of the existing floor space.



Where Georgia comes together.

TO: Steven Stefano, Account Tech
FROM: Tracy Hester, Chief Building Official
DATE: October 12, 2017
RE: Verification/Performance

Steven,

As requested, I contacted the references provided by Renfro Construction for the Perry Art Center project. I was able to speak with Paul Van Haute, Putnam County Board of Commissioners and Anita Cauthan, Monroe County Board of Commissioners; each had nothing but favorable comments and made a strong recommendation for use of Renfro Construction and that each would use them again in the future.

I was unable to reach anyone from the Ga National Fairground & Agricenter for comment.

Based on my recent interactions and the professionalism by Rob Shurley of Renfro Construction as well as the quality references by each of the contacts made above, I recommend we move forward with Renfro Construction as the successful bidder for the Perry Art Center renovation project.

Respectfully Submitted;



MEMORANDUM

TO: Lee Gilmour, City Manager
FROM: Brenda King, Director of Administration
DATE: October 12, 2017
SUBJECT: Recommendation of Award
Bid #2018-09
Description: Custodial Services
FUND: General

	McGhee Cleaning Services	American Facility Services, Inc.
Perry Arts Center	\$2,500.00 per month	\$1,300.00 per month
Public Works Office	\$2,700.00 per month	\$850.00 per month
Calhoun Park Restrooms	\$5,500.00 per month	\$600.00 per month
James E Worrall Community Center	\$10,000.00 per month	\$1,600.00 per month
Total	\$20,700.00 per month	\$4,350.00 per month

Department recommendation: Award the bid in the amount of \$4,350.00 per month to American Facility Services, Inc.

Bid Tabulation Sheet

Bid #2018-09
Custodial Services

<u>Vendor Name</u>	<u>McGhee Cleaning</u>	<u>1st Class Cleaning Service</u>	<u>American Facility Services, Inc.</u>	<u>Unique Cleaners Service Co.</u>
Received	Yes	Yes	Yes	Yes
Perry Arts Center	2,500/Mth.	75/wk	1,300/Mth.	400/wk.
Public Works Office	2,700/Mth.	175/wk	850/Mth.	125/wk.
Calhoun Park Rest Rooms	5,500/Mth.	175/wk	600/Mth.	85/wk
James E. Worrall Com.	10,000/Mth.	325/wk	1,600/Mth	400/wk.
Total Bid	20,700/Mth.	3,000/Mth	4,350/Mth	4,040/Mth.
		**Non Responsive		**Non Responsive

** Non Responsive - Vendor did not acknowledge Addendum



MEMORANDUM

TO: Lee Gilmour, City Manager

FROM: Brenda King, ~~Director~~ Director of Administration

DATE: October 12, 2017

SUBJECT: Recommendation of Award
Bid #2018-10

Description: Langston Place Pump Station Improvements

FUND:

<u>Vendor</u>	<u>Bid Amount</u>
Pyles Plumbing & Utility Contractors – Macon, GA	\$52,899.30
Griffin-Folsom Construction, LLC – Cordele, GA	\$70,500.00
LaKay Enterprises, Inc. – Ft. Valley, GA	\$93,500.00

Engineer and Department recommendation: Award the bid in the amount of \$52,899.30 to Pyles Plumbing & Utility Contractors.



GEORGIA WATER & ENVIRONMENTAL SERVICES

1222 Main Street
Perry, GA 31069
(478) 235-0307
www.georgiawaterservices.com

October 12, 2017

Mr. Chad McMurrian
Lead Engineering Technician
City of Perry
PO Box 2030
Perry, GA 31069

**RE: Langston Place Pump Station Improvements
Recommendation of Contract Award
GWES Project No. 033.12.1.17**

Dear Mr. McMurrian,

This letter shall serve as our Recommendation of Award of the contract for construction of the referenced project.

During advertisement of the project, bid solicitation included invitations to four contractors:

1. LaKay Enterprises - Fort Valley, GA
2. Griffin-Folsom Construction, LLC – Cordele, GA
3. Pyles Plumbing & Utility Contractors, Inc. – Macon, GA
4. LeClay Construction – Perry, GA

After advertisement, sealed bids were received until 2:00 p.m., Tuesday, October 10, 2017, at Perry City Hall, and thereafter publicly opened, read, and recorded. Bids were submitted by three contractors: LaKay Enterprises, Griffin-Folsom Construction, LLC and Pyles Plumbing & Utility Contractors, Inc. We have examined the three submitted bids and determined that Pyles Plumbing & Utility Contractors, Inc. (Contractor) is the low responsive bidder. Please refer to the attached *Official Bid Tabulation* for the project bid specifics.

In due diligence, GWES performed an evaluation of the completeness of the bids and on each contractor's capability to perform the work. A reference check was performed in accordance with our due diligence.

Based upon our evaluation, GWES finds no apparent reason to believe that Pyles Plumbing & Utility Contractors, Inc. cannot complete the work satisfactorily within the 120 day project schedule. We recommend that this project be awarded, to Pyles Plumbing & Utility Contractors, Inc. for the bid amount of \$52,899.30.

Upon the City's approval, we will prepare the contracts for execution. If you have any questions or require additional information, please contact us.

Respectfully,

Georgia Water & Environmental Services, LLC.

A handwritten signature in black ink that reads "Burke B. Murph III". The signature is written in a cursive style with a horizontal line at the end.

Burke B. Murph III, PE, MBA

Managing Partner

478.235.0307

burke@georgiawaterservices.com

Attachments: Official Bid Tab
Reference Check Documentation
Pyles Bid



GEORGIA WATER & ENVIRONMENTAL SERVICES

BID TABULATION
PROJECT NAME: LANGSTON PLACE PUMP STATION IMPROVEMENTS
CLIENT NAME: City of Perry
PROJECT NO.: 033.12.1.17
DATE: OCTOBER 10, 2017 @ 2:00 PM

Item No.	Description	Quantity	Unit	Griffin-Folsom Construction, LLC		LaKay Enterprise, Inc.		Pyles Plumbing & Utility Contractors, Inc.	
				Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	Mobilization/Demobilization	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$1,151.69	\$1,151.69
2	Prevention, Control, and Abatement of Erosion and Water Pollution	1	LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$656.03	\$656.03
3	Install 15 HP Rotating Assembly	2	Each	\$10,000.00	\$20,000.00	\$18,000.00	\$36,000.00	\$11,294.95	\$22,589.90
4	Install Vacuum Priming System	2	Each	\$5,000.00	\$10,000.00	\$7,500.00	\$15,000.00	\$3,542.55	\$7,085.10
5	Miscellaneous Electrical	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$2,737.10	\$2,737.10
6	Replace Existing Pressure Gauge	2	Each	\$1,000.00	\$2,000.00	\$1,500.00	\$3,000.00	\$809.83	\$1,619.66
7	Tap and Install Pressure Gauge	2	Each	\$1,000.00	\$2,000.00	\$1,500.00	\$3,000.00	\$924.53	\$1,849.06
8	Install Sewer Combination Valve	2	Each	\$7,500.00	\$15,000.00	\$7,500.00	\$15,000.00	\$2,605.38	\$5,210.76
9	Owner's Allowance			\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Total Based Bid					\$70,500.00		\$93,500.00		\$52,899.30



Burke B. Murph III

Burke B. Murph
 Georgia Water & Environmental Services

**LANGSTON PUMP STATION IMPROVEMENTS
REFERENCE CHECK DOCUMENTATION**

Contractor: Pyles Plumbing & Utility Contractors, Inc.
Date: 10/11/2017

Reference: Michel Wanna
Company: Macon Water Authority
Phone: 478.464.5636

Type of Work	Overall Impression	Issues	Comments	Recommend
Pump Station Rehab	Very Good	None	good work; Many projects completed for MWA	Yes

Reference: Paul Schwindler
Company: Peach County
Phone: 478.508.8098

Type of Work	Overall Impression	Issues	Comments	Recommend
Lift Stations and Gravity Sewer	Very Satisfied	None	Works well in residential areas, on schedule	Yes

Reference: Tiffany Bibb
Company: City of Byron
Phone: 478.338.1249

Type of Work	Overall Impression	Issues	Comments	Recommend
Lift Station and Force Main	Satisfactory	None	Completed work with no issues	Yes

**SECTION 00400
BID FORM**

Bid Form

TO: CITY OF PERRY

FROM: Pyles Plumbing & Utility Contractors, Inc.

For: LANGSTON PLACE PUMP STATION IMPROVEMENTS

DATED: OCTOBER 10, 2017 @ 2:00 PM

Article 1 – Bidder’s Acknowledgements

- 1.01 The undersigned Bidder, in compliance with your Invitation to Bid for the construction of this Project having examined the Contract Documents, the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed Project, including the availability of materials and labor, hereby proposes to construct the Project in accordance with the Contract Documents.
- 1.02 The Bidder proposes and agrees, if this Bid is accepted, to contract with the City of Perry in the form of Contract Agreement specified, to furnish all necessary products, machinery, tools, apparatus, means of transportation and labor necessary to complete the construction of the Work in full and complete accordance with the reasonably intended requirements of the Contract Documents to the full and entire satisfaction of the City of Perry with a definite understanding that no money will be allowed for extra work except as set forth in the Contract Documents.
- 1.03 The undersigned further agrees that in case of failure on his part to execute the said contract and the Bond within fifteen (15) consecutive calendar days after written notice being given of the award of the contract, the check or bid bond accompanying this bid, and the monies payable thereon shall be paid in to the funds of the Owner as liquidated damages for such failure, otherwise, the check or bid bond accompanying this proposal shall be returned to the undersigned.

Article 2 – Bidder’s Representations

- 2.01 In submitting this Bid, Bidder represents that:
 - A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
<u>1</u>	<u>10/05/2017</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

- B. Bidder has visited and become familiar with the Site and is satisfied with the Site conditions that may affect cost, progress and performance of the Work.
- C. Bidder is familiar with and satisfied as to all Laws and Regulations that may affect cost, progress and performance of the Work.
- D. Bidder has carefully studied: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at or contiguous to the Site that have been identified in Part 6 of the Supplemental Conditions and (2) reports and drawings of Hazardous Environmental Conditions, if any, at the Site that have been identified in Part 6 of the Supplemental Conditions.
- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations and documents on (1) the cost, progress and performance of the Work; (2) the means, methods, techniques, sequences and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 2.01.E above, Bidder does not consider that further examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times required and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given written notification to Engineer of all conflicts, errors, ambiguities or discrepancies that Bidder has discovered in the Bidding Documents and Bidder finds Engineers written resolution thereof acceptable.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- J. Bidder will submit written evidence of its Authority to do business in the State of Georgia prior to the date of execution of the Agreement.

Article 3 – Bidder's Certification

3.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of the Owner, (b) to establish bid prices at artificial non-competitive levels or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without knowledge of Owner, with the purpose to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

Article 4 – Basis of Bid

- 4.01 The Contractor shall review Section 01025 – Measurement & Payment for methods and limits for payments to the Contractor for the following pay items.

Item No.	Description	Quantity	Unit	Unit Price	Item Total
1	Mobilization/Demobilization	1	LS	1,151.69	1,151.69
2	Prevention, Control, and Abatement of Erosion and Water Pollution	1	LS	656.03	656.03
3	Install 15 HP Rotating Assembly	2	Each	11,294.95	22,589.90
4	Install Vacuum Priming System	2	Each	3,542.55	7,085.10
5	Miscellaneous Electrical	1	LS	2,737.10	2,737.10
6	Replace Existing Pressure Gauge	2	Each	809.83	1,619.66
7	Tap and Install Pressure Gauge	2	Each	924.53	1,849.06
8	Install Sewer Combination Valve	2	Each	2,605.38	5,210.76
9	Owner's Allowance			\$10,000	\$10,000

Total Items 1-9, the amount of:

\$ 52,899.30

Dollars & Cents

Fifty Two Thousand Eight Hundred Ninety Nine & 30/100

Price in Words

Article 5 – Time of Completion

5.01 Bidder agrees that the Work will be substantially complete and ready to be placed into operation within one hundred twenty (120) calendar days after the start day identified in the Notice to Proceed. Bidder further agrees that the Work shall be complete and ready for final payment within fifteen (15) calendar days of substantial completion.

Bidder accepts the provision of the Agreement in regards to liquidated damages in the event the Bidder fails to complete the Work within the times specified in the Agreement.

Article 6 – Attachments to this Bid

6.01 Bidder shall submit the following documents with the Bid:

- A. Required Bid security in the form of ten (10) percent of the Total Bid Price;
- B. List of Proposed Subcontractors;
- C. List of Proposed Suppliers;
- D. List of Project References;
- E. Evidence of authority to do business in the State of Georgia;
- F. License No. of Contractor performing the work or evidence of Bidder's ability to obtain a State Contractor's License and a covenant by Bidder to obtain said license within the time for acceptance of Bids;
- G. Statement of Bidder's Qualifications with supporting data (Section 00420);
- H. Corporate Certificate (Section 00422);
- I. Contractor Certification (Section 00425);
- J. Non-collusion Affidavit of Prime Bidder (Section 00480);
- K. Contractor Affidavit and Agreement (Section 00483);
- L. Subcontractor Affidavit of Employment Eligibility (Section 00484);
- M. SAVE Affidavit (Section 00485); and
- N. Pre-Award Oath (Section 00550)

Article 7 – Define Terms

7.01 The terms used in this Bid with the initial letter capitalized shall be defined as stated in the Instructions to Bidders, General Conditions and Supplementary Conditions.

Article 8 – Bid Communication

8.01 All communications regarding this bid shall be addressed to:

Mr. Burke Murph, P.E.
Georgia Water & Environmental Services, LLC.
1222 Main Street
Perry, GA 31069
Phone: (478) 235-0307
burke@georgiawaterservices.com

Article 9 – Bid Submittal

9.01 This bid is submitted by:

Bidder: Pyles Plumbing & Utility Contractors, Inc.

By: 

Name: T. Bryant Pyles

Title: Vice President

Attest: 

Patricia L. Kersey - Corporate Secretary
Bidder's Business Address: 835 Hillcrest Industrial Blvd.

Macon, GA 31204

Phone No. 478-746-0264 Fax No. 478-738-0056

E-mail jakej@pylesinc.com

Submitted on October 10, 2017.

State Contractor License No. of Contractor performing work: UC300178

END OF SECTION



Where Georgia comes together.

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor/Council
FROM: Lee Gilmour, City Manager *LG*
DATE: October 13, 2017
REFERENCE: Transfer of Vehicle

The City has been approached by the Houston County Board of Commissioners concerning a shuttle truck. Originally purchased to pull trailers to the landfill, it is not in service since the City uses a different procedure.

The Administration recommends Council declare vehicle 1818 (2005 Shuttle Truck) surplus and donate it to the Houston County Board of Commissioners.

cc: Mr. B. Taylor
Mr. T. Ennis

Vehicles for surplus or salvage

veh.#	year	make	model
1292	1998	ford	ranger
1085	1984	ford	bucket truck
855	1989	gmc	1/2 ton
2126	2003	ford	f150
2124	2001	ford	f150
1194	1994	chevy	mini dump
1822	2007	freightliner	claw truck
2389	2004	chevy	1/2 ton
1464	2005	ford	ranger
161	2004	buick	century



Where Georgia comes together.

Stephen D. Lynn
Chief of Police

(478) 988-2800
Fax (478) 988-2805

Christmas
PARADE/ ~~5K RUN~~ APPLICATION

Date of Application: 8/28/17

Parade Applicant Information:

Name Tiffany Pope & Michelle Mari
Address 424 Geovanna Rd.
City/State Hawkinsville, Ga. 31036
Home Telephone 478-951-2137
Work Telephone 757-438-9845

Organization Information:

Name of Organization Perry Christmas Parade
Address _____
City/State _____
Telephone _____

Authorized Leader of Organization:

Name Tiffany Pope
Address _____
City/State _____
Home Telephone 951-2137
Work Telephone _____

Authorized Co-Leader:

Name Michelle Mari
Address 3932 Jordan rd.
Byron GA 31008
757-438-9845

City/State _____

Home Telephone _____

Work Telephone _____

Parade Motorcade Chairman:

Name _____

Address _____

City/State _____

Home Telephone _____

Work Telephone _____

Date of Parade: 12-2-17 @ 4pm

Parade Route Description (Starting point, street route, ending point):

Washington St. to main st. to
Courtney Hodges Blvd ending @ Kellwood

Standard Parade route

Approximate Number of Persons in Parade: 1200.

Approximate Number of Vehicles in Parade: 100.

Description of Vehicles: Cars, Trucks, Floats

Number and Type of Animals in Parade: Horses and dogs

Parade Hours:

Start: 4

Finish: 5:15

Parade/Motorcade Route Requirements (One lane width or two lane width):

Minimum Speed: 5 Maximum Speed: 5

Location of Assembly Area of Street Address: Washington St.

Parade Assembly Time: 2:00

Interval of Space between Units of Parade/Motorcade: _____

Maximum Length of Parade (In miles or fractions): 2 miles

*Note: If the Parade or Motorcade is designated to be held by, and on behalf of or for any person other than this applicant, the applicant for this permit must file with the Chief of Police a written communication from the person proposing to hold the Parade/Motorcade, authorizing the applicant to apply for the permit on his/her behalf.

Any additional information on the Parade/Motorcade which would assist in determining whether to grant this permit: _____

We would like to request the Parade fee be waived

All proceeds go to Priss + Frank of Houston Co.

For Foster children: Priss and Frank Family Center inc.

Parade/Motorcade Permit Fee: \$141.00

Paid _____ Not Paid _____

Approved : _____ Not Approved: _____

SIGNED: [Signature]
Stephen D. Lynn
Chief of Police

10/12/17
Date

Priss and Frank family center, Inc.

The Priss and Frank Family Center began with one goal in mind; to provide a safe, home-like environment for supervised VISITS between children in foster care and their parents.

HOME

ABOUT

US

CONTACT

US

DONATE

FLYERS

EVENTS

REGISTRATION

Family is VERY IMPORTANT!



VERY IMPORTANT!



Serves Perry & surrounding Areas

A Message From The Founder — From Perry, GA

I'm overjoyed that the Priss & Frank Family Center has come to fruition! It's been a dream of mine to operate a center - a safe place - for families to gather for purposeful visitation during a strenuous time in their lives. Due to a variety of reasons, parents and children may not live in the same home and may be under the care of the Department of Families and Children Services (DFACS). Regardless of the reason, parental visitation is a right, as well as an opportunity to build strong attachments and permanence that will serve the child's best interest.

It's my hope that the Priss & Frank Family Center will be a warm, welcoming, and inviting place for families as they work to regain their lives in a productive way. Through our partnership with the Juvenile Courts, the Board of Education, DFACS, various service providers and many wonderful supporters and friends. I believe we will see positive changes in the lives of the families, especially children, in our area.



ORDINANCE

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

1.

By adding a new Section 18-16, entitled, "Golf Carts Prohibited," which shall read as follows: "The operation and/or driving of golf carts, utility terrain vehicles (UTVs), all-terrain vehicles (ATVs), and other similar off-road vehicles is prohibited on all portions of City Streets and State Routes located within the city limits on which the speed limit is 35 mph or greater."

SO AMENDED this ____ day of _____, 2017.

CITY OF PERRY, GEORGIA

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

**Attest: _____
Annie Warren, City Clerk**

1st Reading: _____

2nd Reading: _____