



Where Georgia comes together.

AGENDA
REGULAR MEETING OF THE PERRY CITY COUNCIL
May 7, 2019
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.
 - 4a. Introduction of new accountant, Ms. Tiffany Relaford – Ms. B. King.
 - 4b. Recognition of the following fire personnel – Chief L. Parker.
 - * Battalion Chief Kirk Crumpton – 15 years of service
 - * Fire Marshal Michael Paull – Certified Fire Investigator
 - * Firefighter Austin Redmond – Promoted to Sergeant
 - * Firefighter Jonathan Yoder – Promoted to Sergeant
 - 4c. Review of April Special Events – Ms. A. Turpin
5. Appointments to Boards/Commissions/Authorities: Mayor James E. Faircloth, Jr.
 - 5a. Appointment to the Perry Public Facilities Authority – Council Member Jones
6. Community Partner(s) Update(s):
7. Citizens with Input.
8. Public Hearing: 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).

 - 8a. Abandonment of a portion of Meeting Street – Mr. B. Wood.
 - 8b. Petition for Rezoning Application No. RZNE-0007-2019. Applicant, Angela J. Cuti requests the rezoning of property from R-3, Multi-family Residential

District, to OC, Office-Commercial District. The property is located at 900 Ball Street, Tax Map No. 0P0040 035000 - Mr. B. Wood.

8c. Petition for Rezoning Application No. RZNE-011-2019. Applicant, The City of Perry requests the rezoning of property from R-1, Single-family Residential District, to GU, Government Use District. The property is located at 1020 Country Club Road; Tax Map No. 0P0410 015000 – Mr. B. Wood.

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

9a. Council’s Consideration – Minutes of the April 11, 2019 joint work session of Perry City Council and Perry Planning Commission, April 16, 2019 pre council meeting and April 16, 2019 council meeting. (***Council Member Robert Jones was absent from April 16, 2019 meetings.***)

10. Old Business:

10a. Ordinances for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance to control shareable docked and dockless mobility devices a/k/a e-scooters - Mr. B. Wood.

11. Any Other Old Business:

11a. Mayor James E. Faircloth, Jr.

11b. Council Members

11c. City Manager Lee Gilmour

11d. Assistant City Manager Robert Smith

11e. City Attorney

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

12a. Matters referred from May 7, 2019 pre council meeting.

12b. Ordinances for First Reading(s) and Introduction:

1. **First Reading** of an ordinance rezoning property from R-3, Multi-family Residential District, to OC, Office-Commercial District. The property is located at 900 Ball Street, Tax Map No. 0P0040 035000 - Mr. B. Wood.

2. **First Reading** of an ordinance rezoning property from R-1, Single-family Residential District, to GU, Government Use District. The property is located at 1020 Country Club Road; Tax Map No. 0P0410 015000 – Mr. B. Wood.

12c. Award of Bid(s):

1. Bid No. 2019-24 Light Towers – Mr. M. Worthington

2. Bid No. 2019-25 Creekwood Splashpad Phase 2 –
Mr. M. Worthington
3. Bid No. 2019-27 Exterior Wall Mounted Heat Pump –
Mr. M. Worthington

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

1. Resolution authorizing the abandonment of a portion of Meeting Street –
Mr. B. Wood.
2. Resolution declaring certain vehicles and equipment surplus –
Ms. B. King.

12e. Selection of a voting delegate for GMA Annual Membership Business Meeting,
June 24, 2019 – Mr. L. Gilmour.

12f. Consider amendment to Owner-Engineer Agreement for gas main upgrade –
Mr. C. McMurrian.

12g. Request for Approval of Master Agreement with ESG Engineering, Inc. to
provide GIS services – Mr. B. Wood.

12h. Special Events Application(s): Ms. A. Turpin

1. The Perry Chamber of Commerce is hosting the Downtown Merchants
Council Wine Tasting in partnership with the Downtown Merchants
Council on June 7, 2019 from 6 p.m. until 9 p.m. in Historic Downtown
Perry.

Street closure(s) requested:

- Carroll Street (Between Jernigan and Washington Street)
- Ball Street (Between Commerce and Main Street)

2. The Perry Chamber of Commerce is hosting their annual Independence
Day Parade on June 29, 2019 from 10 a.m. until 11:30 a.m.

Street closure(s) requested:

- Washington Street (Between Sam Nunn and Northside Drive)
- Washington Street (Between Northside Drive and Main Street)
- Main Street (Between Washington Street and General Courtney
Hodges)
- General Courtney Hodges (Between Main Street and Larry Walker
Parkway)
- Larry Walker Parkway (Between General Courtney Hodges and North
Gate GNFA)

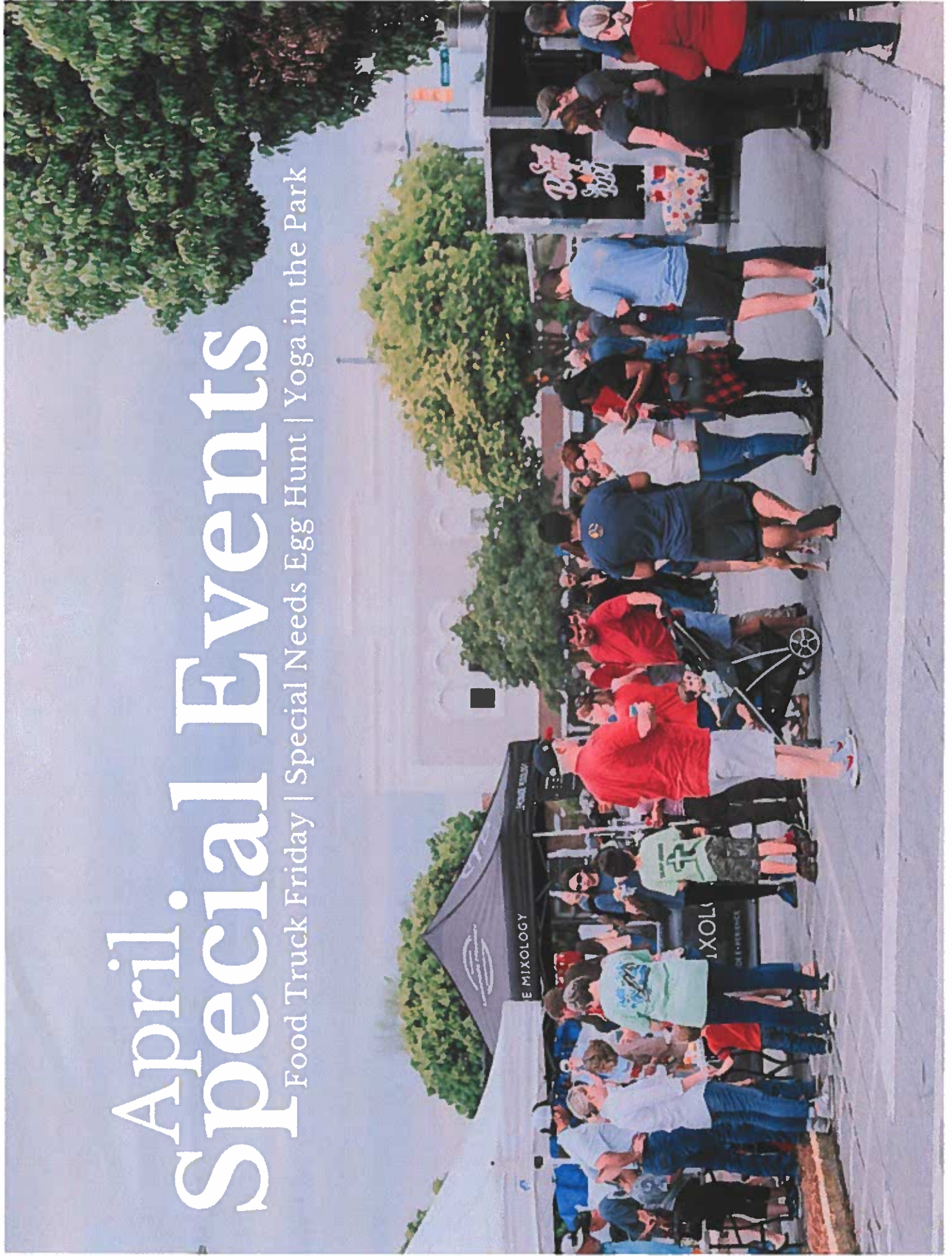
13. Council Members Items:

14. Department Heads/Staff Items.
15. General Public Items:
16. Mayor Items:
17. Adjourn.

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Perry City Council Agenda and supporting material for each item is available on-line through the City's website at www.perry-ga.gov.

April Special Events

Food Truck Friday | Special Needs Egg Hunt | Yoga in the Park



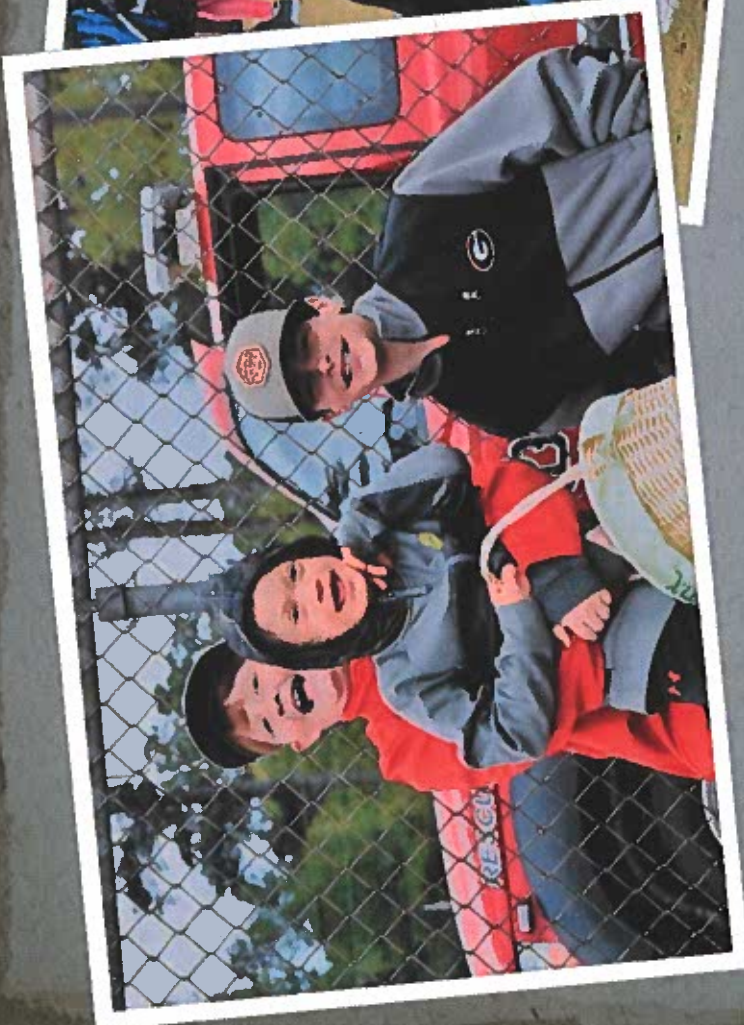


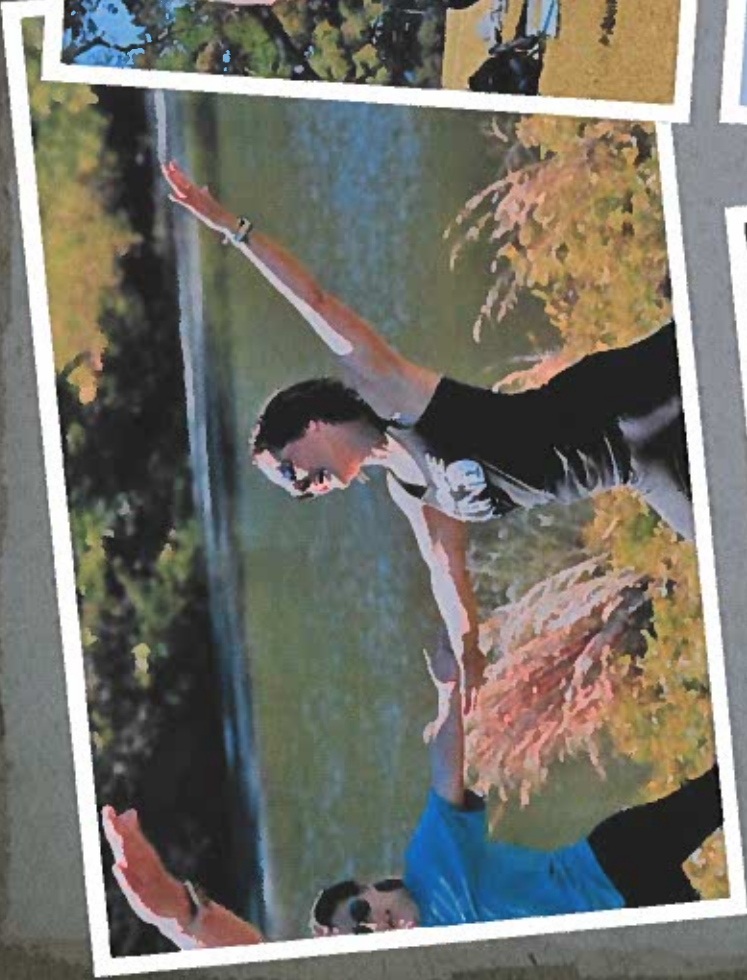
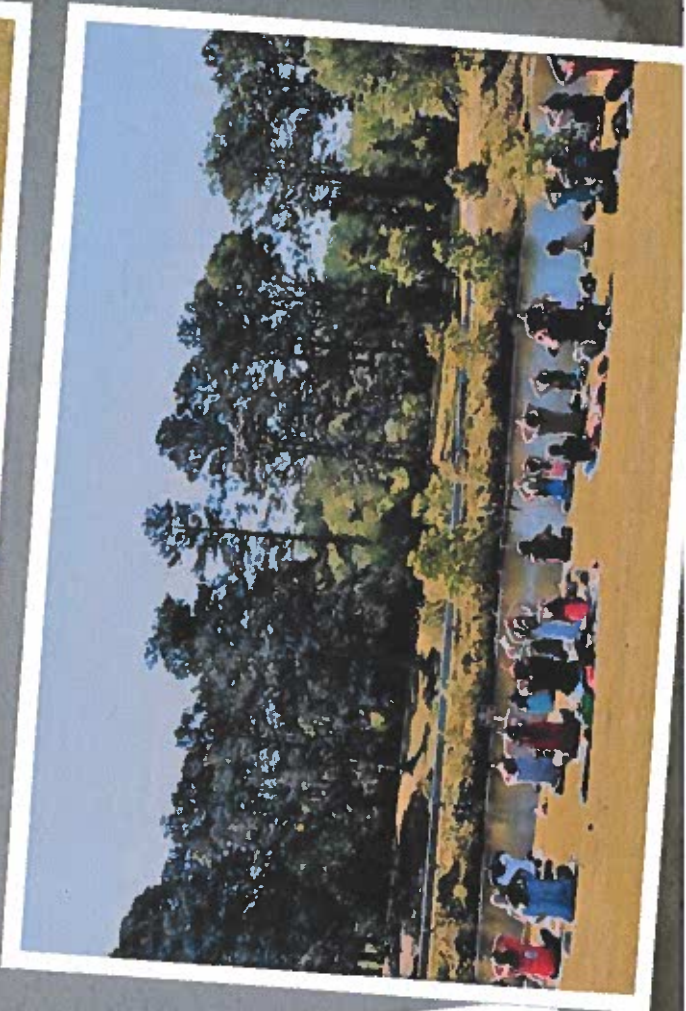
ZONE #4
Wheelchair
EGG-sessible
ZONE



ZONE #2
Candy-free
egg zone
SMALL TOYS • PRIZES
ONLY
*Open to All







on the Radar

Food Truck Friday | Friday, May 10th | 6-10 PM

Downhill Gravity & Soap Box Race | Saturday, May 18th | 10 AM - 2 PM

May Day Festival | Saturday, May 18th | Noon - 4 PM





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STAFF REPORT

April 2, 2019

CASE NUMBER: RZNE-0007-2019
APPLICANT: Angela J. Cutil
REQUEST: Rezone from R-3, Multi-family Residential District, to OC, Office-Commercial District
LOCATION: 900 Ball Street; Tax Map No. 0P0040 035000

ADJACENT ZONING/LANDUSES:

Subject Parcel: R-3, Multi-family Residential District; vacant single-family residential structure
North: C-3, Central Business District; office uses
South: R-3; vacant lots
East: R-1; Single-family residences
West: R-3 and C-3; Single-family residences, office uses, and outdoor storage lots

BACKGROUND INFORMATION: The applicant proposes to use the 1160 square foot structure on the 0.3 acre parcel as office/meeting space, with the option to return to residential use in the future. The OC zoning classification will allow the office and meeting uses as well as residential uses.

Note: The attached zoning map shows the subject property as being zoned C-3. Research shows that the subject property was not included in the zoning application which changed the adjacent properties at 902 and 904 Ball Street from R-3 to C-3. No other zoning applications appear on this property.

STANDARDS GOVERNING ZONE CHANGES:

1. *The suitability of the subject property for the zoned purposes.* The property is currently used as a single-family residence offered for rent. Multi-family residential uses may be suitable, depending on size and compatibility with surroundings.
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* While the property is adjacent to commercially zoned properties and uses, there does not appear to be diminished value of the property. However, several surrounding residential properties fronting Ball Street have been converted to commercial uses in recent years.
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.* There does not appear to be diminution of property value. Although, it appears properties along Ball Street were originally zoned R-3 as a transition or buffer between industrial properties to the west and low density residential uses to the east. Many of these properties have been changed to commercial zoning classifications in recent years.
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* The properties fronting Ball Street and adjacent to the subject property were changed to the more intensive C-3 zoning in recent years. There does not appear to have been a negative impact on the residential properties which back up to them.

5. *Whether the subject property has a reasonable economic use as currently zoned. Use of the property for residential purposes provides a reasonable economic use as currently zoned.*
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. The building on the subject property has been vacant for a few months will being offered for sale.*
7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property. The surrounding area is a mix of residential structures that have been converted to office uses, residential and commercial uses. The property is contiguous to properties zoned C-3, Central Business District, and the downtown core.*
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property. The property is located at the north east corner of the intersection of Ball and Gilmer Streets. Ball Street is primarily commercial in character. Given the mixed character of the surroundings the uses allowed in the OC district should not adversely affect surrounding properties.*
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan. The 2017 Joint Comprehensive Plan Update appears to identify the subject property on the edge between 'Traditional Neighborhood' and 'Town Center' suggesting the area as transitional.*
10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Given the size of the property and the uses allowed in the OC district, this request should not cause excessive or burdensome use of community facilities and services.*

Uses allowed in the OC district include residential, community service, day care, educational, health care, some institutional (religious, congregate personal care), parks, communication towers, office, commercial parking, mortuary and health club. Retail and high intensity uses are not permitted.

STAFF RECOMMENDATION: Based on evaluation of the standards, the City Staff concludes that the OC zoning district is appropriate for the subject property. Therefore, Staff recommends approval of the application to rezone to OC, Office Commercial District.

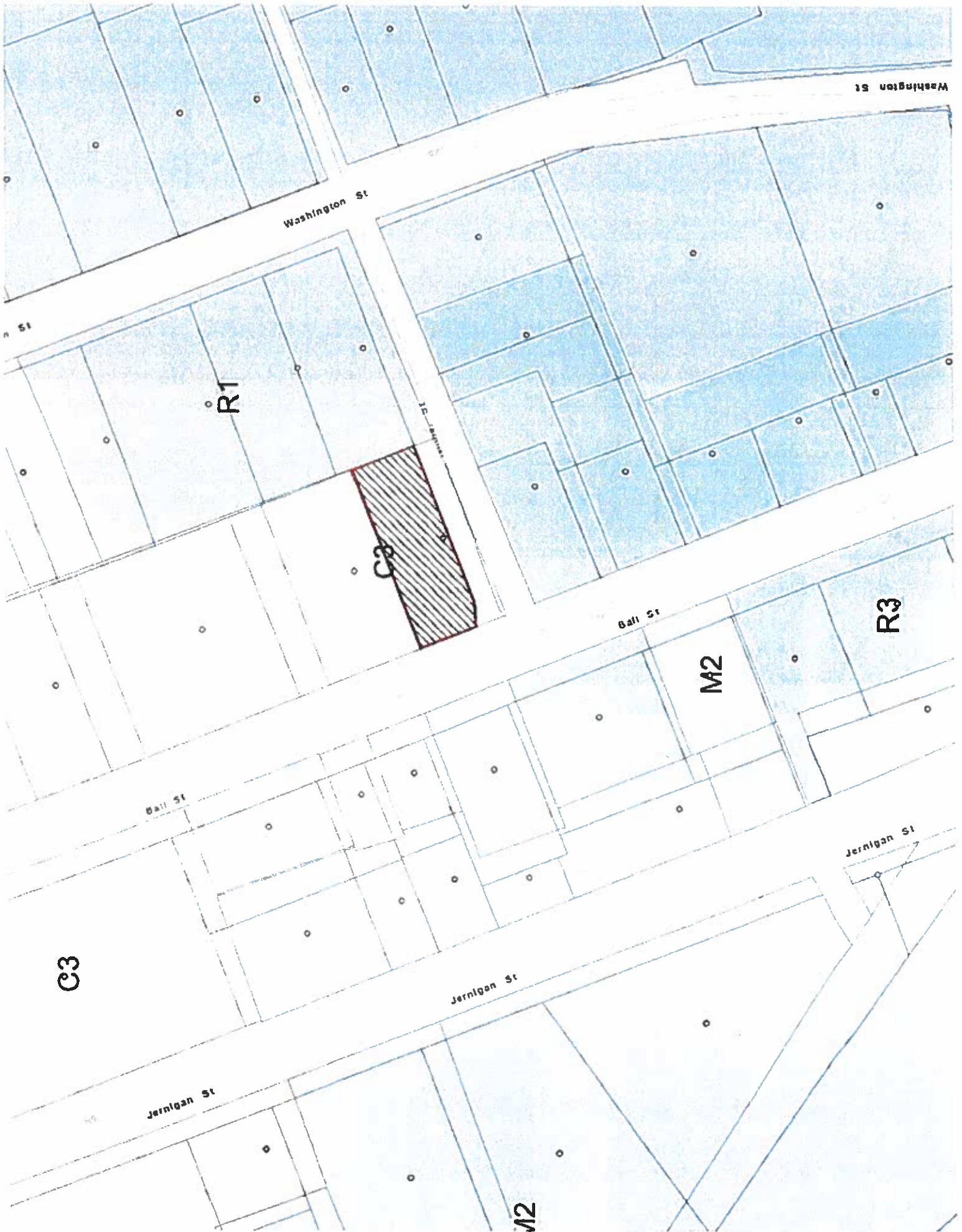
PLANNING COMMISSION RECOMMENDATION: Recommended approval of the zoning change as submitted from R-3, Multi-Family Residential District to OC, Office Commercial District.



Eric Z. Edwards, Chairman, Planning Commission

4/10/19

Date



Washington St

Washington St

R1

C3

Ball St

M2

R3

Ball St

C3

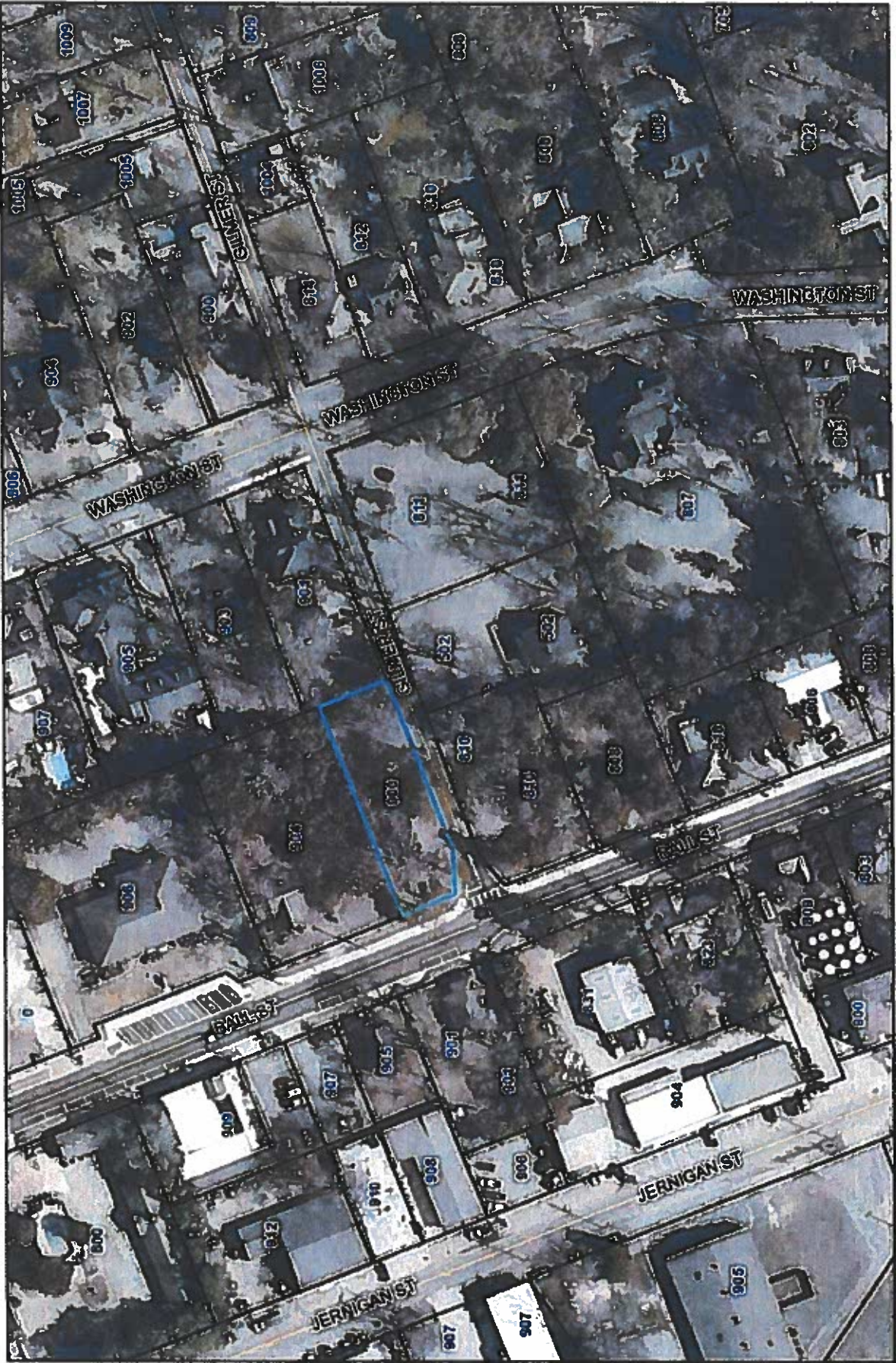
Jernigan St

Jernigan St

Jernigan St

M2

900 Ball Street Aerial



N C-3
 S R-3
 E R-1
 W C-3/R-3



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RZNL-0007-2019
 Application # _____

Application for Rezoning
 Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Angela S. Cuti	Same
*Title	usher	
*Address	302 Minter Dr - Warnock Rd	
*Phone	478-955-8119	3105x
*Email	angelacuti@gmail.com	

Property Information

*Street Address or Location	900 Ball St. Perry, Ga. 31058
*Tax Map #(s)	0P0040035000
*Legal Description:	
A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property and/or a proposed site plan; C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.	

Request

*Current Zoning District	R-3	*Proposed Zoning District	OC
*Please describe the existing and proposed use of the property			
see attachment			

Instructions

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

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

10. Signatures:

*Applicant <i>Joyela Cuthi</i>	*Date <i>3/11/19</i>
*Property Owner/Authorized Agent	*Date

Standards for Granting a Rezoning

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **NO**
- Describe the existing land uses and zoning classifications of surrounding properties. **Commercial + R3**
- Describe the suitability of the subject property for use as currently zoned. **Rental home.**
- Describe the extent to which the value of the subject property is diminished by the current zoning designation. **N/A - If denied as commercial or mixed commercial / residential use I will just rent it out now to a small family or two individual**
- Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public. **Use of local nonprofit group to use as temporary operating office/meeting space during 2 year renovation of New Perry Hotel**
- Describe the relative gain to the public compared to any hardship imposed on the property owner. **NPH renovation project and services offered by non-profit widely embraced by community at large.**
- Describe how the subject property has no reasonable economic use as currently zoned. **It actually does have valuable residential (R3) use after completion of NPH, we will rent it**
- How long has the subject property been vacant as currently zoned, considering development in the vicinity? **Few months.** employee's of NPH
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties. **1 block from Historic Downtown. The other former residential homes (across street & adjacent) are commercial properties now.**
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties. **It will be an office and eventually could be used as a rental unit, which incre;**
- Describe how the proposed zoning district is consistent with the Comprehensive Plan. **Downtown economy + traffic**
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services. **There will never be more than 10-20 people "meeting" at the property - no excessive traffic, noise or parking issues.**
- Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

It is my intention to follow the guidelines under "accessory uses and structures" to build a small greenhouse in backyard of property and eventually put a "approved" fencing around backyard perimeter as well. It is of top priority to increase aesthetic value of property.

Revised 1/10/2018

For Office Use (receipt code 204.1)

Date received <i>3/11/19</i>	Fee paid <i>\$236.00</i>	Date deemed complete <i>3/11/19</i>	Public Notice Sign <i>by 3/22</i>	Legal Ad <i>Place 4110-run 4/17</i>	County Notification <i>N/A</i>
Notice to Applicant <i>4/4/19</i>	Routed to PC <i>4/14/19</i>	Date of PC <i>4/8/19</i>	Date of Public Hearing <i>5/7/19</i>	Date of Council action <i>5/21/19</i>	Notice of action

Intention of Usage for Rezoning Request

3/10/2019

RE: 900 Ball St. Perry, Ga

To Whom It May Concern,

I have recently purchased the property at 900 Ball Street as a personal investment for usage during the upcoming renovation of The New Perry Hotel. The property is currently zoned R3. It is my hope that perhaps you can best guide me in the rezoning request based on my description of intended usage. Now that the non-profit organization, The HALO Group of Middle Ga that I founded in February of 2018 has acquired the New Perry Hotel, as the Executive Director I would like to have a temporary office to operate out of until the NPH building is renovated. The purchase of Ball St. residence is in no way affiliated with The HALO Group at this time, other than my personal offering of its use at my discretion for meeting purposes. However, if needed I would establish a 'rental' agreement for HALO to use the space IF the City of Perry insists that signage be used to indicate it is a 'commercial property' in nature.

I would like advisement on whether there is a mixed use commercial zoning option that you feel would best suite not having to keep rezoning this property. I question this because for the first year or two, I would like to set up the small office for operational use, then eventually use as a place to hold small group gatherings, meetings and consultative/tutoring services. However, once the hotel renovations are completed, I would have office space at the NPH and would want to offer the 2 bedroom home as a rental unit, which in turn would increase traffic to downtown district.

I also intend to put a fence around the back yard and put up a small green house. Of course, following the specifications indicated by the City of Perry for Accessory Uses and structures. This is a personal hobby that provides an opportunity to share modified agricultural studies with small groups in the community.

I look forward to your consideration and support,

Respectfully,

Angela cuti

478-955-8119

angelacuti@gmail.com



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STAFF REPORT

April 2, 2019

CASE NUMBER: RZNE-0011-2019
APPLICANT: The City of Perry
REQUEST: Rezone from R-1, Single-family Residential District, to GU, Government Use District
LOCATION: 1020 Country Club Road; Tax Map No. 0P0410 015000

ADJACENT ZONING/LANDUSES:

Subject Parcel: R-1, Single-family Residential District; portion of former golf course
North: R-1; Single-family residences
South: R-1; Single-family residences
East: R-1; Single-family residences
West: R-1; Single-family residential lots

BACKGROUND INFORMATION: The 61.36 acre parcel is a portion of the former Cherokee Pines golf course which formally closed in early 2018. The property was purchased by the City of Perry in late 2018 for the purpose of developing a passive public park. The requested zoning change to GU, Government Use District, will be consistent with all properties owned by the City.

STANDARDS GOVERNING ZONE CHANGES:

1. *The suitability of the subject property for the zoned purposes.* The property is suitable for residential uses as currently zoned. However, sanitary sewer capacity is not available and the City intends to preserve the property as public open space.
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* N/A
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.* N/A
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* N/A
5. *Whether the subject property has a reasonable economic use as currently zoned.* N/A
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.* N/A
7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.* All surrounding areas consist of low-density residential uses. The development of a passive public park is intended to serve the surrounding residential areas.

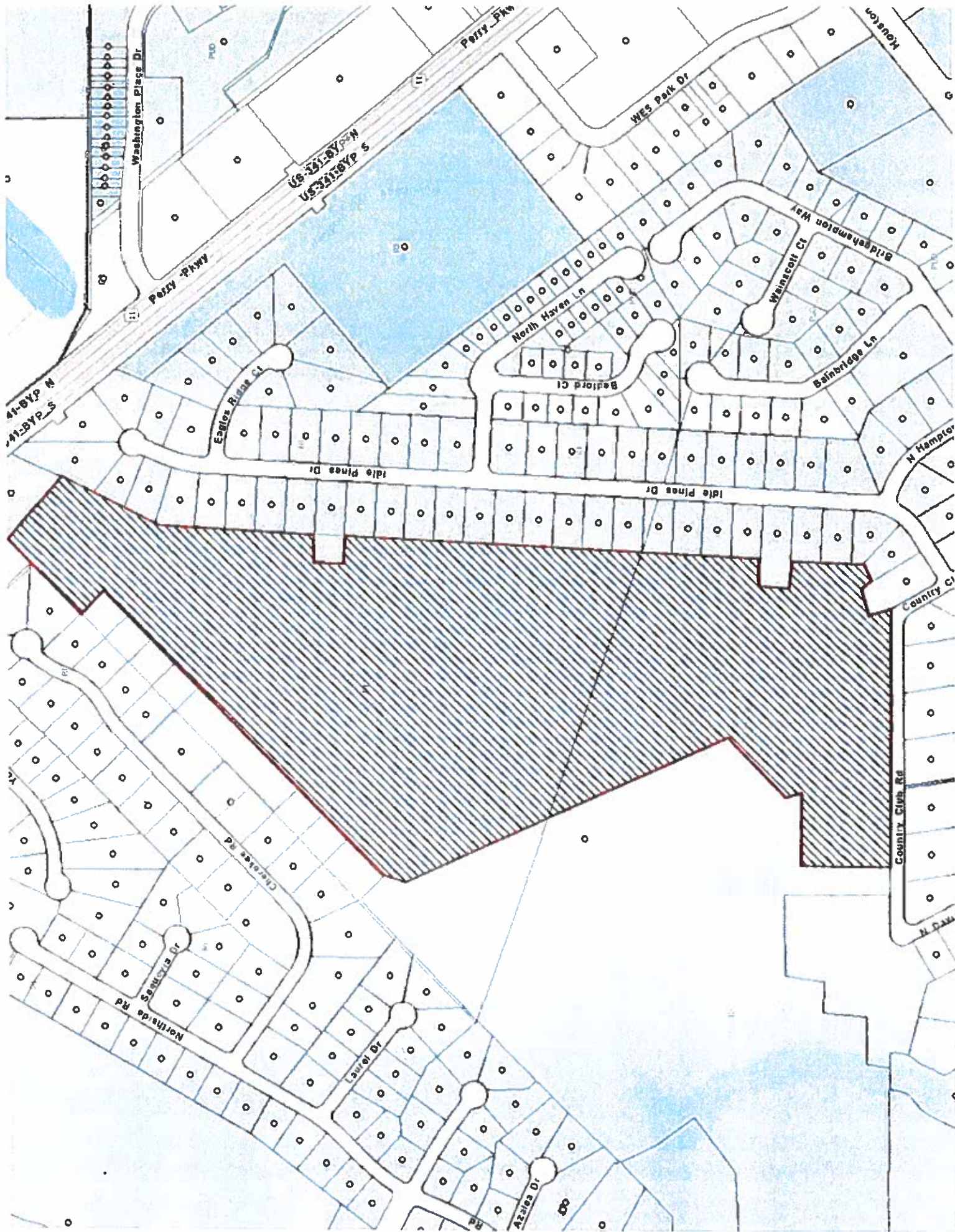
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The development of a passive public park should not adversely affect the existing residential uses surrounding the property.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The 2017 Joint Comprehensive Plan Update identifies the subject property as 'Suburban Residential' which suggests designating areas for parks and recreation, and implementing with the development of pocket parks, and trails/greenway networks.
10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The maintenance of the property as open space will not have any negative impact on community facilities and services.
11. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.* With the closing of the former golf course, the property was available for potential development which could have a significant negative impact on its surroundings. The City intends to maintain the open space which supports the requested zoning change.

STAFF RECOMMENDATION: Based on evaluation of the standards, the City Staff concludes that the GU zoning district is appropriate for the subject property. Therefore, Staff recommends approval of the application to rezone to GU, Government Use District.

PLANNING COMMISSION RECOMMENDATION: Recommended approval of the zoning application as submitted from R-1, Single-family Residential District to GU, Government Use District.


Eric Edwards, Chairman, Planning Commission

4/10/19
Date



Washington Place Dr

Perry Hwy

41-BYP N
41-BYP S

US-31-BYP N
US-31-BYP S

Eagle Ridge Ct

Idle Pines Dr

North Haven Ln

Bedford Ct

Whitcroft Ct

Bridgeman Way

Bainbridge Ln

N Hampton

Country Club Rd

Country Club Rd

N. Oak

Northside Rd

Chelsea Rd

Azalea Dr

WES Park Dr

Kensington

New City Park, 1020 Country Club Road





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Application # RZNE-0011-
2019

Application for Rezoning
Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Bryan Wood for the City of Perry	The City of Perry
*Title	Director of Community Development	
*Address	1211 Washington Street, Perry, GA 31069	Same
*Phone	478-988-2720	
*Email	Bryan.wood@perry-ga.gov	

Property Information

*Street Address or Location	1020 Country Club Road
*Tax Map #(s)	0P0410 015000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property and/or a proposed site plan; C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.

Request

*Current Zoning District	R-1, Single-Family Residential	*Proposed Zoning District	GU, Government Use
*Please describe the existing and proposed use of the property The property is a portion of a former private golf course. The City of Perry purchased the property in late 2018 and intends to use the property as a public park.			

Instructions

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

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

10. Signatures:

*Applicant		*Date	3/11/19
*Property Owner/Authorized Agent		*Date	

Standards for Granting a Rezoning

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? *No.*
- Describe the existing land uses and zoning classifications of surrounding properties. *Surrounding properties are zoned R-1, single-family residential district, and developed with single-family detached dwellings.*
- Describe the suitability of the subject property for use as currently zoned. *Limited sanitary sewer capacity in the area limits the ability to develop the property for uses other than open space.*
- Describe the extent to which the value of the subject property is diminished by the current zoning designation. *The City has no intention to develop the property for any use other than a public park.*
- Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public. *A public park promotes health, safety, morals and general welfare of the public.*
- Describe the relative gain to the public compared to any hardship imposed on the property owner. *The use of the property as a public park will greatly benefit the public as opposed to potential residential development.*
- Describe how the subject property has no reasonable economic use as currently zoned. *The City has no intention to develop residential uses on the property.*
- How long has the subject property been vacant as currently zoned, considering development in the vicinity? *The property was part of a golf course under private ownership which closed.*
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties. *The City intends to develop the property as a park which preserves open space in the middle of a densely populated area of the City. The GU zoning designation permits parks and other governmental functions.*
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties. *The GU classification is consistent with all City-owned parcels and allows the development of park space.*
- Describe how the proposed zoning district is consistent with the Comprehensive Plan. *The property is identified in the 2017 Joint Comprehensive Plan as "Suburban Residential". Suggested land use designations include "Public/Institutional" and "Parks/Recreation". Suggested implementation measures include "Pocket parks; Bikeway plans; Trails and greenway networks; and sidewalk and pedestrian network design."*
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services. *The land is located in an area where available sanitary sewer lines are at capacity. The development of a public park will have little to no impact on sanitary sewer. Other facilities and services are adequate to service a public park.*
- Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. *The former golf course closed in 2018 leaving the future of the property in question. The City purchased approximately 61 acres of this property to preserve open space.*

Revised 1/10/2018

For Office Use (receipt code 204.1)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Ad	County Notification
3/11/19	N/A	3/11/19	02/3/22	Plac 4110-204/19	N/A
Notice to Applicant	Routed to PC	Date of PC	Date of Public Hearing	Date of Council action	Notice of action
4/4/19	4/4/19	4/8/19	5/7/19	5/21/19	

MINUTES
PERRY CITY COUNCIL AND PERRY PLANNING COMMISSION
JOINT WORK SESSION
APRIL 11, 2019
6:30 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the Perry City Council and Perry Planning Commission joint work session held April 11, 2019 at 6:30 p.m.

2. Roll:

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

Perry Planning Commissioners Present: Eric Edwards, Lawrence Clarington, Suzanne Burkart, Brince Coody, Charlie Griffis, Patricia Jefferson and Jim Mehserle.

City Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby, Director of Community Development Bryan Wood and Recording Clerk Annie Warren.

Media: Jada Dukes – Houston Home Journal

3. Mr. Gilmour facilitated the meeting and solicited input on any questions, and issues the Planning Commission may have to deal with. A general discussion ensued relative to special applications. Mr. Gilmour reviewed the roles of staff, the commission, and council and recommended Mr. Wood schedule Planning Commission work sessions when appropriate and seek legal advice when needed.

4. Adjournment: There being no further business to come before Council and the Planning Commission joint work session held April 11, 2019, Council Member Jones motioned to adjourn the meeting at 7:40 p.m. Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
April 16, 2019
5:00 P.M.

1. Call to Order: Mayor James E. Faircloth, Jr., Presiding Officer, called to order the pre council meeting held April 16, 2019 at 5:00 p.m.

2. Roll:

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

Elected Official(s) Absent: Council Member Robert Jones

City Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby and Recording Clerk Annie Warren.

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Bryan Wood – Director of Community Development, Ashley Hardin – Economic Development Director, Mitchell Worthington – Assistant Finance Director, Anya Turpin – Special Events Coordinator, and Ellen Palmer – Digital Communications Manager

Guests: None

Media: Jada Dukes – Houston Home Journal

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

3a. Discussion of April 16, 2019 council meeting agenda.

7a (1) & (2) **Second Reading** of an ordinance for the rezoning and annexation of property from RAG, Residential-Agricultural District (county) to R-Ag, Residential-Agricultural District (city). The property is located at 1824 Houston Lake Road, Tax Map No. 000560 062000; and 1904 Hwy 127, Tax Map No. 000560 048000. Mr. Wood reviewed the application and reported staff and the Planning Commission recommended approval. Administration recommended to Council to approve the annexation with the City providing sanitation and water services at the subject properties not the County.

9b. **First Reading** of an ordinance to control shareable dockless mobility devices a/k/a e-scooters. Mr. Wood advised Council e-scooters are bikes/scooters users can rent, ride it to their destination, and leave it there.

Mr. Wood explained there have been issues from e-scooters being left on sidewalks, left in areas that become safety hazards for pedestrians, and used on streets without knowing what the rules of the road are, and without safety equipment. A number of cities have banned e-scooters or banned with some provisions to create some standards. The proposal is to ban them, but there is provision if someone wants to come in and propose it here, the City will work with them to establish some regulations and tests before they become finalized.

Administration recommended adding docked scooters to be included in the ordinance.

9c (1). Bid No. 2019-23 – Terrazzo Floor Restoration. Mr. Worthington recommended awarding Bid No. 2019-23 to Diama-Shield LLC in the amount of \$27,900.00.

9d (1). Resolution recognizing Georgia Cities Week. Ms. Palmer advised this is a resolution recognizing Georgia Cities Week that is sponsored by the Georgia Municipal Association. Georgia Cities Week is a statewide event that gives an opportunity to showcase and celebrate cities and services they provide. The City will have a couple of activities going on throughout the week.

9e. Consider request to construct speed bumps on Glenwood Avenue. Mr. Smith advised he was approached by a group of citizens who live on Glenwood Avenue relative to speed and volume of traffic. Council discussed alternative options. It was the consensus of Council to table this item until the next meeting with the caveat of police action.

9f. Approve consent decree between the City of Perry and the Georgia Public Service Commission. Administration recommended approval of the consent decree.

9g. Presentation of suggestions to accommodate children during municipal court. Administration reported Ms. Arrington noticed a growing number of children coming into municipal court. Ms. Arrington will discuss some of the things she has initiated to address the concern, i.e. a coloring book and some other possible suggestions.

9h (1). Special Events Application – May Day Festival on May 18, 2019 from 10 a.m. until 4 p.m. in Downtown Historic Perry. Ms. Turpin discussed the particulars of May Day Festival, including road closures.

9h (2). Special Events Application – Amendment to the City of Perry Food Truck Friday event series April 5, May 10, June 14, July 12, August 9 and September 13 from 6 p.m. until 10 p.m. Ms. Turpin requested permission to expand the footprint to grow the event to accommodate patrons and discussed road closures.

3b. Recyclable cans locations: Administration advised Council there are two (2) recyclable cans locations; one location is city hall breakroom. Administration

stated there was an understanding the city hall location was serviced and handle by the fire department for the auxiliary group to make income. Chief Parker advised this was not handled by the fire department. Administration recommended the recyclable cans become a part of the program used by FOPAS. Administration requested relocating the FOPAS recycling trailer over at the gravel lot next to the Animal Control facility outside of the fenced area on Ball Street. Council concurred to move forward with Administration's recommendation.

- 3c. Consider position relative to Airbnb: Mr. Wood discussed the requirements relative to Airbnb. Administration recommended to Council to handle from a land use enforcement side and property owner pay accommodation excise tax. Council concurred to move forward with Administration's recommendation.
- 3d. Merchandise sales of City promotional items: Ms. Palmer advised she has had a lot of interest from people wanting to buy the Perry brand items. Ms. Palmer asked Council if they would be agreeable to the selling City promotional items. It was the consensus of Council to move forward.

4. Council Member Items:

Council Member Bynum-Grace asked for a status update on the playground equipment for Rozar Park, Creekwood Park and splash pad. Mr. Worthington stated he spoke to the representative and the equipment is slated to be installed in June; splash pad bids will be opened tomorrow. Also, the volume and traffic on W.F. Ragin Drive has increased, inquired if something can be done about traffic.

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

Mr. Gilmour, Mr. Smith, and Ms. Newby had no reports.

5. Department Head/Staff Items:

Ms. King, Mr. Worthington, and Mr. Wood had no reports.

Ms. Hardin reminded everyone of the Mix and Mingle on April 18, 5-7 pm at Houston Lake Country Club.

Chief Parker invited everyone to Davis Farm Uncoupling Ceremony on April 23 at 9:30 am.

Ms. Turpin – April 20, Special Needs Egg Hunt
- April 27, Yoga in the Park

Chief Lynn announced the police department received a second temporary building.

Ms. Palmer invited everyone to "Touch a Truck" on April 25, 3-5 pm at Rozar Park.

6. Adjourn: There being no further business to come before Council in the pre council meeting held April 16, 2019 Council Member Hunt motioned to adjourn the meeting at 5:40 p.m.; Council Member King seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
April 16, 2019
6:00 P.M.

1. **Call to Order:** Mayor James E. Faircloth, Jr., Presiding Officer, called to order the regular meeting of the Perry City Council held April 16, 2019 at 6:00 p.m.

2. **Roll.**

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

Elected Officials Absent: Council Member Robert Jones

Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby and Recording Clerk Annie Warren.

City Departmental Staffing: **Departmental Staffing:** Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Bryan Wood – Director of Community Development, Ashley Hardin – Economic Development Director, Mitchell Worthington – Assistant Finance Director, Anya Turpin – Special Events Coordinator, Mirian Arrington – Chief Court Clerk, Renia Davis – Building Maintenance Manager, Todd Ennis – Solid Waste Supervisor, and Ellen Palmer – Digital Communications Manager.

Guest(s): Nick Blackmon, Megan Black, Becky Lee, Darlene McLendon, Bob Cunningham, Henry Dawkins, Mallory Poitevint, and Robbin Jackson

Media: Jada Dukes – Houston Home Journal

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

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

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

4a. **Proclamation Recognizing Manufacturing Appreciation Week – Mayor Faircloth**

Mayor Faircloth presented to Nick Ausman and Megan Black of Interfor Corporation a proclamation recognizing Manufacturing Appreciation Week. Ms. Becky Lee of the Houston County Development Authority recognized Interfor Corporation for earning the title of 2019 Manufacturer of the Year.

route for entering and departing James Street. Council Member Jackson advised the School Board has no intention of getting rid of the property.

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

- 6a. Council's Consideration – Minutes of the April 1, 2019 work session meeting, April 2, 2019 pre council meeting and April 2, 2019 council meeting.

Mayor Pro Tempore Walker motioned to accept the minutes as submitted; Council Member Bynum-Grace seconded the motion and it carried unanimously.

7. Old Business:

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

1. **Second Reading** of an ordinance for the rezoning of property from RAG, Residential-Agricultural District (county) to R-Ag, Residential-Agricultural District (city). The property is located at 1824 Houston Lake Road, Tax Map No. 000560 062000; and 1904 Hwy 127, Tax Map No. 000560 048000 - Mr. B. Wood.

Adopted Ordinance 2019-05 rezoning property from RAG, Residential-Agricultural District (county) to R-Ag, Residential-Agricultural District (city). The property is located at 1824 Houston Lake Road, Tax Map No. 000560 062000; and 1904 Hwy 127, Tax Map No. 000560 048000. Council Member Hunt motioned to adopt the ordinance with as submitted; Council Member Bynum-Grace seconded the motion and it carried unanimously. (*Ordinance No. 2019-05 has been entered into the City's official book of record*).

2. **Second Reading** of an ordinance for the annexation of property from RAG, Residential-Agricultural District (county) to R-Ag, Residential-Agricultural District (city). The property is located at 1824 Houston Lake Road, Tax Map No. 000560 062000; and 1904 Hwy 127, Tax Map No. 000560 048000 - Mr. B. Wood.

Adopted Ordinance 2019-06 annexing property from RAG, Residential-Agricultural District (county) to R-Ag, Residential-Agricultural District (city). The property is located at 1824 Houston Lake Road, Tax Map No. 000560 062000; and 1904 Hwy 127, Tax Map No. 000560 048000. Council Member King motioned to adopt the ordinance; Council Member Hunt seconded the motion. Mayor Pro Tempore stated a stipulation should be included in the motion that water and sewer will be provided by City of Perry. Council Member King amended his motion to include the stipulation water and sewer will be provided by the City of Perry as outlined in the service agreement with the County; Council Member Hunt seconded the motion and it carried unanimously. (*Ordinance No. 2019-06 has been entered into the City's official book of record*).

8. Any Other Old Business:

- 8a. Mayor James E. Faircloth, Jr. -none
- 8b. Council Members - none
- 8c. City Manager Lee Gilmour - none
- 8d. Assistant City Manager Robert Smith - none
- 8e. City Attorney Brooke Newby - none

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

9a. Matters referred from April 16, 2019 pre council meeting. None

9b. Ordinances for First Reading(s) and Introduction:

- 1. **First Reading** of an ordinance to control shareable dockless mobility devices a/k/a e-scooters – Mr. B. Wood. *(No action required by Council)*

9c. Award of Bid(s):

- 1. Bid No. 2019-23 Terrazzo Floor Restoration – Mr. M. Worthington

Mr. Worthington presented for Council's consideration an award of bid for terrazzo floor restoration in the police department on the first floor. Of the four responders, staff recommended the low bidder, Diama-Shield LLC for \$27,900.00. Council Member King moved to award the bid to Diama Shield LLC in the amount of \$27,900.00; Mayor Pro Tempore Walker seconded the motion and it carried unanimously.

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

- 1. Resolution recognizing Georgia Cities Week – Ms. E. Palmer.

Adopted Resolution No. 2019-20 recognizing Georgia Cities Week.

Ms. Palmer presented for Council's consideration a resolution recognizing Georgia Cities Week that is sponsored by the Georgia Municipal Association. Georgia Cities Week is a statewide event that gives an opportunity to showcase and celebrate cities and services they provide. Council Member Hunt motioned to adopt the resolution as submitted; Council Member Jackson seconded the motion and it carried unanimously. *(Resolution 2019-20 has been entered into the City's official book of record.)*

9e. Consider request to construct speed bumps on Glenwood Avenue: Mr. Smith reported the City will research and come up some viable options to bring back before Council. The police will monitor speeding issue.

9f. Approve consent decree between the City of Perry and the Georgia Public Service Commission.

Administration presented for Council's consideration a consent decree between the City of Perry and the Georgia Public Service Commission. Mayor Pro Tempore Walker motioned to approve the consent decree between the City of Perry and the Georgia Public Service Commission as submitted; Council Member Jackson seconded the motion and it carried unanimously.

9g. Presentation of suggestions to accommodate children during municipal court.

Ms. Arrington advised parents are bringing their children to municipal court and she has been thinking of ways to entertain the children while their parents are waiting. Ms. Arrington shared with Council a sample coloring book that she will begin handing out to children who attend municipal court. Also, Ms. Arrington provided a PowerPoint presentation of additional options for consideration.

9h. Special Events Application(s): Ms. A. Turpin

1. The City of Perry is hosting a May Day Festival in partnership with the Perry Arts Commission on May 18, 2019 from 10 a.m. until 4 p.m. in Downtown Historic Perry.

Street closure(s) requested:

- Washington, Carroll and Ball Street

Approval of special event alcohol permit license application.

Council Member Jackson motioned to approve the Special Events and Special Event Alcohol Permit License applications and street closures relative to the May Day Festival; Council Member King seconded the motion and it carried unanimously.

2. Amendment to the City of Perry Food Truck Friday event series April 5, May 10, June 14, July 12, August 9 and September 13 from 6 p.m. until 10 p.m.

Request to include Jernigan Street (*between Commerce and Main Street*) to previously approved road closures.

Mayor Pro Tempore Walker motioned to approve the amended Special Events License application and road closure for Food Truck Fridays; Council Member Hunt seconded the motion and it carried unanimously.

10. Council Members Items:

Council has no reports.

Mr. Gilmour and Ms. Newby had no reports.

Mr. Smith reminded everyone of the Arbor Day Tree giveaway on April 26th.

11. Department Heads/Staff Items.

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

Mr. Wood reminded everyone of the Spring Community Cleanup by the Housing Team on May 4, at 8 am.

Chief Parker announced the Uncoupling Ceremony at Davis Farms on April 23, at 9:30 am.

Ms. Turpin announced the Special Needs Easter Egg Hunt on April 20 at 8 am and Yoga in the Park on April 27 at 9 am.

Ms. Palmer reminded everyone of the Touch a Truck event on April 25 at Rozar Park.

12. General Public Items:

Mr. Robbin Jackson announced Adam Lodge and the Eastern Stars will be hosting an Easter Egg Hunt on April 20 at Creekwood Park.

Mr. Henry Dawkins inquired about Welcome to the City of Perry signage. Mr. Smith stated the City is in the process of installing signs.

13. Mayor Items:

- May 6, work session
- May 7, pre council and council
- April 23, Walk with Mayor and Council

Mayor Faircloth entertained a motion to enter executive session for the purpose of personnel.

14. Executive Session entered at 7:02 p.m.: Council Member Jackson moved to adjourn the regular meeting and enter into executive session for the purpose of personnel. Mayor Pro Tempore Walker seconded the motion and it carried unanimously.

15. Executive Session adjourned 7:18 p.m.; Council regular meeting reconvened. Council adjourned the executive session held April 16, 2019 and reconvened into the council regular meeting.

16. Adopted Resolution No. 2019-21 stating purpose of executive session held April 16, 2019 was to discuss personnel. Council Member King moved to adopt a resolution stating the purpose of the Executive Session held on April 16, 2019 was to discuss personnel. Council Member Hunt seconded the motion and it carried unanimously. *(Resolution 2019-21 has been entered in the City's official book of record).*

17. **Adjournment:** There being no further business to come before Council in the reconvened meeting held April 16, 2019 Council Mayor Pro Tempore Walker motioned to adjourn the meeting at 7:20 p.m. Council Member Bynum-Grace seconded the motion 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 a new Section 18-17 as follows:

Sec. 18-17. - Shareable dockless mobility devices.

- (a) *Findings.* Dockless electric scooters and bicycles, available to be rented on demand from unstaffed locations, have suddenly and unexpectedly appeared in municipalities throughout the country, and have rapidly proliferated in an unregulated environment without adequate safeguards for the individual users or the greater community. Frequently, they are abandoned by users on streets, sidewalks and other public places creating safety concerns, especially for vulnerable and disabled pedestrians. Due to the spontaneous appearance of these rentals and their appeal to young people, shareable dockless mobility devices are nearly always operated by users – often minors – without helmets, in contravention of state law, which has resulted in injuries to operators of these devices.
- (b) *Purpose.* The purpose of this ordinance is to prohibit Shareable Dockless Mobility Devices from being placed in the public right-of-way or on public property, operated in the public right-of-way or on public property, or offered for use anywhere in the City of Perry. This will allow for adequate pedestrian traffic flow and will protect the traveling public until additional regulations may be established through a franchise or licensing system to safeguard the community and establish a pilot program to test the operation of these devices within the City of Perry in a controlled and safety-conscious manner that ensures compliance with all local and state laws.
- (c) *Definitions.* For purposes of this ordinance, the following terms, phrases, words, and their derivatives shall have the meanings set forth in this section.
 - (1) *Shareable dockless mobility device* means any dockless wheeled device, whether it be human-powered, electric, or otherwise motorized, that permits an individual to move or be moved freely, including but not limited to, a bicycle, scooter, or skateboard; is accessed via an on-demand portal, whether a smartphone application, membership card, or similar method; is operated by a private entity that owns, manages, and maintains devices for shared use by members of the public; and is available to members of the public in unstaffed, self-service locations.
 - (2) *Dockless* means that the device does not require the individual user to return and lock the device to an authorized fixed station once the user has completed their use of the device.

- (d) *General requirements.* It is unlawful to park, leave standing, leave lying, abandon, or otherwise place a shareable dockless mobility device in a public right-of-way or on public property anywhere within the City of Perry. It is unlawful to operate a shareable dockless mobility device in a public right-of-way or on public property anywhere within the City of Perry. It is unlawful to provide or offer for use a shareable dockless mobility device anywhere within the City of Perry.
- (e) *Violations; impoundment.* Violations of this ordinance shall be punishable as provided for in Section 1-10 of this Code. Police officers, parking enforcement officers, code enforcement officers, those city officials otherwise designated by the Manager, and any party contracted by the City of Perry to specifically impound shareable dockless mobility devices are authorized to impound any shareable dockless mobility device that has been offered for use, placed in a public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this ordinance. The impoundment shall be subject to an initial impound fee and a daily storage and administration fee, as applicable, as provided in the Schedule of Fees adopted by City Council.
- (1) Once a shareable dockless mobility device has been impounded as provided for in subsection (e), the City of Perry or a designated officer shall make a good-faith attempt to determine the name and address of the owner of such device by serial number, vehicle identification number (VIN), or such other means as are reasonably ascertainable through inspection of the exterior of such device. In those cases where the name and address of the owner of the subject vehicle are determined, written notice shall be sent to said owner by certified mail, return receipt requested, or by personal service acknowledged by signature of the registered owner or other responsible party. Notice by certified mail as described herein shall be deemed given as of the postmark date. The written notice required by this section shall contain the following:
- a. A description of the subject vehicle, including serial numbers, vehicle identification number, or other identifying information;
 - b. The name and address of the owner of such vehicle;
 - c. The dates and descriptions of the parking violations that establish the grounds for impoundment, the unpaid amounts of the civil penalties for each violation, and the process by which the device(s) may be reclaimed. A copy of each parking ticket or other document providing the required information attached to the notice shall be sufficient to satisfy this requirement. Where multiple devices owned by the same company are impounded on a single day, a single notice listing all impounded devices is sufficient;
 - d. A date and time at least seven days from the postmark date of the notice in which the registered owner or other responsible party may appear in the City of Perry Municipal Court to demand a bench trial to contest the impoundment.
- (2) Vehicles towed and impounded under sub-section (e) may be released from such impoundment only upon payment in full of all impound and storage fees accrued.
- (3) Shareable dockless mobility devices that are not reclaimed within 120 days of impound pursuant to the procedures outlined in sub-paragraph (2) shall be deemed at that time to

be abandoned and discarded by the owner thereof and shall thereafter be disposed of pursuant to written policies established by the Manager.

- (f) *Severability*. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SO ENACTED this ____ day of _____, 2019.

CITY OF PERRY, GEORGIA

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

ATTEST: _____
Annie Warren – City Clerk


1st Reading: _____

2nd Reading: _____



MEMORANDUM

TO: Mitchell Worthington, Assistant Finance Director

FROM: Kirk Crumpton, Battalion Chief 

DATE: April 19, 2019

RE: Bid 2019-24 Recommendation

The lowest bid for solicitation # 2019-24 for the purchase of four (4) portable light towers was Evergreen Specialty Services of Commack, NY in the amount of \$28,780.00. While the units they proposed meet all required specifications, the closest shop that can provide warranty work is located in Forsyth, GA.

It is my recommendation that the City award solicitation #2019-24 to United Rentals North America in the amount of \$29,564.84. The units that they will provide meet or exceed the required specifications, and any work that is covered under warranty can be completed in Byron, GA. Having warranty work completed in Byron instead of Forsyth will save the City resources and reduce down time if the units must be serviced.

Bid Submittal Summary Sheet

Bid Title/Number: 2019-24 Light Towers

M&CC Meeting Date: 5/7/2019

Funding Source: General Fund

Budgeted Expense? No

of Vendors Contacted: 11

Responsive Bidders:	Bid Amount
Evergreen Specialty Services	\$ 28,780.00
United Rentals North America	\$ 29,564.84
Safety Zone Specialists	\$ 32,781.40
Dana Safety Supply	\$ 33,031.56
Ramsey Bleise Corp dba Leete Generators	\$ 33,591.00
Air Compressor Sales Inc	\$ 34,620.00
Kraft Power Corporation	\$ 35,283.25
Morseman Equipment Company Inc	\$ 45,288.00
Bell Electrical Supply Co	\$ 47,600.00

Posting Sources:

City of Perry's Website: www.perry-ga.gov

GA Procurement Registry: <https://ssl.doas.state.ga.us/PRSapp/>


Department Recommendation:

Vendor: United Rentals North America

Amount: \$ 29,564.84

Department: Fire

Department Representative: Kirk Crumpton, Battalion Chief


Signature: 

Purchasing Agent Recommendation:



Vendor: United Rentals North America

Amount: \$ 29,564.84

Purchasing Agent: Mitchell Worthington, Asst. Finance Dir.

Signature: 

Bid Submittal Summary Sheet

Bid Title/Number:	2019-25 Creekwood Splashpad Phase 2	
M&CC Meeting Date:	5/7/2019	
Funding Source:	SPLOST	
Budgeted Expense?	Yes	
# of Vendors Contacted:	6	
Responsive Bidders:		Bid Amount
	Lanier Plans, Inc. dba KorKat	\$ 122,121.30
Posting Sources:	City of Perry's Website:	www.perry-ga.gov
	GA Procurement Registry:	https://ssl.doas.state.ga.us/PRSapp/
Project Manager Recommendation:		
Vendor:	Lanier Plans, Inc. dba KorKat	
Amount:	\$	122,121.30
Project Manager:	Robert Smith, Asst. City Manager	
Signature:		
Purchasing Agent Recommendation:		
Vendor:	Lanier Plans, Inc. dba KorKat	
Amount:	\$	122,121.30
Purchasing Agent:	Mitchell Worthington, Asst. Finance Dir.	
Signature:		

Bid Submittal Summary Sheet

Bid Title/Number: 2019-27 Exterior Wall
Mounted Heat Pump

M&CC Meeting Date: 5/7/2019


Funding Source: General Fund


Budgeted Expense? No

of Vendors Contacted: 8

Responsive Bidders:	Bid Amount
Buzzell Plumbing Heating & Air Inc.	\$ 6,745.00
Total Comfort Cooling & Heating, LLC	\$ 8,123.00
Pruett Air Conditioning Assoc.	\$ 11,200.00
Exel Heating & Cooling, LLC	\$ 11,225.79

Posting Sources:
City of Perry's Website: www.perry-ga.gov
GA Procurement Registry: <https://ssl.doas.state.ga.us/PRSapp/>

Department Recommendation:
Vendor: Buzzell Plumbing Heating & Air Inc.
Amount: \$ 6,745.00
Department: Building Maintenance
Department Representative: Renia Davis, Building Maint. Manager
Signature: 

Purchasing Agent Recommendation:
Vendor: Buzzell Plumbing Heating & Air Inc.
Amount: \$ 6,745.00
Purchasing Agent: Mitchell Worthington, Asst. Finance Dir.
Signature: 

**A RESOLUTION
DECLARING CERTAIN VEHICLES AND EQUIPMENT SURPLUS**

WHEREAS, the Department of Administration – Vehicle Maintenance Division is recommending certain vehicles and equipment be declared surplus; and

WHEREAS, the Department is requesting authorization to proceed with disposal of said vehicles and equipment;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES that

Section 1 The following equipment items are declared surplus and shall be disposed of per City process:

<u>Vehicle #</u>	<u>Description</u>	<u>Department</u>
555	2006 Ford Crown Victoria	Fire
644	2011 Ford F-150	Fire
765	2003 Ford F-150	Community Dev
1600	2004 Chevrolet Silverado	Solid Waste
2139	2000 Chevrolet C-1500	Leisure Services

SO RESOLVED, this ____ day of May 2019.

CITY OF PERRY

By: _____
JAMES E. FAIRCLOTH, JR., MAYOR

City Seal

Attest: _____
ANNIE WARREN, CITY CLERK

VOTING DELEGATE FORM

**Annual Membership Business Meeting
2019 GMA Annual Convention**

**Monday, June 24, 2019 – 8:30 am
Savannah International Trade and Convention Center
Chatham Ballroom
Savannah, Georgia**

City: _____

Voting Delegate: _____ Title: _____

Proxy _____ Title _____

(Each member city may designate in writing an elected official from any other member city to vote as their proxy at the membership business meeting. Often, cities designate the GMA President or one of the Vice Presidents as their proxy for the membership business meeting.)

Please return by May 31 to:

Georgia Municipal Association
P.O. Box 105377
Atlanta, Georgia 30348
Attention: Janice Eidson

or scan and email to jeidson@gmanet.com



Keck & Wood, Inc.

3090 Premiere Parkway
Suite 200
Duluth, Georgia 30097
Office: (678) 417-4000
Fax: (678) 417-4055
www.keckwood.com

November 20, 2018

Mr. Chad McMurrian
City of Perry
P.O. Box 2030
1211 Washington Street
Perry, GA 31069

Re: Bidding and Construction
Administration for
High Pressure Gas Main Extension
Houston Lake Road
Perry, Georgia
Our Reference No. 160903.00

Dear Mr. McMurrian:

As requested, Keck & Wood is pleased to submit this proposal for bidding and construction administration services related to a proposed new high pressure steel gas main extension along Houston Lake Road in northeast Perry. The project purpose is to provide another high-pressure gas main connecting the Bear Branch Road regulator station to existing pipelines at the intersection with Perry Parkway. The new main will supplement the existing 2.5 inch and 4 inch mains currently serving the City along the same route.

Having been involved in many similar expansion projects and the design of this project, we fully understand the scope of services that will be required to provide bid-phase services and construction administration services.

Our services can be tailored to meet the City's budget and needs. However, based upon our experience with similar projects, our recommended Scope of Services, engineering fee, and completion time is outlined below:

Bidding Phase

1. Assist the City in selecting a period for advertising and bidding the proposed improvements. Provide Advertisement for Bids for use by the City.
2. During the bidding period, act as the City's representative in distributing the contract documents and responding to all Bidder questions and inquiries.
3. Attend bid opening and assist the City with opening bids.
4. Tabulate and evaluate bids and make a recommendation of award.
5. Prepare and distribute contract documents, which require execution by the Contractor and the City.

Construction Administration and Oversight Phase

1. Assist the City in conducting a pre-construction conference in which the contract documents would be reviewed with specific emphasis on Contractor administrative and procedural responsibilities.
2. Review shop drawings and submittals for conformance to the contract documents.
3. Make visits to the site (not to exceed one/month) to inspect progress and quality of the work with regard to conformation to the contract documents.
4. Review third party soils compaction reports submitted within applications for payment.
5. Review third party weld and pipeline inspection reports submitted within applications for payment.
6. Review, revise (if required) and approve Contractor applications for payment.
7. Conduct a final site inspection with the Contractor to determine Substantial Completion of the project.
8. Provide GPS Field Survey of pipe locates, by others, and above grade gas line infrastructure.
9. Prepare and distribute documents verifying Substantial Completion and Final Acceptance.

As compensation for our services, we propose that our fee be based on actual time spent by employees multiplied by hourly billing rates for each employee category, plus direct expenses such as vehicle mileage. Once a month during the existence of this contract, Keck & Wood will submit to the City an invoice for payment based on hours worked during the billing period. Our current standard hourly billing rates are shown on the attached table. Our services will be performed in accordance with the attached Terms and Conditions of the in-place Agreement.

Our proposed total estimated fees for the described work are as follows:

Bidding Phase	\$6,980
<u>Construction Administration and Oversight Phase</u>	<u>\$22,710</u>
Total Engineering Fee Budget:	\$29,690

If you have any questions or would like additional information, don't hesitate to contact us at 678-417-4000. Please let us know if this information is acceptable and if we are authorized to proceed. We look forward to working with the City on this gas main extension project.

Sincerely,

KECK & WOOD, INC.



**John G. Payne, P.E.
Associate Vice President**

This is EXHIBIT K, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated July 25, 2016.

AMENDMENT TO OWNER-ENGINEER AGREEMENT

Amendment No. 1

The Effective Date of this Amendment is: April 24, 2019.

Background Data

Effective Date of Owner-Engineer Agreement: July 25, 2016

Owner: City of Perry, Georgia

Engineer: Keck & Wood, Inc.

Project: High Pressure Gas Main Extension – Houston Lake Road, Perry Georgia

Nature of Amendment:

Additional Services to be performed by Engineer

Description of Modifications:

Add Bidding and Construction Administration Services for High Pressure Gas Main Extension – Houston Lake Road, Perry Georgia per the attached Proposal letter dated November 20, 2018.

Agreement Summary:

Original agreement amount:	\$82,000.00
Net change for prior amendments:	\$0.00
This amendment amount:	\$29,690.00
Adjusted Agreement amount:	\$111,690.00

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

ENGINEER:

CITY OF PERRY, GEORGIA

KECK & WOOD, INC.

By:

By:

Print

Print

name: R. Lee Gilmour

name: Michael J. Moffitt

Title: City Manager

Title: Chairman of the Board

Date Signed:

Date Signed: April 17, 2019

City of Perry - Houston Lake Road Gas Main Extension

Activity/Milestone	Duration (days)	Date
Advertise for Bids	30	4/15/2019
Bidding Phase		
Bid Opening	-	5/15/2019
Bid Review & Certified Bid Tab	2	5/17/2019
Bidder's References & Recommendation Letter	5	5/22/2019
Contract Award		
Notice of Award	15	6/6/2019
Agreements	5	6/11/2019
City Council Approval	7	6/18/2019
Notice to Proceed	20	7/8/2019
Construction Phase		
Activity		
Activity		
Activity		
Activity		
Activity		

4/15/2019

STANDARD AGREEMENT FOR PROFESSIONAL SERVICES

ESG ENGINEERING'S OFFICE	6400 Peake Road, Macon, GA 31210
ESG ENGINEERING'S PROJECT	Master Agreement 2019
PROJECT NAME:	Master Services Agreement for Comprehensive Engineering Services
CLIENT:	City of Perry
CLIENT'S ADDRESS:	1211 Washington Street, Perry, GA, 31069

CLIENT requests and authorizes ESG Engineering, Inc. (hereinafter "ESG Engineering") to perform the following Services:

Scope of Services

ESG Engineering, in support of Client, shall provide comprehensive engineering and consulting services on an as-needed basis at the request of Client. Specific services conducted by ESG Engineering shall be authorized through written Task Orders. Each Task Order shall consist of a Scope of Work containing a schedule, deliverables, and budget, in addition to a description of the services to be provided (the 'Services'). The terms and conditions of this Master Services Agreement (the 'Agreement') shall be applicable to each Task Order and incorporated by reference within each Task Order.

Compensation

Compensation by Client to ESG Engineering for each Task Order will be based on either a lump sum amount or a time and expense basis (Rate Table included as Attachment A), depending on the type of work to be performed for each Task Order. The type of compensation will be indicated in each Task Order.

If a Task Order is to be compensated on a time and expense basis, the Task Order shall specify a not-to-exceed amount. ESG Engineering shall incur no time or expense in excess of this amount without the express written approval of the Client.

ESG Engineering shall invoice Client on a monthly basis, with payment due and payable 30 days after receipt.

Other Terms

Each party's designated representative for a particular Scope of Work will be named in each Task Order.

The following documents shall be incorporated by reference to this Agreement following the mutual approval of any Task Order:

- Attachment B – Individual Task Order Scope of Services / Proposal (Initiated upon request of Client); and Attachment C – Schedule of Insurance Coverage.

Services covered by this AGREEMENT will be performed in accordance with the Provisions and applicable terms and conditions of the Task Order in question. This AGREEMENT supersedes all prior agreements and understandings and may only be changed by written amendment executed by both parties.

CLIENT: CITY OF PERRY

ESG ENGINEERING, INC.:

Signature _____

Signature _____

Name (printed) _____

Name (printed) _____

Title _____

Title _____

Date _____

Date _____

PROVISIONS

1. Authorization to Proceed

Execution of this AGREEMENT by CLIENT will be authorization for ESG Engineering to proceed with the performance of Services defined by the issuance of a Task Order, unless otherwise provided for in this AGREEMENT.

2. Per Diem Rates

ESG Engineering's and its affiliated companies' Per Diem Rates, when the basis of compensation, are those hourly or daily rates charged for Services performed in conjunction with a particular Task Order by ESG Engineering employees. If applicable, these rates will be contained in the issued and agreed upon task order.

3. NOT USED

4. Cost Opinions

Any cost opinions or project economic evaluations provided by ESG Engineering will be on a basis of experience and judgment, but, since ESG Engineering has no control over market conditions or bidding procedures, ESG Engineering cannot warrant that bids, ultimate construction cost, or project economics will not vary from these opinions.

5. Standard of Care

The standard of care applicable to ESG Engineering's services will be the degree of skill and diligence normally employed by professional engineers or consultants performing the same or similar services at the time ESG Engineering's services are performed. ESG Engineering will re-perform any services not meeting this standard without additional compensation.

6. Termination

This AGREEMENT may be terminated for convenience on 30 days' written notice or if either party fails substantially to perform through no fault of the other and does not commence correction of such nonperformance within 5 days of written notice and diligently complete the correction thereafter. On termination, ESG

Engineering will be paid for all authorized work performed up to the termination date plus termination expenses, such as, but not limited to, reassignment of personnel, subcontract termination costs, and related closeout costs.

7. Payment to ESG Engineering

Monthly invoices will be issued by ESG Engineering for all Services performed under this AGREEMENT. CLIENT shall pay each invoice within 30 days. Interest at a rate of 1-1/2 percent per month will be charged on all past-due amounts.

In the event of a disputed billing, only that disputed portion will be withheld from payment, and the undisputed portion will be paid. CLIENT will exercise reasonableness in disputing any bill or portion thereof. No interest will accrue on any disputed portion of the billing until mutually resolved.

8. Limitation of Liability

ESG Engineering's liability for CLIENT's damages will, in the aggregate, not exceed the limits of insurance coverage available at the time of signature of this agreement. This Provision takes precedence over any conflicting Provision of this AGREEMENT or any document incorporated into it or referenced by it.

In no event shall ESG Engineering, its affiliated corporations, officers, employees, or any of its subcontractors be liable for any incidental, indirect, special, punitive, economic or consequential damages, including but not limited to loss of revenue or profits, suffered or incurred by CLIENT or any of its agents, including other contractors engaged at the project site, as a result of this Agreement or ESG Engineering's performance or non-performance of services pursuant to this Agreement.

Limitations of liability provided herein will apply whether ESG Engineering's liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, and shall include ESG Engineering's officers, affiliated corporations, employees, and subcontractors.

9. Severability and Survival

If any of the provisions contained in this AGREEMENT are held illegal, invalid or unenforceable, the other provisions shall remain in full effect. Limitations of liability shall survive termination of this AGREEMENT for any cause.

10. No Third Party Beneficiaries

This AGREEMENT gives no rights or benefits to anyone other than CLIENT and ESG Engineering and its third party beneficiaries as provided in Provision 8.

11. Materials and Samples

Any items, substances, materials, or samples removed from a project site for testing, analysis, or other evaluation will be returned to the project site unless agreed to otherwise. CLIENT recognizes and agrees that ESG Engineering is acting as a bailee and at no time assumes title to said items, substances, materials, or samples. CLIENT recognizes that ESG Engineering assumes no risk and/or liability for a waste or hazardous waste site originated by other than ESG Engineering.

12. Assignments

Neither party shall have the power to or will assign any of the duties or rights or any claim arising out of or related to this AGREEMENT, whether arising in tort, contract or otherwise, without the written consent of the other party. Any unauthorized assignment is void and unenforceable.

13. Integration

This AGREEMENT incorporates all previous communications and negotiations and constitutes the entire agreement of the parties. If CLIENT issues a Purchase Order in conjunction with performance of the Services, general or standard terms and conditions on the Purchase Order do not apply to this AGREEMENT.

14. Force Majeure

If performance of the Services is affected by causes beyond ESG Engineering's reasonable control, project schedule and compensation shall be equitably adjusted.

15. Dispute Resolution

The parties will use their best efforts to resolve amicably any dispute, including use of alternative dispute resolution options.

16. Changes

CLIENT may make or approve changes within the general Scope of Services provided by the terms of a particular Task Order. If such changes affect ESG Engineering's cost of or time required for performance of the services, an equitable adjustment will be made through an amendment to the Task Order in question.

17. Opinions of Cost, Financial Considerations, and Schedules

In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for a project, ESG Engineering has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, ESG Engineering makes no warranty that CLIENT's actual project costs, financial aspects, economic feasibility, or schedules will not vary from ESG Engineering's opinions, analyses, projections, or estimates. If CLIENT wishes greater assurance as to any element of Project cost, feasibility, or schedule, CLIENT will employ an independent cost estimator, contractor, or other appropriate advisor.

18. Access to Facilities and Property

CLIENT will make its facilities accessible to ESG Engineering as required for the performance of its services and will provide labor and safety equipment as required by ESG Engineering for such access. CLIENT will perform, at no cost to ESG Engineering, such tests of equipment, machinery, pipelines, and other components of CLIENT's facilities as may be required in connection with ESG Engineering's services.

19. Reuse of Project Documents

All reports, drawings, specifications, documents, and other deliverables of ESG Engineering, whether in hard copy or in electronic form, are instruments of service for the pertinent Task Order, whether the Task Order is completed or not. CLIENT agrees to indemnify ESG Engineering and its officers, employees, subcontractors, and affiliated corporations from all claims, damages, losses, and costs, including, but not limited to, litigation expenses and attorney's fees arising out of or related to the unauthorized reuse, change or alteration of these Task Order documents to the extent allowed under Georgia law.

20. Client-Furnished Data

CLIENT will provide to ESG Engineering all data in CLIENT's possession relating to ESG Engineering's Services. ESG Engineering will reasonably rely upon the accuracy, timeliness, and completeness of the information provided by CLIENT.



Where Georgia comes together.

Downtown Merchants Council Wine Tasting Event

Organization hosting event: Perry Area Chamber of Commerce
Event Coordinator: Darlene McLendon

Name of Event: Downtown Merchants Council Wine Tasting
Date(s) of event: Friday, June 7th
Event Start & End: 6 PM through 9 PM

Event Description:

The Perry Area Chamber of Commerce and the Downtown Merchants Council have partnered to host an event that allows participants to sample various wines while shopping throughout Historic Downtown Perry. All are welcome to visit the stores and enjoy a free concert featuring local talent while tickets to participate the wine sampling option (21+) can be purchased for a nominal fee.

Council Action Requested:

- Approval of event to be hosted on public property throughout Downtown Historic Perry
- Approval of fee waiver for the event

City Services Requested:

Road Closures Requested:

- Carroll Street (Between Jernigan & Washington)
- Ball Street (Between Commerce & Main)

Time of Road Closures:

- Friday, June 7th from 2 PM through 9 PM

Personnel/Support Requested:

- Police Personnel (as the City deems necessary)
- Fire & Emergency Personnel (as the City deems necessary)
- Public Works | Assistance with road closures, recycling and trash receptacles, and stage



Where Georgia comes together.

Perry Area Chamber of Commerce Independence Day Parade

Organization hosting event: Perry Area Chamber of Commerce

Event Coordinator: Darlene McLendon

Name of Event: Independence Day Parade

Date(s) of event: Saturday, June 29th 2019

Event Start & End: 10 AM through 11:30 AM

Event Description:

The Perry Area Chamber of Commerce will be hosting their annual Independence Day Parade to celebrate Perry's Patriotic Pride and honor our hometown heroes.

Council Action Requested:

- Approval of parade route and corresponding road closures
- Approval of parade fee waiver
- Approval to use City tram for "hometown heroes" to ride on

City Services Requested:

Road Closures Requested: Parade Route 1

- Washington Street (Between Sam Nunn & Northside Drive)
- Washington Street (Between Northside Drive & Main Street)
- Main Street (Between Washington Street & General Courtney Hodges)
- General Courtney Hodges (Between Main Street & Larry Walker Parkway)
- Larry Walker Parkway (Between General Courtney Hodges & North Gate GNFA)

Time of Road Closures:

- Line up At 8 AM | Step off at 10 AM | Rolling parade route as called by Police

Personnel/Support Requested:

- Police Personnel (as the City deems necessary)
- Fire & Emergency Personnel (as the City deems necessary)
- Public Works | Assistance with road closures as needed and street cleanup following event